



**MOWBRAY**

Education Trust

# Pay Policy

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## 1. Aims

This policy aims to:

- Clearly explain how we will determine teachers' pay and how decisions will be made based on the teacher's performance
- Set out a clear framework for pay and progression throughout the school

Adopting this policy will:

- Support the recruitment and retention of high quality teachers
- Enable us to recognise and reward teachers for their contribution to the school
- Ensure that pay decisions are made in a fair and transparent way
- Complies with current legislation, the requirements of the School Teachers' Pay and Conditions Document (STPCD), and the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service (Green Book).

## 2. Definitions

- **Teacher** includes all staff qualified and appointed to teach at the school. This includes the leadership team and the headteacher, unless otherwise stated
- **Teaching and learning responsibility** is a payment awarded to a classroom teacher for undertaking a sustained additional responsibility, for the purpose of ensuring the continued delivery of high-quality teaching and learning and for which the teacher is made accountable
- **Main and upper pay ranges** are the ranges on which a classroom teacher's salary will be set
- **Leadership group** comprises the headteacher, head of school, deputy headteacher and assistant headteacher

## 3. Roles and responsibilities

Line managers will make recommendations on a teacher's pay following the teacher's appraisal.

Final pay decisions are made by the CEO.

## 4. How we will decide pay on appointment

The CEO and Head teacher will determine the pay range for a vacancy prior to advertising it. On appointment, they will determine the starting salary within that range to be offered to the successful candidate.

To determine the salary, the CEO and Headteacher will take into account a range of factors, including:

- The nature of the post
- The level of qualifications, skills and experience required
- Market conditions

- The wider school context and strategic priorities

There is no assumption that a teacher will be paid at the same rate as they were being paid in a previous school.

## **5. How we will decide on pay progression**

### **5.1 Annual reviews**

The governing board will ensure that each teacher's salary is reviewed annually between 1 September and 31 October, in alignment with our annual appraisal period.

Pay progression will be decided based on their performance during the previous appraisal period. The salary will be decided with reference to the appraisal reports and the pay recommendation they contain.

When making decisions, the governing board will take into account:

- The performance of the teacher over the appraisal period, using evidence of their performance against their objectives and the Teachers' Standards collected throughout the appraisal period. (Our appraisal arrangements, including what evidence will support judgements, are set out in full in our appraisal policy.)
- The pay recommendation made in the teacher's appraisal report
- Advice from the senior leadership team
- Any changes to the responsibilities and expectations of the teacher's role
- The wider school context, including the budget

When deciding pay progression based on performance, the evidence we will use may include but not be limited to:

- appraisals, peer review, tracking student progress, lesson observations, quality assurance processes, learning walks, marking scrutiny and feedback from stakeholders.

It will be possible for a 'no progression' determination to be made without recourse to the capability procedure. 'No progression' means that there will be no increase to pay at all, even if the value of the point that the employee is on is increased, the value of the employee's salary will not be increased. In this case the employee will come off the Trust's scale and will re-join the scale at the next review date following the required improvement in performance.

**Where teaching, progress or compliance with the Teachers' Standards is not meeting expectations the line manager will determine support and if necessary the capability procedure will be used. In such situations there would be no pay progression during that year.**

All pay decisions will be considered in the light of the budget of the individual setting. The Board aims to ensure that appropriate funding is allocated for pay progression at all levels.

## **5.2 Monitoring arrangements**

This policy will be reviewed annually by members of the trust board and approved by the trust board.

The trust board will consider the outcomes and impact of the policy, including trends in progression across specific groups of teachers, to ensure it complies with equalities legislation.

## **6. Moving to the Upper Pay Range**

### **6.1 Making applications**

Any qualified teacher may apply to be paid on the upper pay range and all applications must be assessed in line with this policy. It is the responsibility of the teacher to decide whether or not they wish to apply to be paid on the upper pay range.

Applications may be made once a year by no later than 31st October.

Applications should contain evidence from the last two years and should be made in writing and be submitted to the Manager.

### **6.2 Assessment**

An application from a qualified teacher to progress on to the upper pay range will be successful where they can demonstrate that they meet not only the Teachers' Standards but are highly competent in all elements of the Standards and that their achievements and contribution are substantial and sustained. In this Trust this means that to achieve progression, the Manager must be satisfied that the teacher meets these criteria and there is evidence from the past two years of:

- a) consistently outstanding teaching
- b) evidence of coaching and supporting colleagues to achieve improved student outcomes
- c) acting as a role model for Teaching & Learning
- d) a commitment to personal development and CPD focused on improving outcomes for students
- e) a high level of competence in all areas of the Teachers' Standards
- f) the contribution at this level must be substantial and sustained.

### **6.3 The Decision**

The application will initially be assessed by the Manager who will moderate all applications. The Manager will then make the final decision as to whether the application is successful.

The assessment will usually be made within 20 working days.

If successful, applicants will move on to the upper pay range backdated to the beginning of that academic year.

Ordinarily a successful teacher will be placed on the bottom of the upper pay range. In exceptional circumstances the Manager may recommend a higher salary based on:

- a) the nature of the post and the responsibilities it entails
- b) the level of qualifications, skills and experience of the teacher
- c) market forces

If unsuccessful, feedback will be provided in writing by the Manager along with confirmation of the process for appeals.

### **Pay progression for teachers within the upper pay range**

Once a teacher has moved on to the upper pay range, if eligible they will be automatically considered for further progression no more than once every two years and no application will be necessary. However annual pay progression within the range is not automatic and decisions regarding pay progression will be clearly attributable to the teacher's performance with reference to the appraisal process.

Upper pay range teachers will progress by one point, until they reach the top of the range, if they can demonstrate and the Manager is satisfied that there is evidence from the required period of continuing to meet the criteria set out in this section.

Additional progression may be considered for upper pay range teachers where performance is judged to be exceptional and where all objectives have been exceeded.

## **7. Additional allowances**

### **Teaching and Learning Responsibility (TLR) payments**

We pay TLR1 or TLR2 to a classroom teacher for undertaking a sustained additional responsibility in the context of our staffing structure for the purpose of ensuring the continued delivery of high quality teaching and learning and for which the teacher is made accountable. The award is made whilst the teacher remains in the same post or occupies another post in the absence of a post-holder. A fixed term TLR3 payment may be awarded for time-limited school improvement projects, or one-off externally driven responsibilities.

### **Special Educational Needs (SEN) allowances**

A SEN allowance will be paid to classroom teachers who meet the criteria set out in the STPCD. Where a SEN allowance is to be paid, the spot value will be determined based on the structure of the SEN provision, whether mandatory qualifications are required for the post, the qualifications or expertise of the teacher and the relative demands of the post.

### **Newly qualified teachers (NQTs)**

In the case of NQTs pay decisions will be made by means of the statutory induction process.

### **Part time teachers**

Teachers who work less than a standard working week are deemed to be part time. Their hours and working time obligations will be set out in their contracts of employment and in line with the provisions of

STPCD. The pay of part time teachers will be determined in the same way as full-time teachers and any increase in pay will be paid pro rata to full time equivalent salary rates.

### **Short notice/supply teachers**

Teachers employed on a day-to-day or other short notice basis will be paid on a daily basis calculated on the assumption that a full working year consists of 195 days; periods of employment for less than a day being calculated pro-rata. They will be paid the agreed rate for the job and are not subject to the appraisal process.

### **Pay protection**

Pay protection arising from changes to pay and structure will be in line with the provisions of STPCD.

### **Absence and pay progression**

Employees who are absent long term (including but not limited to maternity leave and long term sick leave or due to a disability) are still eligible to be considered for pay progression.

The Manager will take into account the criteria set out in this policy but use the period of time prior to the employee commencing their period of absence. In most cases this will be the preceding year or two years for progression on to the upper pay range. If there is sufficient time for assessment in the current cycle, that period may also be considered.

## **8. Appeals**

Employees are entitled to be represented by a recognised trade union or colleague at any formal stage of this procedure. The employee is responsible for making these arrangements and for providing their representative with any paperwork they require for the meeting. The employee should inform the Manager who their chosen companion is, in good time before the meeting.

Upon receipt of written notification of the pay decision, if the employee is dissatisfied they should first discuss the decision with the Appraiser within five working days of receipt of the notification.

This discussion gives an opportunity for the employee to discuss the decision on their pay, to gain an understanding of why the pay recommendation and decision were made and to resolve issues quickly and informally. If this does not resolve an issue, the employee may follow the formal procedure set out below.

Where the Appraiser is also the Manager the process will start at Stage One.

### **Stage One - Formal**

If, following discussion with the Appraiser, the employee remains dissatisfied, they can make a formal appeal in writing within five working days of the discussion with the Appraiser, or within five days of the receipt of the notification (whichever is the longest), to the Manager who made the decision. The possible grounds for appeal are:

- incorrectly applied any provision of the STPCD;

- failed to have proper regard for statutory guidance;
- failed to take proper account of relevant evidence;
- took account of irrelevant or inaccurate evidence;
- was biased; or unlawfully discriminated against the employee.

Appeals against pay decisions should be made in writing and addressed to the Manager stating the grounds of the appeal in accordance with the above.

The Manager who made the decision will arrange a meeting to consider the appeal as soon as is practically possible. The employee will be invited in writing, giving a minimum of five days' notice and copies of any relevant documents to be considered at the meeting will be enclosed.

The employee will have the opportunity to make representations to the Manager. A note taker will also be present.

The Manager will review their decision and will confirm the outcome in writing to the employee within five days.

### **Stage Two - Formal**

If an employee wishes to appeal against the decision made at Stage One, they may do within five working days of the written decision on the following grounds:

- incorrect application of any provision of the STPCD;
- failure to have proper regard for statutory guidance;
- failure to take proper account of relevant evidence;
- taking account of irrelevant or inaccurate evidence;
- bias; or unlawful discrimination against the employee.

Appeals against the decision at Stage One should be made in writing and addressed to the Group HR Manager stating the grounds of the appeal in accordance with the above.

Upon receipt a more senior Manager, or panel of Trustees who have not been involved in the original decision will convene a meeting to consider the appeal as soon as is practicably possible. The employee will be invited in writing, giving a minimum of five days' notice and copies of any relevant documents to be considered at the meeting will be enclosed.

The employee will have the opportunity to make representations at the appeal meeting and the Manager who heard Stage One will also attend. A note taker will also be present.

The decision made at the appeal meeting will be confirmed in writing to the employee within five days. The decision from the appeal meeting is final; there is no further right of appeal.

The steps of the pay appeals process perform the function of the grievance procedure on pay matters and so employees will not be able to raise the complaint under the grievance procedure following conclusion of a pay appeal.



## **9. Support Staff Pay**

### **Pay reviews**

The Local Governing Body will ensure that each member of school-based support staff's salary is reviewed annually with effect from 1 April if eligible. The CEO will ensure that the salaries of centrally employed staff are reviewed annually, with effect from 1 April.

### **Salary scales**

The salary scales used will be in accordance with the Green Book and Local Authority pay scales. These scales do not apply to employees whose terms and conditions do not include Green Book provisions.

### **Job descriptions**

The Manager, in conjunction with the line manager of the role, will ensure that an up to date job description is available for each post which identifies the appropriate duties.

The job description will be reviewed as appropriate or when duties or responsibilities have changed, and it will be amended to reflect the current role; although it should be recognised that job descriptions are not intended to list all tasks. An employee may request changes to their job description if they feel their duties or responsibilities have changed significantly. If appropriate, consideration may be given to whether the grade for the post should be re-determined and if it is, the post holder will be paid the new grade from a date determined by the Manager. If the assessment results in a lower grade, the employee may be entitled to salary protection in accordance with their terms and conditions of employment.

### **Pay on appointment**

The Trust will determine the grade for a vacancy prior to advertising it which will be identified on the job description. On appointment the Manager will determine the appropriate point within the grade to be offered to the successful candidate (which will usually be the bottom point of the grade). However, in making such determinations, this may take in to account a range of factors, including:

- the nature of the post
- the level of qualifications, skills and experience required
- market conditions
- the wider Trust context and strategic priorities

### **Incremental progression**

Incremental progression only applies to staff whose terms and conditions include Green Book provisions. The contract of employment will state whether Green Book provisions apply.

If the employee has more than 6 months' service in their role at 1 April, they are eligible for an increment subject to satisfactory service. This will be paid annually with effect from 1 April until the employee reaches the top of their grade.

If the employee has less than 6 months' service in their role at 1 April, the first increment will not be paid until six months after their appointment subject to satisfactory service.

Incremental progression is subject to satisfactory service and as such may be withheld where there are concerns about an employee's performance, such as achievement of objectives under the Appraisal Policy or wider performance concerns during the appraisal year. Where concerns arise, these will be discussed with the employee and a support plan put in place. In cases where incremental progression is withheld, the employee will receive confirmation of this in writing including the reasons and informing them of their right of appeal. Pay progression may be refused without recourse to the capability procedure.

For employees whose terms and conditions do not include Green Book provisions, the Manager, in consultation with the Group HR Manager will decide whether any pay increases should be applied.

## **Honoraria**

An honorarium may be paid on a temporary basis where an employee is offered and agrees to:

- undertake higher level work in addition to their normal duties
- 'act up' for at least four weeks in to a higher graded post which has become temporarily vacant, for example, due to sick leave

The Manager will determine the amount of this payment. Where the employee is undertaking higher level work not equivalent to a higher graded post, a fixed sum will be agreed. Where the employee is acting up and, if carrying out the full responsibilities of the role, the payment will usually be the difference between the minimum point of the higher graded role and their current salary.

The employee will return to their substantive post and salary when they are no longer required to undertake the higher level work or 'act up.'

This should usually only be a temporary solution and the Manager should consider whether it may be more appropriate to advertise the post or duties on a fixed term basis.

## **Appeals**

A member of support staff has the right to appeal against a decision that affects their pay. The principles of the appeals process for teachers apply however the Green Book replaces references to the STPCD where applicable.

## **10. Pay and Reward of Senior Staff**

### **Introduction**

Mowbray Education Trust is a large and complex organisation and is committed to delivering the best possible education provision for its students. To achieve this the Board recognises that it is essential to recruit and retain appropriately qualified, motivated and suitable individuals. The Board also recognises that the Trust is operating within a competitive market.

This part is concerned solely with the remuneration of senior employees who operate across the Trust.

### **Definitions**

The following positions are defined as senior management positions within the Trust.

- Chief Executive Officer
- Chief Finance Officer
- Group Operations Manager
- Executive Head Teacher

The inclusion of a job title above does not imply that the above position is in operation within the Trust currently, or that there are imminent plans to introduce such a position. The Trust Board will keep under regular review, through the Audit Committee the various senior posts of employment within the Trust. The financial performance of the Trust must be taken into consideration as part of any remuneration setting exercise.

### **Determining pay and reward**

The Trust Board have set out an expectation that the senior staff above are paid at a level commensurate with organisations in the Midlands that are of comparable size, status and operating structures.

The Board has decided that senior staff may be remunerated towards the top end of any benchmarked range to encourage the recruitment and retention of the best talent available

### **Reviewing pay and reward**

Senior staff will have their pay and reward reviewed annually by the Board. The Board will determine pay and reward and may also link this to any other whole Trust pay awards.

The Audit Committee will make recommendations on salary levels and benefits to the Full Board for approval and implementation based on the following factors:

- Satisfactory performance by the senior managers included within this policy
- Periodic reviews to ensure that salary levels are still set at an appropriate level in relation to the remainder of the sector
- The context of the financial position of the Trust

## **11. Leadership pay**

Pay ranges for Headteachers / Head of School, Deputy Headteachers and Assistant Headteachers will be determined in line with STPCD for new appointments. The pay range will take into account all permanent responsibilities of the role, any challenges that are specific to the role and all other relevant considerations including the skills and competencies required. Pay ranges will allow appropriate scope for performance related progression over time.

### **Head Teachers and Heads of School**

The school will be assigned to a Headteacher group calculated using its total unit score, in accordance with STPCD.

A pay range will be determined for the Head Teacher, in line with the STPCD, which will not normally exceed the maximum of the Head Teacher group, unless the specific exceptional circumstances or candidate warrant it.

Additional payments may be made to a Head Teacher for temporary responsibilities that are in addition to the duties taken in to account for the determination of the substantive salary. The total sum of any temporary payments will not normally exceed 25% of the Head Teacher's annual salary.

In addition, the total sum of annual salary combined with any temporary payments (where applicable) will not exceed the maximum of the Head Teacher group for the school, by more than 25%. Where this, or exceeding the limits set out at above are being considered, there must be wholly exceptional circumstances and a business case must be written for consideration by the CEO who will seek advice from the Group HR Manager.

### **Deputy Head Teachers and Assistant Head Teachers**

A pay range will be determined for any Deputy Head Teacher and Assistant Head Teacher, considering how the role fits within the wider leadership structure of the school. The pay range will not exceed the maximum of the Head Teacher group for the school and will not normally overlap with the pay range of the Head Teacher, except in exceptional circumstances.

### **Pay progression for members of the leadership group**

Eligible members of the leadership group will be automatically considered for further progression and no application will be necessary. However annual pay progression within the range is not automatic and decisions regarding pay progression will be clearly attributable to the leadership group member's performance with reference to the appraisal process.

Leadership group members will progress by one point until they reach the top of their range if they can demonstrate, and the Manager, is satisfied that there is evidence of sustained high quality of performance in leadership and management and student progress, clearly linked to school improvement priorities and outcomes.

Additional progression may be considered for members of the leadership group where performance is judged to be exceptional and where all objectives have been exceeded.

## **12. Information to be included in pay statements**

When pay is changed, teachers will receive a written statement confirming this as soon as possible and not later than 4 weeks after the decision.

The statement will be issued by the Mowbray Education Trust.

For all teachers, statements will include:

- Payments or other financial benefits awarded
- Any safeguarded sums
- Information on where the teacher can access a copy of the school's staffing structure and pay policy

Statements for members of the leadership group and teachers paid as leading practitioners will also include:

- The basis on which the salary has been determined
- The criteria on which their salary will be reviewed in future

Statements for teachers appointed to the leadership group or paid as a leading practitioner for a fixed period or under a fixed-term contract will also include:

- The date that the fixed period or the contract will end, or the circumstances that will lead to the contract ending

Statements for classroom teachers or unqualified teachers who are paid and eligible for allowances as a qualified teacher will also include:

- The teacher's position within the pay ranges
- The nature and value of any allowance received
- The value of any teaching and learning responsibility (TLR) payment awarded and details of what it was awarded for
- Where a TLR was awarded to cover a teacher's absence, the end date of circumstances in which it will end
- For TLR3s, the letter should also include a statement that the payment will not be safeguarded

Statements for unqualified teachers will also include:

- The teacher's position within the unqualified teachers' pay range
- The value of any unqualified teacher's allowance awarded and the additional responsibility, qualifications or experience in respect of which the allowance was awarded