



**The Elliot Foundation Academies Trust
Whole Staff Pay Policy
September 2016**

Approved by TEFAT Board	July 2016
Review date	Annually

INTRODUCTION

1 September 2016 update

- 1% uplift to all classroom teacher pay points and leadership pay points within the pay structure indicated below, and to classroom teacher allowances (TLRs and SEN). – effective from 1 September 2016
- no change to the STPCD in relation to non-consolidated payments (ie not permitted)
- On 'stepping down' - no change to the provisions in the STPCD on arrangements for upper pay range teachers (ie teachers on UPS may not choose to return to mainscale)

Note: TEFAT will continue to maintain the following pay structure for teachers:

- 6-point main scale range
- 3-point upper pay range
- 43-point leadership pay range
- 6-point unqualified teacher pay range

Pay progression for staff on maternity leave – clarification of process

- *Academies must not discriminate against staff who have been, are on, or are about to go on maternity leave as to do so would be unlawful discrimination under the Equality Act 2010. The period of maternity counts as employment.*
- *Each case will need to be considered separately. In terms of applying the appraisal process this will depend upon the timing of the maternity leave. If there is significant time (for example three months) in the appraisal year either before or after the maternity when appraisal could take place it may be possible to set shorter term objectives. The outcome can then be reviewed in the normal way.*
- *Where there is/has been an insufficient period of time to set short term objectives, the outcome of the previous year's appraisal should be used as evidence to support any recommendation for pay progression.*
- *In any case, a recommendation on pay should be made in line with the normal timescale for this.*

Example

- *Appraisal year September to July*
- *Member of staff leaves on maternity at beginning of December following a series of sickness absences related to the maternity. She returns the following September.*
- *It is decided that there is insufficient evidence from that appraisal year so the performance of the previous year is used to establish a pay recommendation.*

1.2 TEFAT will operate a Whole Academy Pay Policy as the 'relevant body', as defined in the School Teachers' Pay and Conditions Document 2015, and for the pay arrangements agreed for all the support staff which will:

- grade posts appropriately within the conditions of employment identified in the current STPC Document and the conditions of service for support staff of the academy
- determine the salary of teachers (including Principal) on an annual basis and notify teachers in writing of the salary determination by 31 October each year with effect from 1 September of that year.
- take into account pay relativities between posts within the academy
- ensure that the annual appraisal of all teachers, including part time teachers, unqualified teachers, members of the leadership group, and the annual performance review of the Principal's salary, is fairly and properly conducted as soon as possible and by 31st October at the latest
- where a pay determination leads or may lead to the start of a period of safeguarding, the LGB will give the required written statement of notification as soon as possible and no later than one month after the date of the determination.
- ensure that discretion available under the STPC Document is exercised in a fair and equitable manner for determining the starting salary for all new teachers, for special education needs allowances, for Teaching and Learning Responsibility payments, and for determining the salary ranges for Leading Practitioners and members of the Leadership Group, including the Principal.
- give recognition to assigned increased responsibility for Teaching and Learning Responsibilities, whether for a permanent post, temporary projects or acting post basis.
- ensure that an approved evaluation process is used to determine the appropriate salary scale for members of the academy support staff.
- all staff have the right to make representations and to appeal about any aspect of their pay or pay progression in accordance with the procedures set out in Annex 1 and Annex 2 to this policy.

1.2 This policy statement will be available to the staff of the academy.

2. DELEGATION OF DECISION MAKING

2.1 Principal

2.1.1 Except where otherwise stated, TEFAT, having determined the policy as set out below, will delegate the day to day management of the policy to the Principal in consultation with the Chair of the LGB. The Principal will report to the LGB those occasions when the delegated responsibility has been exercised in respect of the discretionary elements of the current STPC Document and the pay provisions for support staff.

2.1.2 The Principal, in accordance with this policy, shall make annual recommendations on the salary of staff to the appropriate committee of the LGB.

2.1.3 TEFAT requires that the Principal in exercising the delegated responsibilities has appropriate regard to the budget approved by TEFAT and the requirements of employment legislation, particularly The Equality Act 2010, The Employment Rights Act 1996, The Employment Relations Act 1999 and The Employment Act 2002, as well as The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000, The ACAS Code of Practice (section 199 of the Trade Union and Labour Relations (Consolidation) Act 1992, and The Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002.

TEFAT expects the Principal to seek appropriate advice from persons engaged to provide such advice.

2.2 An appropriate committee structure

2.2.1 The LGB will delegate to a committee of governors, hereafter referred to as the "**review committee**", decisions arising out of this policy or the appraisal policy. The number of governors on the committee shall normally be three. No member of the review appeals committee, referred to below, will be a member of the review committee. No governor who is employed at the academy may be a member of the review committee or the review appeals committee.

2.2.2 TEFAT will delegate to a committee of governors, hereafter referred to as the '**review appeals committee**', any appeals by individual members of staff against decisions of the committee in 2.2.1 arising out of this policy or the appraisal policy. The number of governors on the committee shall normally be three. Any appeal will be dealt with before a final decision is reported to the LGB.

2.3 Review of decisions

2.3.1 If an employee, including the Principal, wishes to have a review of any decision that affects his/her performance review and/or his/her pay s/he shall, within 5 working days of being given the written statement of the assessment, make a written request to the decision maker of the decision about which the employee is seeking a review, for a formal written statement of reasons for the decision which s/he wishes to have reviewed.

2.3.2 The written statement of reason will be provided to the employee within 5 further working days by the decision maker. If, having considered the statement of reason the employee still wishes for

a review of the decision s/he shall submit written grounds for seeking a review to the review committee within 5 working days of receipt of the written statement of reasons. The reason for a review will be one or more of the following:-

That the decision -

- incorrectly applied any provision of the appropriate salary and/or appraisal policy;
- in the case of a teacher, failed to have proper regard for statutory provision or guidance of the STPC Document 2015 or whichever Document is in force;
- failed to take proper account of relevant evidence;
- took account of irrelevant or inaccurate evidence;
- was biased; or
- otherwise unlawfully discriminated against the employee.

2.3.3 The chair of the review committee will, normally within 10 working days of receipt of the written application for a review, make arrangements for the employee to make representations in person to the review committee regarding the reasons for the written application. The employee may be accompanied at that meeting by a workplace colleague or representative of his/her trade union and the review committee may also have an adviser present to advise the committee. The review committee may also ask the Principal (or in the case of the request for a review coming from the Principal, the Chair of the LGB or a representative of the governors referred to in 2.8.1 below) to be present and to comment on the reasons for the application for the review. The decision of the review committee will be provided to the employee in writing as soon after the review as possible. The employee will be advised that s/he has the right of appeal against the review decision.

2.3.4 The procedure to be followed for the review hearing is attached at Annex 1 of this policy.

2.4 **Appeals Against Salary or Appraisal Decisions**

Staff have the right to make representations and appeal about any aspect of their pay or pay progression in accordance with the procedures set out in Annex 1 and Annex 2. If the employee decides to appeal against the reviewed determination as defined in 2.3 above then the employee shall, within 5 days of receipt of the reviewed determination, notify the Clerk to the Governors in writing of the appeal and the reasons for it. The Clerk to the Governors will arrange, normally within 20 working days of the receipt of the written notice of appeal, giving at least 5 working day's notice, a meeting of the appeals committee of the LGB. The employee will be entitled to attend and the procedure to be followed for the appeal is attached at Annex 2 of this policy. The decision of the appeal committee delegated to deal with appeals shall be final. Once any appeal has been resolved the final decisions regarding the

assessment of salaries or performance management of staff shall be reported to the LGB.

2.5 **Threshold Application**

2.5.1 Since September 2014 any qualified teacher who has made substantial progress towards the maximum of the main classroom teachers' scale may apply to the Principal to be paid on the upper pay range.

An application must be made by 31 October in any year.

A successful applicant will progress to the first point on the Upper Pay Spine from 1 September of the same year.

A successful applicant will have demonstrated:-

- that as a teacher s/he is highly competent in all elements of the relevant standards; and
- that his/her achievements and contributions to the academy are substantial and sustained

(See Annex 3 for the academy's definition of "highly competent" and "substantial and sustained".)

2.5.2 The Principal shall inform the review committee of the outcome of the threshold application as soon as possible after the closing date has passed and inform the teacher of the outcome within 20 working days following the decision provided to the review committee. The teacher shall be given a salary assessment form indicating his/her salary position following the outcome of the application. The Principal shall provide oral feedback on the relevant criteria indicated, or in the case of unsuccessful application, in writing on the original application form. Feedback shall also include advice on aspects of performance that would benefit from further development.

2.5.3 Any decision regarding successful placement on the upper pay range will only apply to posts in the individual academy.

2.6 **Reviews and Appeals against any Threshold Application Decision**

2.6.1 A teacher may seek a formal review of the decision by the Principal by submitting a request in writing together with reasons for a review as identified in clause 2.3 of this policy. The Principal will make arrangements, normally within 10 working days of the written application for a review, to meet with the employee who may be accompanied by a workplace colleague or representative of his/her trade union. The outcome of the review shall be provided in writing together with notification of the right of appeal.

2.6.2 If the employee decides to exercise his/her right to have the Threshold determination reviewed or to appeal against the determination it shall be in accordance with clause 2.4 of this policy and the reasons for review in 2.3 of this policy.

2.7 The Chair of LGB

2.7.1 The Chair of the LGB will be available to the Principal for consultation on those matters of this policy delegated to the Principal. In this instance the Chair of the LGB may not be a member of review or appeals panels.

2.8 The Appraisal Review Governors for the Principal's Performance Review

2.8.1 The LGB will delegate 3 governors, none of whom shall be employees of the academy, to carry out the appraisal review for the Principal as set out in this policy and the academy's appraisal policy. The delegated governors will be advised by an external adviser appointed or approved by TEFAT. The agreed performance objectives and indicators/measures will be referred for moderation to the Regional Director.

2.8.2 It is the stated wish of TEFAT and the LGB that the delegated governors shall avail themselves of appropriate training.

3. EXERCISE OF DISCRETION UNDER THE STPC DOCUMENT

3.1 Starting salary of new classroom teacher appointments.

3.1.1 TEFAT academies will match the base salary of a teacher appointed from another school (ie pay portability).

3.1.2 The Principal will provide a statement for the appropriate committee of governors of the reasons for which the salary has been awarded together with the position on the appropriate scale in the academy's salary structure.

3.2 Calculation of Part Time Teachers' salaries

3.2.1 The LGB will ensure that all part time teachers employed in the academy will have their salaries calculated in accordance with the STPC Document and the "pro rata principle". Part-time teachers will therefore be entitled to be paid on a pro-rata basis of the pay rate they would receive if employed full-time in the same post (including basic pay and any additional allowances)

3.2.2 The LGB will ensure that the total amount of time for which a part time teacher may be directed by the Principal is calculated in accordance with the STPC Document and the “pro rata principle”.

3.2.3 All part time teachers will be advised of the way in which their salary and directed time are calculated.

3.3 Recruitment/Retention Incentives

3.3.1 TEFAT will have a policy with regard to any payment of recruitment/retention incentives or benefits in accordance with paragraph 47 of the STPC Document 2013.

3.3.2 The policy adopted by TEFAT will be made known to the staff and set out as Annex 4 to this policy.

3.4 Staffing Structure

3.4.1 The Principal will annually recommend to the LGB a staffing structure for the academy that:

- takes account of any financial limits determined by the LGB;
- identifies the posts to which allowances will be allocated for Teaching and Learning Responsibilities (TLR) in accordance with the requirements of the STPC Document, on a permanent basis;
- will determine the value of any TLR post that is to be paid for a short term period. A statement identifying a payment within the range for TLR3, the length of time for which it will be paid, and the reason for the short term payment will be provided to the appropriate committee of the LGB.
- identifies the level of allowance to be allocated to each permanent TLR post in the attached staffing structure in accordance with the STPC Document;
- identifies the level of salary to be allocated to any Leading Practitioner posts together with the salary ranges to be assigned to each post
- identifies posts to be paid on the Leadership Group pay scale together with the salary ranges assigned to each post
- identifies any post to which a salary from the Special Educational Needs range of salaries will be allocated together with the level of each allowance to be paid
- identifies the staffing structure for support staff posts together with the evaluated salary scale assigned to each post

The staffing structure approved by the LGB shall be published with this pay policy

3.4.2 In the event that the recommendation contains significant changes in the staffing structure the recognised trade unions will be

informed and consulted before the final salary structure is published.

3.5 Special Educational Needs

3.5.1 The LGB will award an allowance to any teacher who satisfies the statutory requirement of the STPC Document 2013, paragraph 27.

3.5.2 The post and allowance(s) will be identified in the staffing structure and will be spot salaries selected from the SEN range. The value of allowances should be based on whether any mandatory qualifications are required, other qualifications and expertise relevant for the post and the relative demands of the post. SEN allowances for SEN teaching involvement can be held at the same time as TLRs for additional leadership and management responsibilities including those relating to SEN teaching.

3.6 Awards for performance progression to teachers paid on the main pay scale, the upper pay scale or unqualified teachers' pay scale

(There will be no further annual increments paid to teachers after 1st September 2013. After that date pay progression will be linked to assessment of performance).

3.6.1 At the time of the annual assessment of teachers' salaries referred to in paragraph 6 of this policy, the review committee will consider written recommendations from the Principal that a teacher be paid a higher salary on the main classroom teachers' pay spine for the academy, or the upper pay spine, depending on which scale the teacher is currently paid. The Principal will also provide written reasons why any teacher should not progress on either scale.

3.6.2 Any recommendations for progression to a higher salary made by the Principal shall be in respect of the excellence of the teacher's performance during the previous year across all aspects of the teacher's professional duties as measured against the Teachers' Standards, and also having regard to his/her performance review under the academy's Appraisal policy with particular reference to the achievement of objectives and classroom performance. The Teacher's Standards will be used to inform the setting of the teacher's performance management/appraisal objectives. The Standards will be used as a framework against which the teacher's performance is assessed and not as a checklist. In the case of teachers beyond the threshold the Principal will also have regard to the teacher's overall contribution to the academy. Any concerns about the performance of a teacher that may result in no recommendation for pay progression should be put in writing to the teacher.

- 3.6.3 The academy's criteria for determining whether or not a teacher shall progress are set out in Annex 5 of this policy together with the salary points on the Main and Upper Pay scales adopted by the academy and shall be made available to all teachers on the main classroom teacher pay scale and the upper pay spine.
- 3.6.4 Recommendations for increases in pay will be differentiated such that the amount of any increase is clearly attributable to the performance of the teacher in question. Continued good performance over a number of years should give a classroom teacher a reasonable expectation of progressing to the top of the appropriate pay range.
- 3.6.5 A teacher on the main classroom teachers' pay scale whose performance meets the criteria set out in Annex 5 could reasonably expect to reach the maximum of the scale in about five years. The Principal may recommend that there will be no progression on the scale in a given year where the performance of the teacher does not warrant progression. A newly qualified teacher who achieves the required standards at the end of his/her induction will progress to the next point on the main classroom teachers' scale.
- 3.6.6 Where a teacher has been absent through long term illness or on maternity leave the Principal will ensure that the requirements of the STPC Document are complied with by ensuring that a performance review has been conducted. In the event that a review cannot be conducted until the teacher returns to academy the Principal will conduct a review at such time following the teacher's return to academy to enable a proper and reasonable assessment to be made and in the event that the Principal's recommendation is to pay the teacher on a higher salary on the appropriate pay spine the award may be back dated to the appropriate date on which the award would normally have been paid.

4. LEADING PRACTITIONER POSTS

- 4.1 The LGB may decide to include a Leading Practitioner post or posts in the staffing structure where it receives a recommendation from the Principal to consider such a post. The Leading Practitioner post must comply with the requirements of the STPC Document.
- 4.2 Where a Leading Practitioner is appointed the LGB shall select a point range of salaries from the range designated for Leading Practitioners. A newly appointed Leading Practitioner shall be appointed to the minimum of the chosen range.

4.3 The primary purpose of a Leading Practitioner post is for the modelling and leading improvement of teaching skills. In addition the Leading Practitioner will take a leading role in developing, implementing and evaluating policies and practice that will contribute to academy improvement. Performance objectives will be set with the Leading Practitioner and performance reviewed against those objectives in accordance with the academy's Appraisal policy.

4.4 At the time of the annual assessment of teachers' salaries referred to in paragraph 6 of this policy, the review committee will consider recommendations from the Principal that any Leading Practitioner be paid a higher salary subject to the maximum of the individual range. The criteria on which such a recommendation will be based is set out in Annex 6 of this policy.

5. THE LEADERSHIP GROUP

5.1 Vice and Assistant Principals

5.1.1 The LGB, following consideration of the relevant criteria set out in the STPC Document, will determine the individual range for a newly appointed Vice Principal or Assistant Principal's salary.

5.1.2 At the time of appointing a new Vice Principal or Assistant Principal the selection panel of TEFAT/LGB making the new appointment shall determine the salary point on the individual range to be paid. The point to which the teacher is appointed on the individual range shall not exceed the third point. The selection panel shall have regard to advice available from the HR provider and/or Director of HR.

5.2 Awards for performance to Vice Principals and Assistant Principals

5.2.1 At the time of the annual assessment of teachers' salaries referred to in paragraph 6 of this policy, the review committee will consider recommendations from the Principal that any Vice or Assistant Principal be paid up to two additional points subject to the maximum of the individual range. The LGB expects that the objectives which were set for a Vice or Assistant Principal under the appraisal policy will have become progressively more challenging as the teacher has gained experience in his/her current role.

5.2.2 Where it considers it has substantial difficulties in retaining the services of a current Vice or Assistant Principal the LGB in consultation with TEFAT may decide to change the salary range of a Vice or Assistant Principal in accordance with the STPC Document in order to retain his/her services. The Vice or Assistant

Principal's range cannot encroach on the Principal's ISR and the Assistant Principals range must have a minimum at least one point below the minimum of the Vice Principal range. The Vice or Assistant Principal's salary cannot be placed on the new range, except at the minimum point, until the September following the determination of a changed range.

6. ANNUAL ASSESSMENT OF THE SALARY OF TEACHERS

6.1 Annual assessments

6.1.1 As soon as possible after the appraisal process, the Principal will carry out an annual assessment of salary for each teacher, including Vice and Assistant Principals, Leading Practitioners and unqualified teachers employed in the academy. Each teacher will be informed in writing of the recommended salary for the September of the new academic year including any increased salary, having regard to the annual performance review conducted in accordance with the academy's appraisal policy and this policy. The Principal will inform each teacher of the proposed salary before making the recommendation to the review committee. Any written comment from the teacher will be presented to the review committee when the recommendation of the Principal is presented.

6.1.2 When the review committee has considered the recommendations from the Principal for all teachers employed at the academy and any comment from any individual teacher, its decision will be provided in writing, as soon as possible, to each teacher on the appropriate teacher salary assessment form. The salary assessment form will give information on each relevant aspect of the teacher's salary on which the LGB has discretion under this policy. The LGB and TEFAT will ensure that all salary decisions will be undertaken on an annual basis will have been completed by 31st October at the latest to be backdated to the 1st September.

7. DETERMINATION OF LEADERSHIP GROUP SALARIES

7.1 Group of the Academy; Individual School Range (ISR) and salary ranges for other members of the leadership group

7.1.1 For the purposes of determining the group of the academy by which the ISR for the Principal is identified, TEFAT will recalculate annually the appropriate unit total of the academy.

- 7.1.2 TEFAT will assign the academy to the appropriate Head Teacher Group whenever a new Principal is to be appointed and on such occasions as the TEFAT sees fit. The Principal may make representations to TEFAT to consider assigning the academy to a new Head Teacher Group. The academy must be assigned to its appropriate group not more than three years after the academy was last assigned to a Principal group.
- 7.1.3 If TEFAT sees fit to change the group of the academy having recalculated the unit total of the academy in accordance with the STPC Document and the academy is entitled to be in a HTG, TEFAT will identify an ISR which will ensure that the minimum of the ISR is not below the minimum of the salary range for the HTG.
- 7.1.4 When a new Principal is appointed, when the HTG is changed as in 7.1.3 above, or when a Vice or Assistant Principal range is set which equals or exceeds the minimum of the current ISR, TEFAT, in accordance with the STPC Document, will redetermine an ISR on which the Principal's salary will be paid, according to the size and circumstances of the academy. The ISR of the academy shall be a range of 7 consecutive salary points within the HTG range for the academy. The ISR will be subject to an enhancement of 5% at the discretion of TEFAT.
- 7.1.5 The selection committee, set up to appoint a new Principal, shall determine the salary point on the ISR to be paid. A newly appointed Principal may not be appointed at a point higher than the fourth point on the ISR. The selection panel shall have regard to advice available from persons engaged by TEFAT.
- 7.1.6 In the event that TEFAT agrees to the academy's Principal also being made the Principal of another academy on a permanent basis, the Principal's salary will be determined in accordance with STPC Document 2013 (paragraph 11.2.4).
- 7.1.7 Where such a decision is made then TEFAT will also review the salary ranges of any other teachers affected by the arrangement by increased responsibilities. Where such arrangements are temporary the safeguarding provisions will not apply.
- 7.1.8 The salary ranges for a Vice or Assistant Principal shall be determined with reference to the academy's ISR and the highest paid classroom teacher as defined by the STPC Document.

7.2 Annual Review of Principal's salary

- 7.2.1 At the beginning of each academic year, or at any such time as the LGB, in consultation with the Principal may decide, the

reviewer governors referred to in 2.8 will agree with the Principal, or, in the absence of agreement, set performance objectives together with performance indicators/measures appropriate to each objective. The performance objectives will reflect priorities identified in the academy's development plan.

7.2.2 An external adviser appointed or approved by TEFAT will support the reviewer governors in carrying out the annual performance review of the Principal. The performance review and review statement will be conducted in accordance with the academy's Appraisal policy.

7.2.3 In the autumn term of each year, (or where determined differently by TEFAT as referred to in 7.2.1 above, in the half term immediately prior to the anniversary of the setting of the performance criteria), the review committee will receive recommendations from the reviewer governors (having consulted the Chair of Governors, if s/he is not a reviewer governor) about the salary of the Principal. The recommendation shall reflect the reviewer governors' views based on the outcomes of the annual performance review and the Chair of Governor's view of the Principal's overall performance during the year. Any recommendation for movement up the ISR, on which the Principal is currently paid, may be by up to two points in any one annual review. The Principal will be advised of the proposed recommendation and may make a written response to the recommendation. Enhancement beyond the top of the ISR will be at the discretion of TEFAT.

7.2.4 The recommendation for the Principal will be made in a written statement to the review committee, giving reasons for the recommendation and the level of salary that it is recommended should be paid from 1st September. This will either be at the current point on the ISR or up to two points higher subject to the maximum of the ISR. The review committee will consider the recommendation together with any written response from the Principal to the recommendation and make its decision known to the Principal in writing on the salary assessment form by 31st October at the latest, to be backdated to 1st September. The Principal will not be entitled to attend the meeting of the review committee.

7.2.5 If the Principal wishes to seek a review of the decision of the review committee regarding his/her pay, s/he may do so in accordance with the procedure set out in paragraph 2.3 of this policy. The Principal will have right of appeal against the decision of the review committee in accordance with the procedure set out in paragraph 2.4 of this policy.

7.3 Determination of Discretionary payments to Principals (This paragraph to apply to any decision made after 1st September 2011)

7.3.1 TEFAT may decide to pay additional payments to the Principal in accordance with paragraphs 11.4 to 11.6 of the STPC Document 2013. TEFAT will consider the impact on differentials with other staff when considering whether or not to exercise this discretion.

7.3.2 Where a decision is made to increase the Principal's salary beyond the maximum of the appropriate HTG determined in accordance with paragraph 7.1 above, the total sum of all payments made to the Principal referred to in 7.3.1 will not exceed 25 per cent of the previous salary being paid on the current point on the ISR.

7.3.3 In the event that it is considered there are wholly exceptional circumstances which make it necessary to exceed the provision set out in 7.3.2 above then TEFAT will take external independent advice in accordance with paragraph 11.6.2 of the STPC Document 2013 before agreeing to such a decision.

7.4 Acting allowances for an acting Principal, acting Vice Principal, acting Assistant Principal or a teacher acting up in a TLR post

7.4.1 In the prolonged absence of the Principal, a Vice Principal, an Assistant Principal or a TLR post holder, the TEFAT or the LGB may appoint a teacher to act up during the absence of the post holder. From the date that the TEFAT or LGB considers it necessary to make an acting appointment, TEFAT or the LGB will pay an allowance equal to the difference between the salary currently paid to the person appointed to act up and a point considered appropriate by the TEFAT on the ISR for the Principal or the range of salaries for the Vice or Assistant Principal or the level of TLR in question. The STPC conditions of employment for a Principal, Vice or Assistant Principal will also apply to any person in receipt of such an acting allowance.

7.4.2 If, during any absence of the Principal, Vice or Assistant Principal or a TLR post holder, the acting appointment is made and maintained for a period then the TEFAT/LGB will consider within four weeks of the acting appointment whether or not the teacher shall be paid an acting allowance calculated in accordance with 7.4.1 above. If no allowance is paid TEFAT/LGB may reconsider the position at any time.

8. ADDITIONAL PAYMENTS FOR TEACHING STAFF

8.1 In the event that the Principal, following consultation with the teacher(s)

affected, or the Chair of Governors following consultation with the Principal, decides to request teachers or Principal to undertake

- CPD undertaken outside of the academy day
- Activities relating to the provision of ITT as part of the ordinary conduct of the academy day, or
- Out of academy hours learning activities, then payments as below will be made to teachers/Principal agreeing to participate in such activities.

8.2 The daily rate payable to each individual teacher/Principal undertaking such CPD or ITT activities and entitled to such a payment will be determined by the LGB. Periods of less than a day will be paid pro rata.

8.3 Where additional responsibilities and activities are undertaken by a teacher resulting from the Principal having responsibility for more than one academy, as provided for in paragraph 7.1.7 of this policy, the salary review committee of the LGB will review the teacher's salary to reflect the additional responsibilities and activities. The decision of the review committee will be reported to the next meeting of the LGB.

9. UNQUALIFIED TEACHERS

9.1 The LGB may employ unqualified teachers/instructors in the academy. Such unqualified teachers will be paid in accordance with paragraph 19 of the STPC Document 2013.

9.2 The point on the academy's unqualified teacher scale, within the maximum and minimum of the range as set out in paragraph 19 of the STPC Document, at which a new appointment will be paid, will be determined by the Principal, in consultation with the Chair of Governors, and will take account of the qualifications and experience considered to be relevant to the post to which the person is appointed. TEFAT academies will pay trainee teachers following an employmentbased route to qualified teacher status on the qualified teacher's pay scale.

9.3 In addition to the appropriate point on the unqualified teachers' pay spine the Principal, in consultation with the Chair of Governors, may award an additional annual allowance in accordance with paragraph 28 of the STPC Document 2013 to a person appointed as an unqualified teacher who either takes on a sustained additional responsibility or who s/he believes has additional qualifications and/or experience to warrant such an award.

The Principal will report any award of such an allowance to the appropriate committee of the LGB.

9.4 The same arrangements for salary progression for teachers will also apply to unqualified teachers.

9.5 The same safeguarding arrangements will apply to an unqualified teacher as to other teachers, i.e. if as a result of changes to the STPC Document, the academy's pay policy or staffing structure of the academy an unqualified teacher would be paid a lower salary his/her salary will be protected for a period up to 3 years from the date of the change subject to the provisions of the STPC Document.

10. SALARIES OF SUPPORT STAFF

10.1 The policy and procedure set out in this document applies to all academy-based TEFAT support staff, including fixed-term, part-time, full-time, permanent and temporary staff. On appointing a member of the support staff the job description determined for the post to which the employee is to be appointed will be evaluated in accordance with the existing local authority job evaluation scheme.

10.2 The Principal, in consultation with the Chair of LGB, will determine the appropriate point on the evaluated scale having regard to

- i) relevant qualifications and/or competencies
- ii) recruitment/retention needs of the academy in respect of the post. The reasons for any recruitment or retention payment must be objective, justified and transparent and reflect the appropriate market rate
- iii) support staff progression will normally be by one spine point each year until they reach the top of their pay band

The decision of the Principal will be reported to the review committee.

10.3 If any member of the support staff wishes to appeal against his/her salary level s/he may ask for a re-evaluation of the job description of the post to be undertaken. In the event that a member of the support staff decides to appeal against a decision of the review committee under paragraph 2.4 above, then s/he shall enter a formal written statement of appeal. The appeal shall be heard by the review appeal committee referred to in paragraph 2.2.2 above.

11. SALARY SACRIFICE SCHEME

11.1 TEFAT will support and encourage any salary sacrifice scheme as identified in the STPC Document and made available by the academy, from which teachers or support staff employed in the academy benefit where there is no expected additional cost to the academy budget. Participation in such a scheme will be entirely voluntary.

12. REVIEW OF THE POLICY

The operation of this policy will be kept under review and such changes will be made to the policy as deemed appropriate following necessary consultation with the trade unions.

Final

ANNEX 1

PROCEDURE FOR A REVIEW OF A SALARY DETERMINATION OR A PERFORMANCE MANAGEMENT DECISION BY THE REVIEW COMMITTEE OF THE GOVERNING BODY

1. Case for the employee

The employee or representative:

- a) presents the employee's written application for the review.
- b) the members of the Pay Review Committee may ask questions of the employee

2. The Chair of the Pay Review Committee:

- a) explains the process and evidence used to come to the decision under review with reference to the written statement of reasons for the decision of the Pay Review Committee previously provided to the employee.
- b) If the Pay Review Committee has asked the Principal (or a governor as referred to in Note 3 below) to be present at the hearing the Principal (or governor) may be asked questions by the members of the Pay Review Committee, and the employee or representative.

3. Summing up and withdrawal

- a) the employee, or representative, has the opportunity to sum up his/her case if s/he so wishes.
- b) all persons other than the members of the Pay Review Committee and the adviser (See Note 5 below), are then required to withdraw.

4. Pay Review Committee decision

- a) The Pay Review Committee and the person who is advising, if other than the Principal or a governor, are to deliberate in private, only recalling other persons to clear points of uncertainty on evidence already given. Any recall will involve all persons involved in the earlier hearing.
- b) The chair of the Pay Review Committee will announce the decision of the review to the employee, which will be confirmed in writing within 5 working days.

Notes: 1. For the purposes of the review, the Pay Review Committee and the employee will have the following documents:-

- *the written statement of reasons for the decision of the Pay Review Committee previously provided to the employee*
 - *the written statement of reasons for the application for the review from the employee. (The grounds for the appeal must comply with paragraph 2.3.2 of the pay policy).*
 - *any additional documents to be used at the review hearing which must be provided to the other party at least 48 hours before the commencement of the hearing.*
2. *For the purposes of the review, the Pay Review Committee may ask the Principal (or in accordance with note 3 below, a governor) to be present. In that event the Principal (or governor) may also be asked questions by the members of the Pay Review Committee and by the employee or his/her representative. The Principal (or governor) may not be involved in the decision of the Pay Review Committee.*
 3. *Where the Principal has asked for the review the Pay Review Committee may ask the Chair of LGB or a representative of the governors referred to in 2.8.1 above to be present.*
 4. *The employee may be represented by a representative of his/her trade union or a workplace colleague.*
 5. *The Pay Review Committee may have an adviser present to advise on fact and the law.*
 6. *The review is not an appeal against the decision.*
 7. *Where a teacher is seeking a review against a determination of the Threshold Application or an appraisal decision of the Principal, the same procedure will be used with the Principal taking the role of the review committee. The Principal may have an adviser present to advise on the law, procedure and merits of the case, who may not be an employee of the academy.*

ANNEX 2

PROCEDURE FOR AN APPEAL AGAINST A SALARY OR PERFORMANCE MANAGEMENT DETERMINATION TO THE REVIEW APPEAL COMMITTEE OF THE GOVERNING BODY

The Appeal of the employee

The employee or representative,

- a) introduces the employee's written reasons for the appeal and the representative of the Pay Review Committee and then members of the Pay Review Appeal Committee may ask questions of the employee
- b) may call witnesses, each of whom will have provided a written statement of the information s/he wishes to give, and each witness may be asked questions by the representative of the Pay Review Committee and then by the Pay Review Appeal Committee

The response of the review committee

The representative of the Pay Review Committee

- a) explains the process and evidence used to come to the decision being appealed with reference to the written statement of reasons for the decision of the Pay Review Committee previously provided to the employee, and the employee or representative and then members of the Pay Review Appeal Committee may ask questions of the representative of the Pay Review Committee.
- b) may call witnesses, who will have provided a written statement of the information they wish to give, and each witness may be asked questions by the employee or his/her representative and then by the Pay Review Appeal Committee

3. Summing up and withdrawal

- a) the representative of the Pay Review Committee has the opportunity to sum up if s/he so wishes.
- b) the employee, or representative, has the opportunity to sum up his/her case if s/he so wishes.
- c) all persons other than the Pay Review Appeal Committee and its adviser are then required to withdraw.

4. Pay Review Appeal Committee decision

- a) the Pay Review Appeal Committee and the person who is advising on law, procedure, and merits of the case (See Note 4 below) are to deliberate in

- private, only recalling the parties to clear points of uncertainty on evidence already given. Any recall must involve both parties
- b) the Chair of the Pay Review Appeal Committee will announce the decision to the employee, which will be confirmed in writing

Notes: 1. *For the purposes of the appeal, the Pay Review Appeal Committee will have the following documents;-*

- *the written statement of reasons for the Pay Review Committee decision previously provided to the employee*
 - *the written statement of reasons for the appeal from the employee. (The grounds for the appeal must comply with paragraph 2.3.2 of the pay policy).*
 - *any additional documents to be used at the appeal hearing which must be provided to the other party at least 48 hours before the commencement of the hearing.*
2. *For the purposes of the appeal, the Pay Review Committee representative may call the Principal (or in accordance with note 3 below, a governor) as a witness for the Pay Review Committee. In that event the Principal (or governor) may be questioned as a witness.*
 3. *Where the Principal has asked for the review the representative of the Pay Review Committee may call the Chair of LGB and/or one of the governors referred to in paragraph 2.8.1 of the policy above as a witness.*
 4. *The Pay Review Appeal Committee may appoint an adviser to advise on the law, procedure, and merits of the case who may not be an employee of the academy.*
 5. *The employee may be represented by a representative of his/her trade union or a workplace colleague.*
 6. *Where a teacher is appealing against a determination of the Threshold Application or an appraisal decision the same procedure will be used with the Principal taking the role of the representative of the Pay Review Committee. The Principal may have an adviser present, as in Note 4 above, who may not be an employee of the academy.*

ANNEX 3

ACCESS TO THE TEACHERS' UPPER PAY RANGE

From September 2014 any qualified teacher (who has made substantial progress towards the maximum of the main classroom teachers' scale) may apply to the Principal to be paid on the Upper Pay Range. An application may only be made once in an Academic year and must be made by 31 October. TEFAT academies will not be bound by pay decisions made by other schools or academies.

A successful applicant will have demonstrated:

- That as a teacher s/he is highly competent in all elements of the relevant standards; and
- That his/her achievements and contributions to the school are substantial and sustained

For the purpose of this pay policy:

- *Highly competent* means performance which is not only good but is good enough to provide coaching and mentoring to other teachers, give advice to them 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 of real importance, validity and value to 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 and achievement.
- *Sustained* means maintained continuously over a period of 3 years.

The application shall be in the form of the annual appraisal document (and two previous appraisal reports which meet the criteria) with supplementary evidence to be considered which reflects the applicant's achievements over a 3 year period. All applications will be assessed robustly, transparently and equitably by the Principal and a decision will be made and communicated in writing within 15 working days. Where the application is unsuccessful, the written notification will indicate the areas where the judgement is that the teacher's application does not satisfy the assessment criteria. A successful applicant will progress to the minimum point of the Upper Pay Range where it is expected that the level of performance assessed will be at least sustained. Exceptional applicants may start on a higher point. Further progression on the Upper Pay Range will be dependent on additional evidence that the applicant has developed further and taken on further responsibilities across the academy.

ANNEX 4

TEACHERS: RECRUITMENT AND RETENTION ALLOWANCES OR BENEFITS

This annex identifies the circumstances under which the school will pay allowances and/or benefits for the purposes of recruiting and retaining teachers. Recruitment or Retention allowances will be considered as a method of attracting or retaining outstanding teachers and support staff where the school would be adversely affected by not recruiting or retaining them. Recruitment and retention allowances will be pensionable payments. On expiry of a recruitment allowance it may be replaced by a retention allowance. Decisions on recruitment allowances or retention allowances will be made by the Principal following consultation with the Chair of LGB.

Prior to consultation the Principal will set out:

1. The reasons why the post should attract a recruitment or retention allowance with reference to other allowances awarded and any available recruitment or retention information.
2. The start and end dates of the allowance
3. The amount of the allowance and its percentage of substantive salary which will not exceed (10%)

The decision to award a recruitment or retention allowance will be communicated to the employee in writing stating the start date and end date, the amount and whether it is recruitment or a retention allowance. The decision to award a recruitment or retention allowance will be reported to Pay Review Committee at the next meeting.

ANNEX 5

PROGRESSION ON THE MAIN AND UPPER PAY SCALES FOR CLASSROOM TEACHERS

This annex*, referred to in paragraph 3.6 of the Pay Policy sets out the school's policy regarding Progression on the Main and Upper Pay scales and on the unqualified teachers' scale.

Main (E&W)	Main (outer London)	Upper (E&W)	Upper (outer London)	Unqualified (E&W)	Unqualified (outer London)
22,244	25,880	35,218	38,739	16,298	19,359
24,002	27,484	36,523	40,173	18,194	21,256
25,932	29,185	37,871	41,660	20,088	23,152
27,927	30,992			21,984	25,050
30,128	33,620			23,881	26,944
32,831	36,540			25,776	28,841

Teachers on the Main Upper and Unqualified teachers' pay scales will have their salary reviewed annually in accordance with paragraph 6 of the Pay Policy. To move up the Main pay scale or the unqualified teachers' pay scale one point at a time teachers will need to have made good progress towards their objectives, have shown they are competent in all elements of the Teachers Standards and teaching should be at least good as defined by Ofsted.

The following criteria will be taken into account in making a judgment:

1. Impact on pupil progress
2. Outcome of lesson observations
3. Appraisal targets and how successfully these have been met
4. Competency in all elements of the Teachers Standards
5. Contributions to whole school development
6. Wider outcomes for pupils and colleagues

Taking into account all of the criteria and any external factors, a best-fit judgement will be made by the Principal. Teachers demonstrating exceptional performance may be awarded progression up to two points on the scale; this will be determined by progress significantly above expected, evidence of consistently outstanding teaching and meeting all performance management targets as well as demonstrating they are competent in all elements of the teachers' standards.

Teachers annual appraisal reports will contain pay recommendations. Final decisions about whether or not to accept a pay recommendation will be made by the pay review committee, having regard to the appraisal report and taking into account advice from the Principal or member of the SLT. The pay review committee will consider its approach in the light of the academy's budget and where possible will ensure that appropriate funding is allocated for pay progression at all levels.

Moderation – where members of SLT are involved in appraisal and/or pay recommendations, these decisions will be moderated by the Principal to ensure consistency in application of the pay policy. For borderline cases the Principal will seek moderation from another Principal within TEFAT.

Final

ANNEX 6

TEACHERS: THE APPOINTMENT OF LEADING PRACTITIONERS

A TEFAT academy can decide to appoint teachers to Leading Practitioners posts in the staffing structure as indicated in paragraph 4 of the pay policy and in accordance with the provisions of paragraph 18 of the STPC Document 2013.

The individual academy will determine:

- The job role and specific requirements including a leadership role in developing, implementing and evaluating policies and practices in the academy contribute to academy improvement
- The job description and person specification
- Improving the effectiveness of staff and colleagues through coaching and mentoring
Up to 20% of the Leading Practitioners time will be spent on this aspect of their role (including supporting other schools. Any costs associated with the provision of this service will be invoiced and be retained by the school).
- Where the post is to be advertised
- The pay range (within the minimum and maximum points), the pay range to be made up of a 5 point range
- Who will line manage the post-holder

The pay spine will be as determined by the STPCD 2013. The Principal, in consultation with the Chair of LGB will determine the starting point of the range for each such post.

Criteria for progression on the Leading Practitioner scale will be based on evidence that the leading Practitioner:

- Has made good progress towards their performance management objectives
- Is an exemplar of teaching skills which must impact significantly on pupil progress within academy and within the wider academy community, if relevant.
- Has made substantial impact on the effectiveness of staff colleagues including any specific elements of practice that have been highlighted as in need of improvement
- Is highly competent in all elements of the relevant teachers standards
- Has shown strong leadership in developing, implementing and evaluating policies and practices in the workplace which contribute to academy improvement.

Highly competent, substantial and sustained are defined in ANNEX 3

