

PAY: POLICY AND PRACTICE

1. Policy

The Governors have a legal requirement to determine a pay policy. It will take into account the aims and objectives of the school, reward staff in a fair and equitable manner, assist with the recruitment, retention and motivation of staff, establish fair and acceptable pay relativities, enable staff to understand the basis of decisions in relation to salaries and wages, comply with all current legislation, and reflect good equal opportunities practice.

All pay related decisions are taken in compliance with:

The Sex Discrimination Act, 1975
The Race Relations Act, 1976
The Equal Pay Act, 1970
The Disability Discrimination Act, 1995
The Employment Rights Act, 1996
The Employment Relations Act, 1999
The Employment Act, 2002
The Part-Time Workers (Prevention of Less Favourable Treatment Regulations), 2002
The Employment Act, (Dispute Resolution Regulations), 2002
The Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations, 2002
Employment Equality (Sexual Orientation) Regulation, 2003
Employment Equality (Religion or Belief) Regulations, 2003
Employment Equality (Age) Regulations, 2006

To carry out this duty, the Governors have established a Pay Committee to ensure the annual review of the remuneration of all staff, in the context of the School Development Plan, the school's budget, and any government directives in the matter of pay and conditions of service.

The Governing Body will ensure that all staff are made aware of the existence of this policy and have access to a copy of it.

2. Practice

2.1. General

2.1.1. Every post will be supported by a job description.

2.1.2. The Head shall have delegated authority to place staff on scales without reference to the Pay Committee where the appointment is to an established post. The grading of new posts and the re-grading of existing posts has to be agreed by the Committee. In cases of urgency, where it is not possible to obtain the prior approval of the Committee, the Chairman of the Governors has

delegated authority to approve grading of new posts and re-grading of existing posts.

2.1.3. Where appropriate, promotional opportunities or opportunities to undertake additional responsibilities will be advertised within the School, but by their nature, this will not be possible in all cases.

2.1.4. The Governing Body has established a performance management policy and arrangements as required by statute. The policy covers all teachers except those on contracts of less than one term and those in their probationary year. Teaching staff have been consulted in developing this policy. It sets a framework for teaching staff to agree and review priorities and objectives normally with their team leader/line manager within the context of the school's development plan and their own professional needs. The links between performance management, career stages and pay are outlined in the performance management policy.

2.2. Teachers' Salaries

2.2.1. Salaries and conditions of service are determined in accordance with the current School Teachers' Pay and Conditions Document, supplemented by the job description and the advice of the Head.

2.2.2. At the start of each school year, all members of the teaching staff will receive a statement of their salary with an accompanying explanation of its composition. Subsequent changes will also be notified in writing.

2.2.3. In order for the committee to complete the annual determination of salaries of teachers **by the date in the autumn term set out below, there will be other dates by which representations or applications should be made. The dates for the current school year are set out below and will be published to all teachers.**

*[insert dates at points shown]

date by which any teacher wishing to make representations about the annual determination of salary should notify the head teacher or committee clerk * _____
date of committee meeting(s) for reviewing performance objectives for teachers on the leadership spine or advanced skills teachers and for the annual determination of the salaries of all other teachers * _____
date by which applications from teachers eligible to apply to cross the threshold should be received by the head teacher (unless teacher joins the school in the spring or summer terms or there are other special circumstances preventing an application in the autumn term) * _____

date by which the committee clerk or head teacher as appropriate will send a written statement of salary to every teacher in the school as required by the School Teachers' Pay and Conditions Document * _____ (i.e. within one month of the determination of salary).

Where a teacher wishing to make representations to the committee is absent, for reasons such as sick leave or maternity leave, arrangements will be made in consultation with the teacher and may be outside the dates published by the committee for the generality of teachers in the school.

Written statements of salary will also be sent in relation to any subsequent changes in salary during the year, for example, if a teacher passing the threshold is entitled to a backdated payment to 1st September of the current school year, or if a teacher is promoted or awarded an acting payment during the year/

Salaries will be based on the following criteria:

i. Experience

A newly qualified teacher with no relevant experience will commence on point M1.

Subject to a maximum of six points (i.e. top of main scale): one point will be awarded for each year of teaching service satisfactorily completed; one point can be awarded for each full year of experience closely related to teaching; and other experience can be recognised by the award of one point for each period of between one and three years.

Points awarded for non-teaching experience will be determined by the Head after taking advice from the Chair of Personnel and/or Walsall MBC Personnel.

The Pay Committee may, on the Head's recommendation, award two annual incremental points (subject to the six point maximum) to a teacher who has demonstrated excellent performance over the previous school year having regard to all aspects of the teacher's professional duties, but in particular to classroom teaching.

The Head has delegated authority to place unqualified teachers on the appropriate point on the unqualified teachers' pay scale, taking into account their qualifications and experience. The Pay Committee may agree to pay an unqualified teachers' allowance to an unqualified teacher if advised by the Head that their basic salary is not adequate having regard to their responsibilities, qualifications and experience.

Teachers who carry out teaching cover on a “sessional” basis will have their pay determined in the same way as other teachers. Their hourly rate will be calculated by dividing their annual salary by 195 (days) and then divided again by 6.5 (hours).

ii. Responsibility: Teaching and Learning Responsibility Payments (TLRs)

TLRs are awardable nationally from 1st January 2006 and will eventually replace management allowances. They can co-exist during a transitional phase which must end at the latest by 31st December 2008 when all safeguarding of management allowances will cease. No new management allowances may be awarded after 31st December 2005.

TLRs will be awarded to the School from 1st September 2006 to the holders of posts indicated in the agreed staffing structure and implementation plan.

The values of the TLRs to be awarded are as stated below although not all may be used.

1d	£11,274	2c	£5,381
1c	£9,738	2b	£3,844
1b	£8,200	2a	£2,306
1a	£6,663		

Criterion and factors for award of TLRs:

Criterion

A TLR 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 she/he is made accountable.

Factors

Before awarding a TLR, the Pay Committee must be satisfied that the teacher’s duties include a significant responsibility that is not required of all classroom teachers that:

- a. is focused on teaching and learning;
- b. requires the exercise of a teacher’s professional skills and judgement;

- c. requires the teacher to lead, manage and develop a subject or curriculum area; or to lead and manage pupil development across the curriculum;
- d. has an impact on the educational progress of pupils other than the teacher's assigned classes or groups of pupils; and
- e. involves leading, developing and enhancing the teaching practice of other staff.

Before awarding a TLR 1, the Pay Committee must also be satisfied that the significant responsibility referred to in the previous paragraph includes in addition line management responsibility for a significant number of people.

A teacher may not be paid more than one TLR payment, but a TLR could be based on a job description that includes several different areas of significant responsibility.

In exceptional circumstances, the Pay Committee may award an allowance for the duration of a substantial specific role which does not qualify for a TLR payment

- iii. Recruitment and Retention:
Recruitment and retention allowances will no longer be awarded except that the Pay Committee may agree to pay the following:
 - A golden hello for a non-promoted post.
 - Relocation expenses subject to the rules of that scheme.
 - In exceptional circumstances, newly qualified teachers or people re-entering the teaching profession can be paid for the July and/or August prior to commencing teaching at the school from 1st September.
 - An unqualified teachers' allowance (see above).
- iv. Threshold:
This is the process by which teachers paid a minimum of point six gain access to the upper pay scale. Staff on the leadership spine are excluded from this process. Eligible school staff are able to follow the procedure described in the School Teachers' Pay and Conditions Document to enable progression to the first point on the upper scale.

Decisions on progression to points two and three on the upper pay scale will be guided by the criteria in the pay and conditions document, a teachers' performance and contribution to the school, the outcome of performance reviews and any other relevant factors determined by the Pay Committee.
- v. Advances Skilled Teachers, Fast Track Teachers and the Excellent Teacher Scheme:
The Pay Committee may decide, taking into account the advice of the Head, affordability and funding available, to create posts

and make appointments for Advanced Skills Teachers, Fast Track Teachers and under the Excellent Teacher Scheme.

When considering whether to do so, or on making any of these appointments, it will follow the procedures described in the School Teachers' Pay and Conditions Document and other official documents relating to the schemes.

2.3. Heads, Deputies and Assistant Heads

- 2.3.1. Heads, Deputies and Assistant Heads are paid on the leadership pay spine.
- 2.3.2. The school and/or individual salary ranges which the Governing Body is required to set for staff on the leadership spine by the School Teachers' Pay and Conditions Document, will reflect the size of the school, the responsibilities of the post and any other factors specified in the document.
- 2.3.3. The salaries will be reviewed annually for 1st September in line with the requirements of the School Teachers' Pay and Conditions Document. Further details of these reviews are also contained in the schools' Performance Management Policy.

2.4. Associate Staff

- 2.4.1. Guidance will be sought from the National Joint Council for Local Government Services, including using their salary scale for all staff.
- 2.4.2. The Pay Committee will select a pay point or range of points by reference to the terms and conditions of similar posts in the local authority. Where the Committee are of the opinion that the duties of a particular post are significantly different from the local authority comparator, a single salary point or range of points, will be selected at the Committee's discretion.
- 2.4.3. In cases where a range of points have been selected for a post, new staff will normally commence on the lowest point of the range. However, the Head has delegated authority to start new staff above the minimum point on the range.
- 2.4.4. In cases where a member of staff commences on or transfers to a salary range, any incremental progression will normally occur as follows:
 - The initial increase is due after six months' satisfactory service.
 - The second increase (if applicable) will be implemented after a further six months or the subsequent 1st April which ever is the

later. Any further increases will apply on 1st April in subsequent years.

2.4.5. Additional responsibilities undertaken on a temporary basis at the direction of the Head, can be recognised where appropriate by the payment of a higher salary grade for all or part of the period in question, or in exceptional circumstances, by the payment of an honorarium.

2.5. Out of School Hours Learning Activities

The Head may authorise a payment to a teacher, other than a member of the leadership group, who participates in out-of-hours learning activities provided that the arrangements in the School Teachers' Pay and Conditions Document are complied with. Payment would normally be at the rate recommended by Walsall LEA. The basis on which such a payment is made will be reviewed by the Pay Committee on a regular basis and when the need arises.

2.6. Payment by Outside Organisations in connection with work done by school staff in School Time

There will be rare occasions when school staff request time off to carry out work for outside organisations. The decision to grant time off will be made by the Head, following the School's Leave of Absence Regulations where applicable.

Sometimes, the outside organisation will be prepared to pay for the work carried out by the member of staff. When this occurs, the Head will agree whether it is appropriate that the member of staff should receive any of this payment and if so the amount they should receive. Cover costs (including on-costs) should be deducted from the payment so that the school is not "out of pocket". The Chair of Governors will agree the amount if the Head is carrying out work for an outside organisation.

3. Appeal

A member of staff may make a request to the Pay Committee for his/her salary or wage to be reassessed, after the Line Manager and/or Head have had an opportunity to resolve the issue. Any further appeal shall be pursued in accordance with the schools' Grievance Procedures.

4. Review

The Budget Committee will review its pay policy when necessary in order to ensure that it continues to comply with the law, promotes good practice and takes account of changes to the school development plan, the school's budget and other relevant changes.

5. Rights of employees who are dissatisfied with a decision taken about pay.

The Governing Body in determining and publishing its pay policy, aims to ensure that all decisions taken on pay and remuneration are justifiable and fair.

The Governing Body will provide for:

- all school-based representatives of any recognised union of teachers' association to make representations about the contents of its pay policy to the governing body before the adoption of annual review of that policy;
- any employee to be able to approach the head teacher informally if he/she has any concerns about his/her salary;
- the Head teacher or any other employee to make representations, which must be in writing although they may also be made orally, to be appropriate committee on their individual salaries and to be accompanied by a representative if he or she so chooses. The Governing Body's arrangements must provide for the appropriate committee to invite the employee to attend a meeting to discuss the complaint or grievance, for the committee, after the meeting, to inform the employee of the decision in response to the complaint or grievance and of the employee's right to appeal against the decision if dissatisfied with it. The decision should be communicated to the employee within 28 days of receipt of the written complaint or grievance.
- appeals to an appeals committee (as required by the School Teachers' Pay and Conditions Document in the case of teachers) with the employee being required to notify any appeal within ten working days of being notified in writing of the decision against which the appeal is lodged.
- collective grievances to be considered in accordance with arrangements made following the authority's advice on the statutory dispute resolution procedures.

The exercise of the right to make representations to the appropriate committee will count as the first stage in the statutory grievance procedure and precede an appeal to the appeals committee.

Employees may wish to seek the advice of their union/professional association in making representations or an appeal.

The procedure for making oral representations to the committee responsible for pay decisions shall be the same as that for making an appeal to the appeals committee.

The appeals committee will hear an appeal as follows:

The Employee and his/her representative and the Head Teacher shall attend the meeting simultaneously to present their cases.

The Chairperson will perform the necessary introductions.

The Head Teacher or the Chairperson of the Pay Committee will describe the policy of the Governing Body and present the management case by explaining how the salary determination for the employee fits within that policy. They may call witnesses as appropriate. Any witness called will only attend to give evidence and answer any questions on that evidence and will then withdraw.

The Employee and his/her representative may question the Head Teacher or Chairperson of the Pay Committee.

The Chairperson of the Appeals Committee, members of the committee and Technical Advisor may question the Head Teacher or Chairperson of the Pay Committee.

The Employee and his/her representative will present his/her case. They may call witnesses as appropriate. Any witness called will only attend to give evidence and answer any questions on that evidence and will then withdraw.

The Head Teacher or Chairperson of the Pay Committee may question the Employee and his/her representative.

The Chairperson of the Appeals Committee, members of the committee and Technical Adviser may question the employee and his/her representative.

The Head Teacher will sum up his/her case (no new evidence shall be introduced at this stage).

The Employee and/or his/her representative will sum up their case (no new evidence shall be introduced at this stage).

The Head Teacher and the Employee and his/her representative will withdraw.

The committee will consider the material and evidence presented at the hearing, decide the outcome and notify its decision in writing to the appellant, normally with seven working days of the hearing. Where the appeal concerns a decision by the full governing body on the exercise of its discretionary powers, the committee may decide to make recommendations to the governing body to amend the policy in such a way as will meet the employee's concern.

NB The questioning of any witnesses called will follow the procedure outlined above.

The School Teachers' Pay and Conditions Document provides that the outcome of a teacher's appeal shall not be subject to any further review under the Governing Body's staff grievance procedure. However, the Governing Body may decide to accept a recommendation from its Appeals Committee to amend its pay policy in response to an individual appeal or collective grievance.

Where several employees wish to appeal on the same grounds, they may ask the officers of the recognised unions or associations to submit a collective grievance on their behalf to be considered in accordance with arrangements made by the Governing Body following the authority's advice on the statutory dispute resolution regulations.