



# **SCHOOL'S PAY POLICY**

**2022/2023**

**For schools and settings in the London  
Borough of Hackney**

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## About this policy

### Purpose

This document describes the Schools' Pay Policy. Refer to the table of contents, below, for a full list of topics covered.

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## Version control

The table below shows the history of the document and the changes that were made at each version:

Version	Date	Summary of changes
Final	2 March 2007	First published version.
	6 August 2007	5.1 & 5.2: Clarification of pay determination for Headteachers, Deputy Headteachers and Assistant Headteachers.
2.0	August 2009	3.6 to 3.11: Clarification on Short Notice Teachers pay determination, Part-Time Teachers pay calculation, assessments of ASTs, ETs and Chartered London Teachers. 3.13: Clarification on SEN allowances. 6.1: Deletion of Management Allowances section as this ceased in December 2008 and is no longer applicable. The following safeguarding arrangements came to an end on 31 December 2008; Management allowances, Assimilation safeguarding, Social priority allowance and Inner London Area Supplement. Any such payments should have ended on that date.
3.0	August 2010	<ul style="list-style-type: none"> <li>• Pay scales bringing in a 2.3% pay award from 1<sup>st</sup> September 2009 have been incorporated into the <i>School Teachers' Pay and Conditions Document (STPCD) 2009</i>, Paras 6.4, 17.3, 19.2, 27.1 &amp; 35.3.</li> <li>• An increase of 2.3% in the value of the TLR1 &amp; TLR2 ranges (Para 21.2 STPCD) from 01<sup>st</sup> September 2009; a requirement to increase all TLR's in payment by 2.3 % from 01<sup>st</sup> September 2009 (STPCD Para 22).</li> <li>• An increase of 2.3% in the value of SEN allowances (STPCD Para 25.1).</li> <li>• Additional increases for some main &amp; Upper Pay Scale teachers in inner London.</li> <li>• New arrangements for calculating the remuneration of Headteachers when they are appointed as a Headteacher of more than one school either in a temporary (STPCD Para 12.2.9) or permanent (STPCD Para 12.2.7) capacity. Consideration needs to be given to the pay of other teachers as well if Heads take on extra responsibility.</li> <li>• Changes to the threshold application arrangements in England (STPCD Paras 19 &amp; 20).</li> <li>• Revised arrangements for excellent Teachers' pay, with the introduction of a separate range for each of the four geographical areas (STPCD Para 33.3).</li> <li>• A provision for the relevant body to make additional payments for the cost of services provided by the Headteacher of one school to another and to decide what payment, if any, should be made to the Headteacher and other Teachers as a result.</li> <li>• The annual limit of 38 hours on the amount of cover (STPCD Para 72.9.1 to 72.9.3) that can be carried out by Teachers is removed and, instead, Teaches will be required to cover only rarely.</li> </ul>
4.0	November 2010	Corrected a typographical error in section 7.4 (on page 30).
5.0	September 2013	<ul style="list-style-type: none"> <li>• Taken from Section 1, which does not form of the statutory guidance.</li> </ul>

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		<ul style="list-style-type: none"> <li>• The ending of annual incremental pay progression for all pay progression after the 2013 pay award. Pay awards made in September 2013 will be based on the 2012 pay system of incremental pay. (STPCD 2013 para 14).</li> <li>• The introduction of pay progression linked to performance for all pay from September 2013 onwards. This will become apparent from September 2014. (STPCD 2013 para 21).</li> <li>• The removal of Advance Skills Teachers (ASTs) and Excellent Teachers pay scales and assessment arrangements.</li> <li>• The introduction of a new pay range for leading practitioners whose primary purpose is to model and lead the improvement of teaching skills (STPCD 2013 para 18).</li> <li>• A new simpler criteria of the current threshold progression from the main to the Upper Pay Range (STPCD 2013 para 17).</li> <li>• The introduction of TLR3 – a fixed term teaching and learning responsibility (STPCD 2013 para 25).</li> <li>• The removal of the three year limit on recruitment and retention allowances (STPCD 2013 para 47).</li> <li>• Section 3 – Guidance for Local Authorities, School Leaders, School Teachers and Governing Bodies of Maintained Schools is significantly shorter than the 2012 version and only contains guidance that is essential to retain in statutory form.</li> <li>• Guidance on salaries of Executives Headteachers.</li> </ul>
6.0	November 2014	<ul style="list-style-type: none"> <li>• Removal of pay reference points, however the DfE has provided as guidance.</li> <li>• 1% uplift to the minimum and maximum of all pay ranges (uplift to be included for all pay ranges).</li> <li>• The introduction of a three-stage process for determining leadership pay.</li> <li>• Changes to the pay provision of the leadership group for those starting in post on or after 1<sup>st</sup> September 2014. Replaced by a leadership scale with minimum and maximum levels only.</li> <li>• An introduction of eight pay bands for Headteachers, also with minimum and maximum levels.</li> <li>• The abolition of the previous £1500 differential between different levels of TLRs.</li> <li>• In relation to conditions of service the removal of the specific list of 21 administrative/clerical tasks and the removal of the non-statutory section 4 guidance.</li> </ul>
7.0	October 2015	<ul style="list-style-type: none"> <li>• 1% uplift to the minimum and maximum of all pay ranges in the national pay framework, including allowances, with two exceptions – a 2% increase to the maximum of the main pay range and no increase to the maximum of the eight Headteacher pay group ranges. The STPCD 2015 reflects these new ranges.</li> </ul>
8.0	September 2016	<ul style="list-style-type: none"> <li>• 1% uplift to the minimum and maximum of all pay ranges in the national pay framework, including allowances. The STPCD 2016 reflects these new ranges. Clarity over use of Threshold application document. Update to Teachers standards.</li> </ul>
9.0	September 2017	<ul style="list-style-type: none"> <li>• 2% uplift to the minimum and maximum of Main Pay Ranges and a 1% increase to the minima and maxima of other pay and allowance ranges. Clarity on review time for performance threshold assessment.</li> </ul>
10.0	October 2018	<ul style="list-style-type: none"> <li>• 3.5% uplift to the pay range 1 – 6 and main pay range.</li> <li>• 2% increase to the upper pay range 1 – 3, leading practitioner pay range and all allowances.</li> </ul>

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		<ul style="list-style-type: none"> <li>• 1.5% of the leadership pay range 1 – 43.</li> <li>• All other allowances 2%.</li> </ul>
11.0	October 2019	<ul style="list-style-type: none"> <li>• 2.75% uplift to all pay ranges in the national pay framework, including allowances.</li> <li>• Clarification on targets for application to the upper pay range.</li> <li>• Section 3.4 added – when an unqualified teacher becomes qualified.</li> <li>• Addition of the pro rata principle for part time teachers.</li> </ul>
12.0	October 2020	<ul style="list-style-type: none"> <li>• Addition of consideration during the coronavirus pandemic.</li> <li>• 5.5 % uplift to the minimum and a 2.75% uplift to the maximum of the main pay scale in the national pay framework, including allowances.</li> <li>• 2.75% uplift to all other pay ranges in the national pay framework, including allowances.</li> <li>• Addition of the advisory points to the main and upper pay scales.</li> <li>• Section 3.3 - additional wording added to the Moving to the upper pay range and an update to the definitions of 'highly competent' and 'substantial'.</li> <li>• Section 5 - additional wording added to the leadership group.</li> <li>• Section 6.2 update of wording to Continuing Professional Development to align to the wording of the STPCD 2020.</li> </ul>
13.0	October 2021	<ul style="list-style-type: none"> <li>• Section 3.3.1 - additional wording added to the Moving to the upper pay range and an update to the definitions of 'highly competent', 'sustained' and 'substantial'.</li> <li>• Section 3.3.2 - removal of the application process from Moving up the upper pay range.</li> <li>• Section 4 - a consolidated pay award of £250 applied to Points 1-3 of the Unqualified teacher pay range.</li> <li>• Section 6.2.1 - criterion and factors for award of TLRs - additional wording regarding the payment of TLR3s.</li> <li>• Section 6.3 Special Educational Needs Allowances - updated guidance on awarding SEN allowances.</li> <li>• Appendix 1 - Considerations for the year 2020/21.</li> </ul> <p>Guidance on change to working days for 2021/22 to reflect the Bank Holiday on Friday 3rd June 2022 to mark the Queen's Platinum Jubilee.</p> <p>Guidance on the £250 consolidated award for teachers whose full-time equivalent basic earnings are less than £28,681 in Inner London.</p>
14.0	October 2022	<ul style="list-style-type: none"> <li>• Equal opportunities - additional wording on making reasonable adjustments and reference to the Equality in pay progression section in the STRB document.</li> <li>• 5.0% uplift to all pay and allowance ranges and advisory points,</li> <li>• Section 3.1 Pay reviews - additional wording on timeline for pay reviews.</li> <li>• Section 3.3.1: <ul style="list-style-type: none"> <li>- Clarification that applications to the upper pay range would normally form part of the teacher's appraisal process. Additional evidence would only be required under certain circumstances.</li> <li>- Additional wording on setting success criteria for targets and providing additional support where necessary.</li> <li>- Definitions of 'highly competent', 'sustained' and 'substantial' have been updated.</li> </ul> </li> <li>• Section 3.3.2 - Additional wording on setting success criteria for targets and providing additional support where necessary.</li> </ul>

		<ul style="list-style-type: none"><li>• Appendix 1 - Considerations for the year 2022/23. Guidance on change to working days for 2022/23 to reflect the Bank Holiday on Friday 19th September 2022 to mark the Queen Elizabeth's II funeral.</li></ul>
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## Distribution

Distribution is:

- HR Team
- Governing Bodies
- Headteachers
- Recognised Trades Unions.

The following model Pay Policy may be adapted as necessary by the Governing Body and adopted for use by the school. Any adaptations by the Governing Body should be made with regard to its discretionary powers and will not affect the mandatory elements as determined by the *School Teachers' Pay and Conditions Document*. Care should be taken to ensure a relevant and applicable version is adopted by the Governing Body.

## Introduction

This document sets out the basis on which the Governing Body will determine all school employees' pay. It also establishes the procedures for determining appeals.

When taking pay decisions, Governing Bodies, schools and the local authority must have regard to both the Pay Policy and to the particular post within the staffing structure.

**[A copy of the current staffing structure must be attached to this Pay Policy]**

This document should be published to all staff.

The school's Pay Policy and the staffing and pay structure should be reviewed annually and in consultation with staff and their representatives, or whenever significant changes in national and local agreements on pay and conditions necessitate a review.

## Policy Statement

The Governing Body will adopt a 'whole school' approach to pay issues. Pay decisions will be taken in the context of full consideration of the resources available to the school. This means that pay decisions relating to any given group of staff will not be taken in isolation, and that all pay decisions will be taken in the context of the school as a whole.

This policy aims to ensure fair and equitable treatment for both teaching and support staff. These procedures for determining pay are consistent with the principles of public life and will ensure objectivity, openness and accountability.

The overall objective of this policy is to ensure that all teaching and support staff are valued, treated fairly and receive recognition for their work and their contribution to school life.

When advertising all posts the school will provide job applicants with the appropriate salary details.

All information on which pay decisions are based will be treated with strict confidentiality.

## Considerations during the coronavirus pandemic

Headteachers must ensure that teachers are not penalised during the appraisal process or in respect of any subsequent pay progression decisions as a result of the decision to restrict pupil attendance at schools or having to adapt their working methods due to the coronavirus pandemic, such as where this has had an impact on the ability of the teacher to fully meet their objectives.

Therefore a principle of no detriment should apply, when considering pay progression of teachers across all scales. This means that there is an expectation for appraisers to assess the teacher's performance prior to the school closure/partial closure, adjusting if necessary, for expected trajectory had there been no closures. In addition to that, for those teachers wishing to progress to the upper pay range, appraisers must also factor in a minimum of 'good' teaching practice from the previous year.

The only exceptions to this is where headteachers who, prior to "lockdown", had significant concerns about the standards of performance or conduct of a teacher. These concerns would have to be stated in writing to the teacher and include the following circumstances:

- Section 10 of the Appraisal Policy - informal capability, teachers requiring additional support
- or were subject to formal capability proceedings (section 5 of Capability Policy).

Where a decision is made to withhold pay progression the normal entitlements to appeal will apply.

## Equal Opportunities

The school is committed to promoting equality and inclusion in all areas of employment and to challenging discrimination and bias.

The School aims to secure equality of opportunity in all its activities, and in this respect all staff should demonstrate a positive approach towards equality in employment.

The school seeks to use this Pay Policy to maintain and promote equal opportunities within the school and ensure that no member of staff is discriminated against for any reason.

Schools must carry out any appraisal and pay review processes in line with the Equality Act 2010. Advice for schools on how the Equality Act affects them and how to fulfil their duties under the Act can also be found on [GOV.UK](https://www.gov.uk).

The school will also ensure that staff are not disadvantaged on the grounds of ethnicity, gender, age, disability, sexual orientation, belief, pregnancy and maternity, gender reassignment, marriage and civil partnership. These are protected characteristics under the Equality Act 2010.



The school will provide appropriate support to all staff and will give them sufficient opportunity to have their training and development needs reviewed regularly as part of the performance management review arrangements.

The school will make every effort to address the needs of those with disabilities or physical or mental health conditions, and will make any reasonable adjustments necessary in order to overcome any barriers to access.

The DfE has published [evidence](#) on teacher pay including the section: Equality in pay and progression. School leaders should be aware of patterns of potential disparity in pay and pay progression between certain groups of staff and carry out equality impact assessments of pay decisions and pay awards for their staff.

All schools are expected to give Hackney Education equalities monitoring data, including related to pay, on their staff returns.

For further information please refer to the government guidance [The Equality Act 2010 and schools](#).

Please also refer to the Key Legislation section.

## Access to Salary Records

The school holds personal files for all staff. Staff may have access to their salary records by making a written request to the Senior Administrative Officer or the School Business Manager.

The member of staff should make an appointment two days in advance with the Senior Administrative Officer or the School Business Manager. Two days written notice, using the Request to Access Employee's Personnel File Form, should be given by anyone who is authorised to consult a specific personal file. (See the [Human Resources Record Policy](#).)

When the Pay Committee makes a reasonable request for salary information this should be extracted from the employee's personal file and supplied. All salary information is held and processed in accordance with the General Data Protection Regulation (GDPR) and Data Protection Act 2018.

## Key Legislation

This Pay Policy ensures the schools compliance with The Employment Rights Act 1996, The Working Time Regulations 1998, The Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000, The Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002, The Employment Act 2002, The Employment Act 2008, The Agency Workers Regulations 2010, The Equality Act 2010 The Education (School Teachers' Appraisal) (England) Regulations 2012, The School Teacher Appraisal (Wales) Regulations 2011, The Flexible Working Regulations 2014 which cover the following:

- Age discrimination.
- Disability discrimination.

- Equal pay.
- Fixed-term employees.
- Gender reassignment.
- Rehabilitation of offenders.
- Marriage and civil partnership.
- Part-time employees.
- Pregnancy and maternity.
- Race discrimination.
- Religion or belief.
- Sex discrimination.
- Sexual orientation.
- Trade union membership.

In implementing this policy the Governing Body will work within the national and local agreements on pay and conditions of service and the accompanying statutory and non-statutory guidance.

Staff and union representatives will be consulted on any changes to this document. It will be reviewed each year, or when other changes occur to the *School Teachers' Pay and Conditions Document/Burgundy Book* and/or changes to support staff pay and conditions of employment.

## School Pay Policy

This policy has been formally adopted by the Governing Body of

\_\_\_\_\_ (school)

on \_\_\_\_\_ (date).

# 1. Principles - All School Staff

## 1.1 The Relevant Pay Committee

Only the Governing Body has the power to agree the Pay Policy and to approve the membership and the terms of reference for committees. The membership of committees may change from time to time subject to full Governing Body approval. A Personnel/Pay Committee may include staff Governors but such membership should be excluded where a personal interest exists.

It is recommended that membership of the Relevant Pay Committee consists of a quorum of at least three Governors, to include a non-staff Governor and the Headteacher or their substitute. The Governing Body should insert its own arrangements for making pay decisions if these differ from those set out above.

**Note:** Additional advice on committee structures and terms of reference can also be provided by Hackney School Governors' Association (HASGA) or by Hackney Education's Governor Support Services

### 1.1.1. Terms of Reference

- To implement the Pay Policy with reference to staffing and financial budget plans.
- To achieve the aims of the Pay Policy in a fair and equitable manner and within statutory and contractual obligations.
- To apply the criteria of the Pay Policy consistently in determining the pay for each member of staff in the annual review.
- To determine the size of the leadership group; and set an Indicative Pay Range (IPR) for the Headteacher Leadership Pay Range and for other staff on the Leadership Pay Spine and decide where leadership group members should be placed on these.
- To consider difficult and discretionary pay issues, such as the use of recruitment and retention incentives.

The Relevant Pay Committee shall also be required to:

- Minute all decisions taken and submit these minutes to the Governing Body as required.
- Keep abreast of any relevant developments and advise the Governing Body when the Pay Policy needs updating.
- Observe all statutory, non-statutory and contractual conditions in respect of pay matters.
- Maintain the strictest confidentiality.
- Recommend to the Finance Committee any budget adjustments needed for annual pay reviews.
- Work with the Headteacher to ensure that the Governing Body complies with The Education (School Teachers' Appraisal) (England) Regulations 2012.

## 1.2 The Headteacher

Although the Relevant Pay Committee has overall responsibility for the management of the Pay Policy, it is not always practical for every single pay decision to be referred to it. Therefore the Headteacher has delegated responsibility for the following:

- Setting performance objectives and carrying out performance development reviews as required.
- Ensuring effective appraisal arrangements are in place and that appraisers have the knowledge and skills to apply procedures fairly.
- Approving salary assessments for all staff (except themselves, the Headteacher).
- Ensuring that when pay recommendations are made to the Governing Body that they are provided with sufficient and appropriate evidence and information to make pay decisions.
- Applying pay discretions where these are clear and non-contentious within the scope of the policy.
- Overseeing temporary and supply staff appointments.
- Reviewing, drafting and finalising job descriptions for all staff.
- Ensuring teachers are informed about pay decisions reached, and that records are kept of recommendations and decisions made.

## 1.3 Pay Appeals Procedure

An employee may seek a review of any decision taken in relation to their pay.

The following list includes the usual reasons for seeking a review of a pay determination.

The person or committee by whom the decision was made:

- incorrectly applied any provision of this document;
- 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
- otherwise unlawfully discriminated against the employee.

### 1.3.1 Procedures

The order of proceedings is as follows:

1. The employee receives written confirmation of the pay determination and, where applicable, the basis on which the decision was made.
2. If the employee is not satisfied, they should seek to resolve this by discussing the matter informally (normally with the Headteacher) within 10 working days of the decision.
3. Where this is not possible or where the employee continues to be dissatisfied, they may follow a formal appeal process.

4. The employee should set down their grounds of appeal in writing for questioning the pay decision and send it to the Chair of Governors within 10 working days of being notified of the decision, or, of the outcome of the informal discussion referred to above. This time limit may be extended by either side if good and sufficient reason is given.
5. Any appeal should be heard by a panel of (preferably) three non-staff Governors. The appeal hearing should normally be held within 20 working days of the date of the written appeal notification and giving the employee at least 10 working days' notice of the date of the appeal hearing.
6. For any hearing the employee is entitled to be accompanied by a colleague or union representative. Each step and action of this process must be taken without unreasonable delay. The timing and location of the formal meeting must be reasonable and must allow both parties to attend and explain their case.
7. This procedure performs the function of the grievance procedure and therefore pay decisions should not be reopened under the general grievance procedures.
8. In the event of a complaint by the Headteacher, the Chair of Governors will act as the Review Officer, unless the Chair has been previously involved in the performance review proceedings. In this case another non-staff Governor should act as the Review Officer.

## 2. Basic Pay Determination – All School Staff

### 2.1 Performance Management

All members of school staff are required to participate in arrangements made for the annual review of their performance. This will be managed in accordance with the Appraisal Policy, which is based on the national revised appraisal arrangements which came into force from 1<sup>st</sup> September 2012 and revised in March 2019.

Please also refer to the guidance on [Inclusive Staff Development and Career Progression](#).

Relevant information from performance management reviews will be taken into account when taking pay decisions or when advising those responsible for taking pay decisions in relation to the annual pay review process.

The Governing Body agrees the school budget and will ensure that appropriate funding is allocated for performance pay progression at all levels.

**All annual pay reviews that have taken place during the Autumn term 2022 will be backdated to 1st September 2022.**

### 2.2 Job Descriptions

All members of school staff will be provided with a job description. The task of reviewing, drafting and finalising job descriptions is the responsibility of the Headteacher.

Job descriptions may be periodically reviewed, in consultation with the employee concerned, in order to make reasonable changes. Any member of staff is entitled to request a review of their existing job description. Any such request will be considered first by the Headteacher and then by the Personnel Committee where requested.

## **2.3 Training and Development**

All employees will be encouraged and supported in their development through appropriate training. The opportunity will be made available to review their needs with their line manager.

## **2.4 Capability Action**

Being subject to capability action may have an impact on the pay review for that or the following academic year.

However, the incremental point may be considered following a further pay review retrospectively, if the employee makes sufficient progress to reach a good level of performance.

The employee concerned should be formally notified of the possibility of not being awarded the forthcoming incremental point as soon as possible. Every effort should be made to provide the employee with the appropriate support and training to help them improve their performance within the context of the capability framework.

# **3. Teaching Staff**

## **3.1 Pay Reviews**

The Relevant Pay Committee will ensure that every teacher's salary is reviewed with between from 1 September and 31 October\* (except in the case of the Headteacher for whom the deadline is 31 December) each year and give them a written statement setting out their salary and any other financial benefits to which they are entitled.

Reviews may take place at other times of the year to reflect any changes in circumstances or job description that lead to a change in the basis for calculating an individual's pay. A written statement will be given within one month after any review and where applicable will give information about the basis on which it was made.

Individual teachers may make a written submission to the Relevant Pay Committee for particular consideration of their salary assessment.

Where a teacher is absent from work for a significant period of time, for example due to maternity or long term sickness absence, the Pay Committee will still undertake performance and pay reviews for that member of staff and ensure the member of staff is not being disadvantaged due to their absence.

Where a teacher is absent from work for a significant period of time, for example due to maternity or long term sickness absence, the Pay Committee will still undertake performance and pay reviews for that member of staff.

Where a teacher is on secondment or is acting up, the Relevant Pay Committee will still undertake performance and pay reviews for that member of staff.

*\*This date is dependent on the timeline of the publication of the School teachers' pay and conditions document (STPCD).*

## **3.2 Classroom Teachers on the Main Pay Range**

**The Governing Body will determine the pay range for a vacancy prior to advertising it. On appointment it will determine the starting salary within that range to be offered to the successful candidate.**

The Governing Body will, if necessary, use its discretion to award a recruitment and incentive benefit to secure the candidate of its choice (this must be time framed). Very clear and specific criteria should be adopted if doing so and documented evidence may be required to verify any experience claimed.

The Governing Body undertakes that it will not restrict the pay range advertised for the starting salary and pay progression prospects available for classroom teacher posts, other than the minimum of the Main Pay Range and the maximum of the Upper Pay Range.\*

The school is committed to the principle of pay portability. On appointment Classroom Teachers moving from one school to another will be placed on the same or higher pay point to ensure their current salary is not reduced.

\* In determining the pay range the Governing Body may take into account a range of factors, including:

(insert as applicable – these options are for guidance only, are not intended to provide an exhaustive list, and may not apply to all appointments).

- The nature of the post.
- The level of qualifications, skills and experience required.
- Market conditions.
- The wider school context.

### **3.2.1 Pay Determination for existing main scale teachers effective from September 2021**

The [School Teachers' Pay and Conditions Document 2022](#) requires the Pay Committee to set their pay structures within the minimum and maximum of the main pay range for teachers.

The main pay range for qualified teachers for the academic year 2022/2023 is:

Minimum: £34,502

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Maximum: £44,756

All pay progressions will be back dated to 1 September 2022.

The Pay Committee must determine, in accordance with their own pay policy and funding, how to implement pay awards within the main pay range for teachers.

From 1st September 2022, the advisory pay points within the main pay range are:

		<b>Pay</b>	<b>Percentage increase</b>
Minimum:	1	£34,502	5%
	2	£36,141	5%
	3	£37,857	5%
	4	£39,655	5%
	5	£41,892	5%
Maximum:	6	£44,756	5%

These advisory points are not mandatory and schools can choose a different approach.

Further guidance can be found in the Department for Education's document: [Implementing your school's approach to pay](#).

If a school chooses to use a different approach to the advisory points on the main scales, we recommend that the schools inform their HR and Payroll provider of the school's pay approach for the main scale for September 2022, so HR/Payroll can support the school on pay related employment matters.

Classroom teachers will be awarded pay progression on the Main Pay Range and the Relevant Pay Committee will follow these provisions and award a point following each successful performance management/appraisal review. If however, informal capability (Section 10 Appraisal Policy) or formal capability are underway Section 2.4 (Capability Action) of this policy will apply.

Reviews will be deemed to be successful unless significant concerns about standards of performance have been raised in writing with the teacher as outlined in Section 10 of the Appraisal Policy during the annual performance management/appraisal cycle and have not been sufficiently addressed through support provided by the school by the conclusion of that process.

Progress will be awarded and backdated provided the required Teachers' Standards are maintained.

Classroom teachers in their induction year will be awarded pay progression on the successful completion of induction.



Please refer to the [Teacher Standards: Guidance for school leaders, school staff and Governing Bodies](#).

### 3.3 The Upper Pay Range

The upper pay range for the academic year 2022/2023 is:

Minimum: £49,320

Maximum: £53,482

From 1st September 2022, the advisory pay points within the upper pay range or the school can choose a different approach.

We recommend that schools adopt a 3 point range:

		<b>Pay</b>	<b>Percentage increase</b>
Minimum	1	£49,320	5%
	2	£51,743	5%
Maximum	3	£53,482	5%

All pay uplifts will be back dated to 1 September 2022.

These advisory points are not mandatory and schools can choose a different approach.

Further guidance can be found in the DfE's Document: [Implementing your school's approach to pay document](#)

If the school chooses to use a different approach to the advisory points to the upper pay range, we recommend that the schools inform their HR and Payroll provider of the school's pay approach for the upper pay range for September 2022, so they can support the school on pay related employment matters.

#### 3.3.1 Moving to the upper pay range

Any teacher who has achieved Qualified Teacher Status can apply to be on the Upper Pay Range. There is no longer the requirement to be at the top of the main pay range; however this would normally be the case. Only one application can be made each year. Separate applications can be made if the teacher works at another school.

We recommend that during the appraisal review each year, the reviewer takes the opportunity to check if a teacher on the main scale wishes to consider applying for the threshold so that the teacher is clear on the process and timeframes involved.

We also recommend that the appraiser advises any teacher on point 5 of the main pay scale that suitable targets need to be set to ensure a successful future application for progression through the threshold.

It is for the teacher to decide whether or not they wish to apply to be paid on the Upper Pay Range. Those wishing to apply for performance threshold assessment may do so before 31<sup>st</sup> October (this is flexible, and only our recommendation). Consideration will be given to accepting late applications dependent on individual circumstances e.g. absence prevents this deadline being met.

A teacher, who wishes to become a post threshold teacher, should advise their reviewer two years in advance. The reviewer should share a copy of the threshold application with the teacher and set threshold targets accordingly to ensure that performance is assessed over the appropriate period. The targets set will assess practice as being highly competent, substantial and sustained.

In order to qualify for threshold, the teacher must provide two consecutive successful performance management reviews, including the threshold targets, where appropriate. It is important to highlight that there may be exceptional circumstances where two cannot be provided e.g. maternity leave, sickness, disability or contingency measures due to COVID-19 these staff should not be disadvantaged and exceptional circumstances should be taken into consideration.

## **The application process**

### **Applications must:**

Be submitted to the Headteacher.

- Include two consecutive successful performance management reviews.
- The 2011 and 2012 regulations provide that all applications should include the results of reviews or appraisals, including any recommendation on pay (or, where that information is not applicable or available, a statement and summary of evidence to demonstrate that the applicant has met the assessment criteria - see Upper Pay Range application).
- Be submitted by 31st October each year (schools can specify a later deadline should they wish and consideration will be given to accepting late applications after the closing date where individual circumstances e.g. absence prevent this deadline being met).

## **Using the upper pay range application to provide supplementary evidence**

The appraisal process would normally be expected to provide sufficient evidence for a teacher's application to the upper pay range. There are certain circumstances where the appraisal process may not be able to provide all the required evidence such as where a teacher below M5 is applying to move to the upper pay range or when a teacher is transferring from a different school.

In these cases, the [Upper Pay Range Application](#) document can be used to record any supplementary evidence.

## Criteria

Applications will be assessed against the [School Teachers' Pay and Conditions Document 2022](#) (stated below). For an application to be successful the Headteacher must be satisfied that:

- The teacher is **highly competent** in all elements of the relevant standards; and
- The teacher's achievements and contribution to an educational setting or settings are **substantial and sustained**.

Please refer to the [Upper Pay Range Application - with target examples](#) which provides examples of targets that could be used within each section of the [Upper Pay Range Application](#).

## Definitions

**'Highly competent'**: the teacher's performance is assessed as having excellent depth and breadth of knowledge, skill and understanding of the Teachers' Standards in the particular role they are fulfilling and the context in which they are working.

**'Substantial'**: means the teacher's achievements and contribution to the school are significant, not just in raising standards of teaching and learning in their classroom, or with their groups of children but also using their experience to support the school's identified priorities for improvement in improving the quality of education for pupils. This does not imply that the teachers needs to hold a whole school responsibility).

**'Sustained'**: means the teacher must have two successive appraisal reports and have made good progress towards their objectives during this period (see exceptional circumstances e.g. maternity/sick leave). They will have been expected to have shown they are using their experience to support the school's identified priorities for improvement in improving the quality of education for pupils.

At the point of setting the UPR targets, the reviewer and assessor should agree the success criteria for each target and the evidence that can be used to demonstrate success.

This evidence should normally form part of the appraisal process.

Over the review period the reviewer and teacher should meet regularly to review the progress against the threshold targets. The teacher is entitled to receive clear advice on how they need to develop in order to reach the threshold standards during the assessment period.

If the assessor or the teacher has concerns that the teacher is not on course to meet or able to provide evidence that they meet the targets, this must be raised at the earliest opportunity and a meeting between both should be held to identify any additional support that may be needed to help them do so.

Successful applicants will be placed on point 1 of the Upper Pay Range.

Teachers who are unsuccessful in passing the performance threshold assessment should be given written reasons, detailing which standards have been met and those which have not. It is expected that normally any concerns will have already been identified and shared with the teacher during the last 2 years. If they wish to appeal against this decision they should follow the procedures outlined in Pay Appeals Procedure, on page .

Teachers appointed to the school who have previously become entitled to be paid on the Upper Pay Scale will retain their entitlement to any points already awarded on this scale.

We recommend that the entitlement of a teacher to be paid on the Upper Pay Scale is retained when moving to another school. Further guidance in applying payment in the Upper Pay Scale is covered by the [School Teachers' Pay and Conditions Document 2022](#).

### 3.3.2 Moving up the Upper Pay Range

Progression up the UPR should be considered annually through the appraisal process and in line with the [STPCD 2022](#) (Section 15.2 and paragraph 19) and the [Appraisal Policy](#).

Pay progression will be considered annually, in accordance with the STPCD ensuring the teachers standards have been met, and also the targets set for UPR.

The Pay Committee must consider annually whether or not to increase the salary of upper pay range teachers who have completed a year of employment since the previous annual pay determination and, if so, to what salary within the upper pay range pay set out in Section 3.3.

Staff do not need to complete an Upper Pay Range application form to move up the Upper Pay Range. However, at the point of setting the UPR targets, the reviewer and assessor should agree the success criteria for each target and the evidence that can be used to demonstrate success.

This evidence should normally form part of the appraisal process.

The teacher is entitled to receive clear advice and support on their continued professional development to reach their targets during the assessment period. If the assessor or the teacher has concerns that the teacher is not on course to meet or able to provide evidence that they meet the targets, this must be raised at the earliest opportunity and a meeting between both should be held to identify any additional support that may be needed to help them do so.

Progression through the Upper Pay Scale is not automatic. Teachers can only progress if their performance has been reviewed through the appraisal process and they are assessed as being **highly competent** and have made a **substantial** and **sustained** contribution to the school taking into consideration teacher standards including targets set for UPR.

In making this decision the pay committee will consider the following: -

- Objectives have been met as determined during appraisal process
- Evidence from the appraisal which confirms that the criteria of 15.2 of the STPCD has been met (using the definitions above):
  - a) that the teacher is highly competent in all elements of the relevant standards; and

b) that the teacher's achievements and contribution to an educational setting or settings are substantial and sustained.

- The pay recommendation of the appraiser

### 3.4 Short Notice Teachers

Teachers employed on a day-to-day or other short notice basis must be paid in accordance with the provisions of the *School Teachers' Pay and Conditions Document* (STPCD) on a daily basis calculated on the assumption that a full working year consists of 195 days (194 days for the school year beginning in 2022 - see Appendix 1), periods of employment for less than a day being calculated pro-rata.

Teachers should be paid for all the hours they are required to be on the school premises. Allowance should be made for non-contact time.

Teachers who work less than a full day will be hourly paid and will also have their salary calculated as an annual amount which will be divided by 195 then divided again by 6.48 (1265/195) or the total length of the school's pupil day to arrive at the hourly rate.

A short notice teacher who is employed by the same authority throughout a period of 12 months beginning in August or September must not be paid more in respect of that period than they would have received had they been in regular employment throughout the period.

### 3.5 Part-Time Teachers

Teachers employed on an ongoing basis at the school but who work less than a full working day or week are deemed to be part time. For the purposes of calculating pay for a part time teacher:

- a) "pro rata principle" means that proportion of total remuneration which corresponds to the number of hours that the teacher is employed in that capacity during the course of the school's timetabled teaching week as a proportion of the total number of hours in the school's timetabled teaching week; (and for this purpose "total remuneration" means the remuneration that would be payable to that person if employed in the same post on a full time basis); and
- b) "the school's timetabled teaching week" means the aggregate period of time in the school timetable during which pupils are normally taught.

The Governing Body will give them a written statement detailing their working time obligations and the mechanism used to determine their pay subject to the provisions of the statutory pay arrangements and in comparison with the school's timetabled teaching week for a full-time teacher in an equivalent post.

Part-time teachers are entitled to planning, preparation and assessment time pro-rata to full-time teachers. Part-time teachers must be paid in accordance with the pro rata principle. The same principle must be applied to any allowances awarded to the part-time teacher except for TLR3 .

Any additional hours such a teacher may agree to work from time to time at the request of the Headteacher should also be paid at the same rate.

### 3.6 Supply Teachers

The pay of supply teachers employed via agencies is determined by the agency concerned.

### 3.7 Leading Practitioner Posts

The Leading Practitioner range is for teachers who support the modelling and improvement of teaching skills. Schools can create posts whose primary purpose is the modelling and leading improvement of teaching skills and that are paid above the maximum of the Upper Pay Range.

For teachers working in this capacity, additional duties will be set out in the job description which link to developing, implementing and improving school effectiveness and performance of staff, colleagues and pupils.

Pay determination has a minimum and maximum range, and the Pay Committee will be responsible for determining where within that range a post will be placed. The Pay Committee shall also ensure that there is scope for performance related progress over time within the pay range they set.

The leading practitioners pay range for the academic year 2022/23 is:

Minimum: £52,936

Maximum: £76,104

The minimum of the Leading Practitioners Pay Range equates to the minimum of the Leadership Group Range and the maximum equates to Leadership Group Range point L18.

Schools wishing to use pay points within the Leading Practitioners Range might therefore decide to use values equal to L1 to L18:

Minimum	1	£52,936	10	£63,736	
	2	£53,790	11	£65,169	
	3	£54,929	12	£66,485	
	4	£56,085	13	£67,935	
	5	£57,280	14	£69,420	
	6	£58,501	15	£70,934	
	7	£59,853	16	£72,603	
	8	£61,039	17	£74,080	
	9	£62,349	Maximum	18	£76,104

All pay uplifts will be back dated to 1 September 2022.

If the school chooses to use a different approach to the recommended leading practitioner range, we recommend that the schools inform their HR and Payroll provider of the school's pay approach for the leading practitioner range for September 2022, so they can support the school on pay related employment matters.

## 4. Unqualified Teachers

The unqualified teacher pay range for the academic year 2022/2023 is:

Minimum: £24,254

Maximum: £35,081

The advisory pay point structure for the unqualified teacher pay range (UTPR) is:

		<b>Pay</b>	<b>Percentage increase</b>
Minimum	1	£24,254	5%
	2	£26,473	5%
	3	£28,692	5%
	4	£30,647	5%
	5	£32,863	5%
Maximum	6	£35,081	5%

All pay uplifts will be back dated to 1 September 2022.

The Relevant Pay Committee will, when determining on which point to place unqualified teachers on the unqualified teachers' pay scale when they are appointed, take account of any relevant qualifications and experience. Unqualified teachers will be appointed above the minimum in the following circumstances:

If the school chooses to use a different approach to the recommended points to the unqualified teacher pay range, we recommend that the schools inform their HR and Payroll provider of the school's pay approach for the unqualified teacher pay range for September 2021, so they can support the school on pay related employment matters.

### 4.1 Qualifications

Unqualified teachers, based on their qualifications, should be awarded the following:

- [**\*one**] point for a recognised overseas teaching qualification.
- [**\*one**] point for a recognised post-16 teaching qualification.
- [**\*one**] point for a first or second class honours degree (or equivalent as determined by the DCSF).
- [**\*one**] point for a recognised qualification relevant to their subject area.

At the discretion of the Relevant Pay Committee, unqualified teachers who are on one of the employment-based routes into teaching may be paid on the qualified or unqualified teachers' scale as long as they occupy a classroom or support teacher position. Overseas trained teachers will be paid on the unqualified teachers' pay scale, with an allowance to take them up to the qualified rate of pay at the equivalent spine point.

## 4.2 Experience

Unqualified teachers, based on their experience, should be awarded the following:

- One point on the unqualified teachers' scale for each period of [**\*one**] years of service as an overseas-trained teacher.
- One point on the unqualified teachers' scale for each period of [**\*one**] years of service teaching in further education, including sixth form colleges.
- One point on the unqualified teachers' scale for each period of [**\*one**] years of service teaching in higher education.

The Relevant Pay Committee will consider awarding on a case by case basis:

- One point on the unqualified teachers' scale for each period of [**\*three**] years spent outside teaching but working in a relevant area. This might include industrial or commercial training, time spent working in an occupation relevant to the teacher's work at the school, and experience with children/young people either in a paid or voluntary capacity.

**Note:** The Governing Body will need to insert the appropriate figure where indicated. The figures are suggestions.

The Relevant Pay Committee will reserve discretion to withhold an experience point where performance has been unsatisfactory. However, this will only occur where formal action during the review year has been taken under the capability procedure.

The Relevant Pay Committee may review this position if, at the conclusion of any formal action, satisfactory performance has been achieved.

## 4.3 Unqualified Teachers' Allowance

The Relevant Pay Committee may pay an unqualified teachers' allowance to unqualified teachers when they consider in the context of its staffing structure and pay policy that the teacher has:

- a) taken on a sustained additional responsibility which:
  - i. is focused on teaching and learning; and
  - ii. requires the exercise of a teacher's professional skills and judgement; or
- b) qualifications or experience which bring added value to the role being undertaken.



## **4.4 An unqualified teacher who becomes qualified**

Upon obtaining qualified teacher status (QTS), an unqualified teacher must be transferred to a salary within the main pay range for teachers in Section 3.2.1.

Where the teacher continues to be employed by the same school within which they were employed before they obtained QTS the teacher must be paid a salary which is the same as, or higher than, the sum of their QTS salary payable and any allowances payable under Section 4.3 (including any safeguarded sum - Section 6.5), as the relevant body considers to be appropriate.

Further guidance on payments for teachers who achieve QTS retrospectively can be found in the STPC document.

## **5. Leadership Group**

The STPCD made changes to the determination of the Leadership Group Pay (Headteacher, Deputy Head of an Assistant Head) for those appointed on or after 1<sup>st</sup> September 2014 (or for those whose responsibilities have significantly changed on or after that date). The changes do not mean that a review will need to be undertaken for all staff undertaking leadership roles unless there is a need to maintain consistency.

The statutory pay range for members of the leadership group is:

### **Leadership Group Pay Range 2022 – Annual Salary**

Minimum £52,676

Maximum £131,353

## **5.1 Determination of the school's headteacher group**

The headteacher group is divided into 8 groups with associated pay ranges (see section 5.3 of the STPCD 2022). The Relevant Pay Committee must assign its school to a headteacher group in accordance with paragraphs 6, 7, 8 and 9 of the STPCD 2022.

Once the Relevant Pay Committee has assigned the headteacher group for the school, it can determine the leadership pay ranges within the assigned headteacher group (Section 5.2).

### **5.1.1 Executive Headteachers**

The Headteacher group for permanent Executive Headteachers is determined by calculating the total unit score for all the pupils across all schools. This may be re-determined at any time if this is considered necessary to retain a Headteacher.

## **5.2 Determination of leadership pay ranges**

The Relevant Pay Committee must determine pay ranges for the headteacher and for deputy headteachers and assistant headteachers in accordance with paragraphs 9.2 to 9.4 of the STPCD 2022. In summary the Relevant Pay Committee must consider:

- The permanent responsibilities of the role, any challenges that are specific to the role, and all other relevant considerations.
- Pay ranges for headteachers should not normally exceed the maximum of the headteacher group, unless there are circumstances specific to the role or the candidate. The relevant body must ensure that the maximum of the headteacher's pay range and any temporary payments (see section 10 of the STPCD) does not exceed the maximum of the headteacher group by more than 25% other than in exceptional circumstances; in such circumstances, the governing body must seek external independent advice before providing such agreement and support its decision with a business case.
- The maximum of the deputy or assistant headteacher's pay range must not exceed the maximum of the headteacher group for the school, calculated in accordance with paragraphs 6 to 8. The pay range for a deputy or assistant headteacher should only overlap the headteacher's pay range in exceptional circumstances

Individual pay ranges for Headteachers and for Deputy and Assistant Headteachers may be of whatever length the Governing Body deems appropriate and may or may not include fixed scale points. The previous provisions requiring seven and five point pay scales respectively will be removed.

### 5.3 New appointments - the three stage process

A three stage process will be adopted by Governing Bodies to determine leadership pay **for new appointments**. This provides them with greater flexibility to make pay decisions to attract Headteachers and other members of the leadership team. However, to be an effective tool it is imperative that each stage is well documented.

The three stages are stated below and further guidance can be found in the DfE document: [Implementing your School's Approach to Pay](#).

1. Defining the role and determining the Headteacher group (calculate the total unit score for the school in accordance with paragraphs 6-8 of the STPCD 2021).
2. Setting the indicative pay range (consider the complexities of the school (internal and external factors) and if it warrants it up to a maximum of 25% uplift can be made).
3. Deciding the starting salary and the individual pay range (taking into consideration relevant skills and attributes, ensuring room for performance related progression as additional allowances are now restricted). See Section 9.2-9.4 of the STPCD 2022.

Adopting this approach will ensure that pay is reflective of the complexities of the school and use of allowances to enhance pay will not apply as these determinations should now be made from the outset and therefore will be inclusive.

### 5.4 Appraisals

For further guidance, please refer to the [Appraisal Policy](#).

### 5.4.1 Executive Headteachers and Headteachers

A panel of three Governors will undertake annual performance reviews for an Executive Headteacher or Headteacher and make recommendations to the Relevant Pay Committee. This panel must not include any Staff Governors. The School Improvement Partner (SIP) or an external advisor will assist with the process.

The Headteacher must demonstrate sustained high quality of performance, with particular regard to leadership, management and pupil progress at the school and will be subject to a review of performance against performance objectives before any performance points will be awarded.

In considering whether performance objectives have been met, account will be taken of whether unforeseen circumstances may have led to a particular objective not being achieved.

**Note:** If an Executive Headteacher is responsible for the performance management of a Headteacher, the performance management will be undertaken by the Executive Headteacher alongside Governors.

### 5.4.2 Associate Headteachers and Heads of School

The Executive Headteacher will undertake delegated annual performance management reviews for Associate Headteacher and Head of School roles in a Federation arrangement. The Executive Headteacher, Associate Headteacher and Head of School must respectively demonstrate sustained high quality of performance, with particular regard to leadership, management and pupil progress at the school and will be subject to an individual review of performance against performance objectives before any performance points will be awarded.

In considering whether performance objectives have been met, account will be taken of whether unforeseen circumstances may have led to a particular objective not being achieved.

### 5.4.3 Deputy Headteachers and Assistant Headteachers

The Headteacher is responsible for undertaking annual performance reviews for other leadership group members.

Deputy Headteachers and Assistant Headteachers must demonstrate sustained high quality of performance, in respect of school leadership and management and pupil progress and will be subject to a review of performance against their performance objectives before any performance points will be awarded.

The Relevant Pay Committee will be advised by the Headteacher of the agreed performance objectives and the outcome of the review of these. Deputy Headteachers and Assistant Headteachers will be able to make submissions in the form of a verbal or written statement to the Relevant Pay Committee as part of their annual performance review. They should also be able to make written submissions commenting on the objectives set if these have not been agreed and the Relevant Pay Committee should take these into account during the annual performance review process.

In considering whether performance objectives have been met, account will be taken of whether unforeseen circumstances may have led to a particular objective not being achieved.

## **5.5 Pay Progression on the Leadership Group**

Where the STPCD regulations apply the Relevant Pay Committee will consider the award of one point (maximum two for exceptional performance) where performance objectives have been met and there has been a sustained high quality of overall performance.

Save to the extent that a movement up the pay spine is necessary to ensure that the salary equals the minimum of the individual school range, the salary shall not be increased by more than two points in the course of one school year.

The relevant body must consider annually whether or not to increase the salary of members of the leadership group who have completed a year of employment since the previous pay determination and, if so, to what salary within the relevant pay range.

The decision whether or not to award pay progression must be related to the individual's performance, as assessed through the school or authority's appraisal arrangements in accordance with the 2012 regulations in England or the 2011 regulations in Wales.

Pay ranges for Headteachers should not normally exceed the maximum of the Headteacher group. The relevant body must ensure that the maximum of the Headteacher's pay range and any additional payments made does not exceed the maximum of the Headteacher group by more than 25% other than in exceptional circumstances. In such circumstances, the Governing Body must seek external independent advice before providing such agreement and support its decision with a business case.

The maximum of the Deputy Headteacher or Assistant Headteacher's pay range must not exceed the maximum of the Headteacher group for the school, calculated in accordance with the STPCD. The pay range for a Deputy Headteacher or Assistant Headteacher should only overlap the Headteacher's pay range in exceptional circumstances.

## **5.6 Acting (Leadership) Allowances**

The Relevant Pay Committee will consider paying a teacher who is temporarily carrying out the full duties of an absent Headteacher, Deputy Headteacher or Assistant Headteacher at an appropriate point within the Headteacher or Deputy/Assistant Headteacher's pay ranges when the absence extends beyond four weeks. The increase in salary will be backdated to the first day of absence. The level of allowance must be at least at the minimum leadership spine point payable in the school for the post in which the teacher is acting.

In the case of planned prolonged absence, an acting pay point within the applicable pay range should be established in advance and payment made as soon as the duties are taken up.

Except in the case of the Deputy Headteacher, who is contractually obliged to act as the Headteacher in their absence, any member of staff acting up to a higher position should have first agreed to take on the acting duties in question.

Acting up allowances for any position other than a leadership group member (including support staff posts) will be determined by the Headteacher, taking into account the responsibilities of the post, the salary of the person acting up and the post holder's salary.

## 6. Allowances and other payments

### 6.1 Additional Payments

The relevant body may make such payments as they see fit to a teacher, including a Headteacher in line with the [School Teachers' Pay and Conditions Document](#).

### 6.2 Teaching and Learning Responsibility Payments (TLRs)

The Governing Body will award TLR payments to teachers who occupy posts of additional responsibility or take on a sustained additional responsibility in accordance with the statutory provisions of the [School Teachers' Pay and Conditions Document](#).

TLRs will be awarded to the holders of the posts indicated in the school's staffing structure. The school may determine whether to award a TLR1 or a TLR2. TLR payments can be awarded on a fixed term basis, this allowance is called TLR3. The factors relating to these payments are stated below in Section 6.1.2 (Criterion and Factors for Award of TLRs).

Each school may decide its own levels of TLR payments subject to minimum annual values as specified within the *School Teachers' Pay and Conditions Document*.

TLRs may only be awarded in the context of the school's staffing structure and Pay Policy.

#### 6.2.1 Criterion and Factors for Award of TLRs

A Teaching and Learning Responsibility (TLR1 or TLR2) payment may be awarded to a classroom teacher for undertaking a sustained additional responsibility in the context of the school's staffing structure for the purpose of ensuring the continued delivery of high-quality teaching and learning for which they are made accountable. Temporary or fixed-term TLRs (TLR3) cannot be paid except where a teacher is occupying another post in the temporary absence of the post holder. The award may be while the teacher remains in the same post or occupies another post in the temporary absence of the post holder.

TLRs awarded to teachers employed under a fixed term contract or whilst they occupy another post in the temporary absence of the post holder will not be safeguarded after the fixed term contract expires or after the date (or circumstance if occurring earlier than that date) as notified to the teacher, which will bring the fixed period or fixed term contract to an end.

A teacher may not hold a TLR1 or TLR2 concurrently; however a teacher in receipt of either allowance may also hold a TLR3 for specific time limited school improvement projects outside of remit of their current allowance or for a one off external driven responsibility (by monthly payment). A TLR is a payment integral to a post in the schools staffing structure and therefore may only be held by two or more people when job sharing that post.

In relation to the TLR3, the headteacher, in agreement with the Governing Body or appropriate committee will be required to set out in writing to the teacher the duration of the fixed term, and the amount of the award to be paid in monthly instalments.

The relevant body should not award consecutive TLR3s for the same responsibility unless that responsibility relates to tutoring to deliver catch-up support to pupils on learning lost during the pandemic. No safeguarding will apply in relation to an award of a TLR3.

### **6.2.1.1 Factors**

Before awarding a TLR, the relevant body must be satisfied that the teacher's duties include a significant responsibility that is not required of all classroom teachers, and that:

- Is focused on teaching and learning.
- Requires the exercise of a teacher's professional skills and judgement.
- Requires the teacher to lead, manage and develop a subject or curriculum area; or to lead and manage pupil development across the curriculum.
- Has an impact on the educational progress of pupils other than the teacher's assigned classes or groups of pupils.
- Involves leading, developing and enhancing the teaching practice of other staff.

Before awarding a TLR1, the relevant body must be satisfied that the significant responsibility referred to in the previous paragraph includes line management responsibility for a significant number of people.

### **6.2.1.2 Values**

The values of TLRs must fall within the following ranges. The annual value of a

- TLR1 is £8,706 – £14,732
- TLR 2 is £3,017 - £7,368
- TLR 3 is £600 - £2,975

If the relevant body awards TLRs of different values, they must be fully satisfied that the decision taken is fair. Details of TLRs to be awarded at the school will depend on the outcome of the review of the staffing structure and the timing of its introduction will be in line with the implementation plan.

If a post meets the criterion and all of the factors, this does not mean automatically that the post will be graded as a TLR1.

TLR payments will cease when teachers move to different schools. They can also cease where any teacher refuses to perform the responsibilities, is dismissed from them or where responsibilities are restructured.

TLRs awarded to part-time teachers must be paid pro rata at the same proportion as the teachers' part-time contract.

## 6.3 Special Educational Needs Allowances

A SEN allowance of no less than £2,384 and no more than £4,703 per annum is payable to a classroom teacher in accordance with the following guidance:

The Pay Committee must award a SEN allowance to a classroom teacher:

- a) in any SEN post that requires a mandatory SEN qualification\* and involves teaching pupils with SEN;
- b) in a special school;
- c) who teaches pupils in one or more designated special classes or units in a school or, in the case of an unattached teacher, in a local authority unit or service;
- d) in any non-designated setting (including any pupil referral unit) that is analogous to a designated special class or unit, where the post:
  - i. involves a substantial element of working directly with children with SEN;
  - ii. requires the exercise of a teacher's professional skills and judgement in the teaching of children with SEN; and
  - iii. has a greater level of involvement in the teaching of children with SEN than is the normal requirement of teachers throughout the school or unit within the school or, in the case of an unattached teacher, the unit or Service.

\*Education (School Teachers' Qualifications) (England) Regulations 2003 (S.I. 2003/1662).

[The School teacher's pay and conditions document](#) states that where a SEN allowance is to be paid, the relevant body must determine the spot value of the allowance, taking into account the structure of the school's SEN provision and the following factors:

- a) whether any mandatory qualifications are required for the post;
- b) the qualifications or expertise of the teacher relevant to the post; and the Education (School Teachers' Qualifications) (England) Regulations 2003 (S.I. 2003/1662). 28
- c) the relative demands of the post. The relevant body must set out in its pay policy the arrangements for rewarding classroom teachers with SEN responsibilities.

Hackney Education recommends that schools use the following allowances:

- SEN 1 is £2,384
- SEN 2 is £4,703

SEN allowance 1 will be awarded automatically:

- To all classroom teachers in a special school.
- In a mainstream school it may be awarded to all classroom teachers who are engaged wholly or mainly in taking charge of special classes of children who are hearing impaired or visually impaired or who teach pupils with statements of special educational needs in designated special classes.

- To classroom teachers who make a particular contribution to the teaching of pupils with SEN, which is significantly greater than that which would normally be expected of a classroom teacher.

SEN allowance 2 will be awarded to classroom teachers who qualify for SEN allowance 1 and who:

- Hold a recognised special educational needs qualification.  
and/or
- Where the Relevant Pay Committee consider that their experience and/or qualifications enhance the value of the work they undertake with special needs pupils.

If the school chooses to use a different approach to the recommended SEN allowances, we recommend that the schools inform their HR and Payroll provider of the school's pay approach for the unqualified teacher pay range for September 2021, so they can support the school on pay related employment matters.

SEN allowances may be held at the same time as Teaching and Learning Responsibility Payments (TLR's). However, relevant bodies should, when reviewing their staffing structures and keeping them under review:

- Ensure that, in the light of remodelling and the move of administrative tasks from teachers to support staff, holders of discretionary SEN allowances are not carrying out tasks that would be more appropriately undertaken by support staff.
- Consider whether, if teachers have responsibilities that meet the principles for the award of TLR payments, it would not be more appropriate to award a TLR payment **instead of** a discretionary SEN allowance of a lower value.
- Consider whether discretionary SEN payments made by the relevant body under its Pay Policy primarily for the purposes of recruitment and retention might not more appropriately be made using the separate provisions available for these purposes.
- Ensure that any responsibilities are clearly specified in individual teacher's job descriptions, and are clear in the school's published staffing structure.

When considering the award of SEN2, the relevant body should in particular consider what relevant qualifications or experience holders of SEN1 have, and whether these are being used for the benefit of the school or service. SEN2 should be awarded to all whose qualifications or experience is in line with the relevant body's policy.

## **6.4 Continuing Professional Development (CPD)**

The Relevant Pay Committee should decide which CPD activities teachers (including headteachers) may be paid for.

Payments to classroom teachers should only be made in respect of those activities undertaken outside of either the 1265 hours of directed time for full-time teachers; or the appropriate proportion of the 1265 hours of directed time for part-time teachers. Participation in CPD outside of directed time is voluntary and cannot be directed.



## 6.5 Recruitment and Retention Incentives and Benefits

The Relevant Pay Committee may consider paying recruitment or retention awards in line with the *School Teachers' Pay and Conditions Document* in circumstances where they anticipate or encounter recruitment and/or retention difficulties.

**Note:** This no longer applies to those in the leadership group (Headteachers, Deputy Headteachers and Assistant Headteachers) as this must be taken into account when determining the school's pay range.

This may be awarded as an annual allowance, lump sum payment, periodic payment or some other non-monetary benefit. If the Pay Committee thinks it is relevant to apply this incentive they will clearly state in writing to the employee the amount and review date that the incentive may be withdrawn.

The Governing Body should specify clearly the basis on which such incentives may be paid (e.g. to all teachers; to those in shortage subjects as defined by the school; or after one/two advertisements have failed to produce a suitable candidate for appointment).

Payments may only be made for recruitment and retention purposes, not for carrying out specific responsibilities or to supplement pay for other reasons.

In particular the Relevant Pay Committee will determine:

- Whether the award is for recruitment or retention.
- The nature of the award.
- When/how the award will be paid.
- The start date and duration of the award.
- The basis for any uplift that may be applied.

The Relevant Pay Committee will award such allowances where, in their view:

- The post is considered to be difficult to fill.
- The post holder teaches a subject in which there is a shortage of teachers.

and will ensure that these criteria are consistently applied.

A review of rates will be necessary if the Governing Body intends to increase the level of these awards in line with general increases to salaries, or in other circumstances which the Governing Body may determine.

Schools should consider making use of existing pay facilities within the *School Teachers' Pay and Conditions Document* – for example to help with the recruitment of teachers of shortage subjects such as mathematics, physics and chemistry. Schools will be expected to meet the costs of any payments from within the budgets they have available.

## 6.6 Initial Teacher Training Activities (ITT)

The Relevant Pay Committee has discretion to make additional payments to all teachers (including Headteacher) for activities related to providing ITT.

The Relevant Pay Committee will consider payments to teachers where it is demonstrated that they are currently engaged in such activities and where it is financially practicable for the school to do so.

Suggested areas include: supervising and observing teaching practice, planning an initial teacher training course; preparing course materials; undertaking the marketing, finance and administration of the course; and taking responsibility for the well-being and tuition of initial teacher training students.

## 6.7 Safeguarding

Where pay decisions are taken which lead to a teacher receiving safeguarding, they will be given written notification as soon as possible and no later than one month after the decision.

A safeguarded sum will not be increased during the safeguarding period. The safeguarded sum will be payable for a maximum period of three years.

Teachers entitled to safeguarding in excess of £500 may be required to undertake additional responsibilities commensurate with the safeguarded sum for the period of safeguarding.

There is provision for teachers who occupy another post on a temporary basis to have their safeguarding restored on return to their original post (unless it would otherwise have ceased). For more information, please refer to the *School Teachers' Pay and Conditions Document*.

## 7. Support Staff

### 7.1 Pay and Conditions

Support staff pay and conditions will correspond with the scheme of conditions of services prescribed by the National Joint Council for Local Government Services (the 'Green Book') and the Single Status Policy.

### 7.2 Criteria for Determining Pay

All support staff posts will be advertised on the appropriate Local Government pay grade. The grade used for a specific appointment will be determined in accordance with the *Greater London Provincial Council Job Evaluation Scheme (2015)*.

Newly appointed support staff will normally be paid on the first point of the stated pay range. However, the appointment could be made on any of the points within the range where the Relevant Pay Committee wishes to recognise particular experience and/or qualifications appropriate to the post, or where there are any particular recruitment difficulties.

All new support staff appointments will be subject to the school's probationary requirements.

## 8. Pay Reviews

Employees who are appointed between 1 April and 30 September will receive their first increment on 1 April of the following year.

Employees appointed between 1 October and 31 March will receive their first increment six months after appointment.

Progression to the maximum of the scale will then be annually on 1 April each year until the maximum of the range has been reached.

The Relevant Pay Committee will reserve the discretion to withhold an increment where performance has been unsatisfactory. However this will only occur where informal or formal action during the review year has been taken under the capability procedure. The Relevant Pay Committee may review this position if, at the conclusion of any informal or formal action, satisfactory performance has been achieved.

Where the employee has reached the maximum of the range, only a cost of living increase will apply.

Where an employee is absent from work for a significant period of time, for example due to maternity or long term sickness absence, the Pay Committee will still undertake performance and pay reviews for that member of staff.

### 8.1 Honoraria Payments

The Relevant Pay Committee will retain the discretion to award support staff honoraria or additional payments when required. Payments will be made in accordance with advice from Hackney Education and any corresponding terms and conditions.

Note: There is no provision for honoraria payments for teachers.

## 9. Other Payments – All School Staff

### 9.1 Out-of-School Learning Activities

The Relevant Pay Committee has discretion to make payments to teachers (including the Headteacher) and support staff who agree to provide learning activities outside of the normal school hours and whose salary range does not take account of such activity and where it is financially practicable for the school to do so.

One possibility would be to determine an hourly rate as per short notice/supply teachers then multiply by a factor, e.g. x1.5, x2, etc. to compensate for 'out-of-hours' work. Another possibility would be a flat rate payment in line with the employee's level of responsibility and the size of the commitment.

Possible activities that will attract payment include: breakfast clubs, homework clubs; summer schools (study support, literacy and gifted and talented), sporting activities, other outdoor activities and clubs linked to curricular, arts and hobby interest areas.

With the advent of remodelling the school workforce and the need to ensure downward pressure on teachers' working hours, many schools are now using support staff and other adults to undertake these activities.

## **9.2 Residential duties**

Teachers working in residential special schools are normally entitled to be paid for residential duties in accordance with national agreements reached by the Joint Negotiating Committee for Teachers in Residential Establishments.

## **10. Salary Sacrifice Arrangements**

A salary sacrifice arrangement refers to any arrangement under which an employee gives up the right to receive part of their gross salary in return for the employer's agreement to provide them with a benefit-in-kind under any of the following schemes:

- a child care voucher or other child care benefit scheme,
- a cycle or cyclist's safety equipment scheme, or
- a mobile telephone scheme, and

that benefit in kind is exempt from income tax.

Where a salary sacrifice arrangement is in operation, the employee may participate in such an arrangement and their gross salary will be reduced accordingly for the duration of their participation in it.

Participation in any salary sacrifice arrangement will have no effect upon the determination of any safeguarded sum to which a teacher may be entitled.

## **11. Part-Time, Job Share and Supply Staff**

The Pay Committee will apply the provision of this policy on a pro rata basis to part-time and job share employees ensuring that no employee receives less favourable treatment by virtue of the fact that they work part time.

## **12. Further Information**

Further information and advice may be obtained from the Human Resources Team at Hackney Education.

## **Appendix 1: Considerations for 2022/2023**

### **Working days for 2022/23**

For the academic year 2022/2023, as a result of the additional Bank Holiday on Monday 19th September 2022 to mark Her Majesty Queen Elizabeth's funeral, there is a change in the number of days that teachers must be available to work

A teacher employed full-time must be available for work for 194 days for the school year beginning in 2022, of which:

- a) 189 days must be days on which the teacher may be required to teach pupils and perform other duties; and
- b) 5 days must be days on which the teacher may only be required to perform other duties; and those 194 days must be specified by the employer or, if the employer so directs, by the headteacher.