

Pay Policy Statement

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PAY POLICY STATEMENT

1. AIMS

This policy aims to:

- Clearly explain how we will determine the pay for all staff working in our academies.
- Outline the pay scales used based on our current position for all non-teaching staff and in relation to Teachers Pay and Conditions for all teaching staff.
- Set out a clear framework for pay and progression throughout the schools.

Adopting this policy will:

- Support the recruitment and retention of high quality staff at all levels, teaching and non-teaching.
- Enable us to recognise and reward staff for their contribution to the schools and the wider Trust.
- Ensure that pay decisions are made in a fair and transparent way.

2. CURRENT POSITION OF OUR ACADEMY SCHOOLS

This policy explains the current position of our schools taking into account their route to conversion and joining of London South East Academies Trust. Two of our schools are sponsored academies and the remainder are converter academies with two only recently joining LSEAT in April 2019. All academies which converted have agreed TUPE arrangements for staff, meaning that they have protected status for a period of time and transferred to the Trust on the same terms and conditions as they had prior to conversion. Any changes to pay and conditions will require consultation with staff and their unions prior to being agreed at Trust Board level.

3. LEGISLATION AND GUIDANCE

For teaching staff, this policy complies with the [School Teachers Pay and Conditions Document \(STPCD\)](#). It is based on the [model pay policy](#) created by the Department for Education (DfE).

For support staff where the academy has converted to join the Trust, non-teaching staff remain under the Bexley Pay Policy and are on Bexley Local Authority Pay Scales 1-19. For staff employed in the Bromley Hub schools, non-teaching staff are employed currently on LSEC pay scales. It is our intention to review all non-teaching pay scales as part of a wider Trust review for implementation in September 2020 following consultation with staff and unions.

As a Trust, we are free to determine our own approach to deciding teachers' pay. However, since all of our teaching staff have contracts that specifically incorporate conditions from the School Teachers Pay and Conditions Document (STPCD), these will continue to apply due to the [Transfer of Undertakings \(Protection of Employment\) \(TUPE\) Regulations 2006](#), which protect employees' terms and conditions when a maintained school becomes an academy.

As such, this policy complies with the [STPCD](#). It is also based on the [model pay policy](#) created by the Department for Education (DfE).

This policy complies with our funding agreement and articles of association.

As an academy, we are free to determine our own approach to deciding non-teachers' pay. However, at this point we adhere to the Bexley Pay Scales for all non-teaching staff (Bands 1-9 and Bands 10-19) where the schools are based in London Borough of Bexley and are converter academies. Our Bromley schools, as sponsored academies, are broadly in line with LSEC pay scales for staff in support roles.

When implementing our pay policy, we will abide by:

- The [Employment Relations Act 1999](#), which establishes a number of statutory work rights
- The [Part-time Workers \(Prevention of Less Favourable Treatment\) Regulations 2000](#) and the [Fixed-Term Employees \(Prevention of Less Favourable Treatment\) Regulations 2002](#), which require us to ensure part-time and fixed-term workers are treated fairly
- The [Equality Act 2010](#) which requires schools to have due regard to the need to eliminate discrimination and advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not share it
- The [principles of public life](#) which require those conducting the procedures to be objective, open and accountable

Our procedures for addressing grievances in relation to pay are based on the ACAS grievance [code of practice and are set out in our staff grievance procedures](#).

4. DEFINITIONS

- **Teacher** includes all staff qualified and appointed to teach at the school. This includes the leadership team, the Head Teacher / Head of School and Executive Head Teacher, unless otherwise stated.
- **Teaching and learning responsibility** is a payment awarded to a classroom teacher for undertaking a sustained additional responsibility, for the purpose of ensuring the continued delivery of high-quality teaching and learning and for which the teacher is made accountable
- **Main and upper pay ranges** are the ranges on which a classroom teacher's salary will be set
- **Leadership group** comprises the Head Teacher, Deputy Head and Assistant Head (all covered by STCPD) and senior leadership staff who are not qualified teachers but have specific qualifications and experience which adheres to their job description and person specification. Staff who are in leadership roles but non-teaching may be paid on the Leadership Scale or alternatively will be paid on the higher Bexley Scale (Bands 10-19) or LSEC grading.

5. ROLES AND RESPONSIBILITIES

Line managers will make recommendations on staff pay following the annual appraisal. Line managers make recommendations to the Executive Head Teacher of each hub and in consultation with Heads of School or Heads of Service (either through a Hub Performance Management Meeting or on a 1:1 basis).

Executive Head Teachers present a Performance Review Report to the Local Governing Body.

The Local Governing Body make final recommendations to the Trust Board through the Executive Head Teachers.

Final pay decisions are made by the Trust Board.

6. HOW WE WILL DECIDE PAY ON APPOINTMENT

Salary scales are determined by the Executive Head Teacher in line with HR advice and guidance based on existing posts in the structure and any restructure process. All posts in the school structures are on a determined pay scale or band to protect staff and ensure that there is equality in terms of pay and opportunities for all staff working in the same role and with the same job description.

Our current position is that all posts advertised will be within the pay range for an existing post with the same job title and job description. All posts which are under Bexley Pay Scales have been graded according to the Establishment Panel criteria to ensure parity. Posts in the Bromley schools under LSEC Pay Scales are graded to match existing posts in the college structure and across the academy schools. Our future intention is that the scales across our academy schools will be consistent following

consultation with staff and all new staff will be paid on the new salary scales. Existing staff may opt to transfer to the new scales or remain on their historically determined scales. However, there will be minimal difference between existing pay scales and the proposed Trust scales.

Historically and under the LSEC and the Bexley Pay Scales, salaries are determined by taking into account a range of factors, including:

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

For teaching posts, salaries are advertised as either Main Pay Scale Posts, Upper Pay Scale where additional responsibilities or tasks are involved in the post or with an attached TLR for a curriculum coordination responsibility. The point on each scale is determined based on experience and taking account of the budgetary position within each school. There is no assumption that a teacher will be paid at the same rate as they were being paid in a previous school. For teaching staff the STPCD will always apply.

7. HOW WE WILL DECIDE ON PAY PROGRESSION

7.1. Annual Reviews

The Local Governing Body will ensure that each member of staff's salary is reviewed annually between 1 September and 30th November, in alignment with our annual appraisal period. All teacher appraisals must be completed by 31st October each year and support staff by the end of November in order that recommendations can be presented to the LGB and referral to the Trust Board for approval take place before the end of the Autumn Term.

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

When making decisions, the LGB and, subsequently, the Trust Board will take into account the following:

- For teachers under STPCD: the performance of the teacher over the appraisal period, using evidence of their performance against their objectives and the Teachers' Standards collected throughout the appraisal period. Our appraisal arrangements, including what evidence will support judgements, are set out in full in our appraisal policy.
- The pay recommendation made in the teacher's / staff member's appraisal report
- The report from the Executive Head Teachers based on dialogue with their senior leadership team
- Any changes to the responsibilities and expectations of the teacher's / staff member's role
- The wider school context, including the budget

When deciding pay progression based on performance, we will:

- Consider metrics based on the school improvement plan and how these have been contributed to by the staff member taking account data analysis, outcomes for pupils and progress (targets set should stipulate the expected levels of progress and outcomes to be achieved).
- Consider the impact of the member of staff on the team and the school in meeting whole school targets.

- Consider whether all aspects of the role and job description are being met.
- Consider the wider context of the school and organization in terms of staff conduct, attendance, punctuality and attitude.
- In all cases, the Executive Head Teacher, LGB and the Trust Board must take into account external contextual issues which may impact on performance where the target(s) are dependent on input from other colleagues or stakeholders.
- Where staff fully meet their targets or meet them in all cases (except where negative contextual impact is evident), consideration must be given to pay progression. However, fully meeting targets will not automatically result in pay progression where budgetary pressures necessitate decisions being only considered in circumstances where staff have exceeded targets.
- Where staff have exceeded all targets set, consideration may be given to more than one point or level of progression where the Executive Head Teacher's report presents a solid business case and the Trust Board are in agreement, thus allowing higher performers to progress faster.

The decision can be 'no pay progression' without triggering the capability policy.

Any decision on pay progression for teachers will be back-dated to 1st September of the academic year in which the decision was approved by the Trust Board with pay being also back-dated to this date and included in the January salary payment for teaching staff. Pay progression for all other staff will be paid according to the review dates in place at the point of TUPE or from the start of the next term (1st January).

7.2. Mid-year reviews

All staff undertake mid-year reviews to support them in achieving their targets. Mid-point reviews take place in March – May each year. Reviews may take place at other times of the year if an individual's role or job description changes. Changes include going part-time and taking on or removing additional roles and responsibilities.

A written statement will be given after any review and will give information about why it was made.

8. MOVING TO THE UPPER PAY RANGE (TEACHERS ONLY)

8.1. Making Applications

All qualified teachers can apply to be paid on the upper pay range, and any application will be assessed in line with this policy.

Applications can be made at least once a year. Applications must be submitted by the first day of term in September each year but teachers are expected to raise their intention to apply during their mid-year review to allow for support and guidance in achieving the expected standards for progression. Applications will be submitted in writing to the Head of School and will be reviewed by line managers and a senior leader. All applications will be treated fairly and impartially.

When submitting an application, please include:

- Results of appraisals under the 2012 regulations, including recommendations on pay
- Where this information is not applicable or available, a statement and summary of evidence to demonstrate that you have met the assessment criteria

8.2. Assessment

In order to be eligible to be paid on the upper pay range, the governing board must be satisfied that:

- The teacher is highly competent in all elements of the Teachers' Standards; and

- The teacher's achievements and contributions are substantial and sustained

For the purpose of this policy:

- **'Highly competent'** means:

Performance which is good enough to provide coaching, mentoring and advice to other teachers, and demonstrate to them effective teaching practice and how to make a wider contribution to the work of the school, in order to help them meet the relevant standards and develop their teaching practice

- **'Substantial'** means:

The teacher's contributions are of real importance, validity or value to the school; play a critical role in the life of the school; provide a role model for teaching and learning; make a distinctive contribution to the raising of pupil standards; take advantage of appropriate opportunities for professional development and use the outcomes effectively to improve pupils' learning

- **'Sustained'** means:

The teacher's contributions have been maintained over a long period

8.3. The Decision

The assessment will be made and the applicant notified by the end of the Autumn Term.

The decision will be made by governing body and approved by the Trust Board. Considerations will include the nature of the post, the responsibilities it entails, and the qualifications and skills of the teacher.

If successful, applicants will move to the upper pay range from the start of the next term. Pay will be backdated to the first day of term following the Trust Board decision being made.

If unsuccessful, feedback will be provided by line managers in a one-to-one meeting, within 10 working days of the decision notification. The line manager will set out why the application was unsuccessful, and provide advice on how the teacher can improve when making another application in the future.

Decisions will also be communicated in writing. Any appeals against decisions are covered by our staff grievance procedures.

9. ADDITIONAL ALLOWANCES

Additional allowances are paid as follows:

- Teaching and learning responsibility (TLR) payments – curriculum responsibilities (coordination).
- Special educational needs (SEN) allowances – applicable in special schools and AP academies in our Trust and may be used where a teacher is working solely with children or young people with EHCPs (at the discretion of the Executive Head Teacher in each local hub).
- Where unqualified teachers take on a sustained additional responsibility or have qualifications and experiences which bring added value to the work being undertaken (TLR payments for whole school or area / department responsibilities).
- Where a teacher is 'acting up' and is assigned the duties of a school leader but is not appointed as a school leader (an honorarium may be awarded with the approval of the LGB based on the role to be undertaken).
- Where a teacher is seconded.

Allowances are paid in line with STPCD for teaching staff and through honorariums or additional spine points for staff on the Bexley or LSEC Pay Scales.

10. LEADERSHIP PAY

Executive Leadership pay is determined in accordance with our Executive Leadership Pay Policy.

Head of School / Head Teacher pay is in line with STPCD and based on school group size with other leadership posts within scales below this and not overlapping with the scale of the post above or below. Leadership scales are calculated using the criteria and metrics in STPCD.

11. TEACHER SALARY SAFEGUARDING ARRANGEMENTS

We will abide by the STPCD and safeguard teacher's salaries if the post is revised or removed as a result of:

- Closure of the school or education establishment
- Organisational restructuring

Circumstances where higher pay is safeguarded include a removed or reduced:

- Teaching and learning responsibility (TLR) payment: TLR1 or TLR2
- Special educational needs (SEN) allowance
- Unqualified teacher's allowance
- Leadership pay range or leading practitioner pay range

We will follow the STPCD when applying and managing salary safeguarding

12. INFORMATION TO BE INCLUDED IN PAY STATEMENTS

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

The statement will be issued by LSEAT HR Department on behalf of the Trust Board.

For all teachers, statements will include:

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

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

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

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

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

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

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

Statements for unqualified teachers will also include:

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

Statements for non-teaching staff will include:

- The Band and Point on the salary scale (staff on Bexley Pay Scales) or the actual annual salary (Bromley Hub schools).
- Whether the salary determined is permanent or temporary – if temporary, the start and end date and the salary following the period.

Any additional payments in the form of honorariums will be reviewed annually and will have start and end dates clearly explained in the pay statement with details of the nature of the task / responsibility associated with the honorarium.

13. APPEALING A DECISION ON PAY PROGRESSION

Where any member of staff feels that a decision made over their pay is unfair, they have the right to appeal.

Staff should attempt to resolve the matter informally at first, by speaking to their line manager / reviewer.

If the member of staff wishes to lodge a formal grievance, they should set out their reasons for appealing in a letter to the Executive Head Teacher within 10 working days of the pay statement being issued. Reasons may include:

- The pay policy was incorrectly applied
- The decision contravenes the STPCD for teaching staff only.
- The decision contravenes equality legislation
- Relevant evidence was not taken into account
- The decision was biased

The rest of the grievance procedure is set out in our staff grievance procedures, which is based on the Acas Code of Practice for addressing grievances.

The Executive Head Teacher should investigate and respond to the member of staff in the first instance. If the member of staff continues to be dissatisfied with the result of their review, they may then write formally to the Trust CEO within 10 days of the response from the Executive Head Teacher.

If the appeal is upheld, the Trust HR will re-issue the pay statement with the correct information.

14. MONITORING ARRANGEMENTS

This policy will be reviewed annually by Director of Education and approved by the Trust Board.

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

15. LINKS WITH OTHER POLICIES

This policy links with our policies on:

- Staff grievance procedures
- Performance Management Policy