



KALEIDOSCOPE

Multi Academy Trust

PAY POLICY 2019

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Model Pay Policy

The Kaleidoscope Multi-Academy Trust Board adopted this policy on 10th October 2018.

1. INTRODUCTION

This policy sets out the framework for making decisions on teachers' pay. It complies with current legislation and the requirements of the School Teachers' Pay and Conditions Document (STPCD) and consultation has taken place with staff and/or recognised trade unions.

This policy should be read and used in conjunction with the Appraisal part of the Appraisal-Capability Policy wherever relevant. A copy of this policy including the appeals procedure will be available to all employees at the School. Employees will be made aware of any substantive revisions to the pay policy that have been made following consultation at the first opportunity.

The Policy will be reviewed annually and updated in line with the statutory provisions of the STPCD.

The text in bold reflects provisions under the STPCD that are statutory requirements for LA maintained schools. (They include statutory requirements that apply once the School has exercised a discretion under the STPCD).

Text in italics indicate that this is a suggestion as to how a discretion under the STPCD might be exercised.

This pay policy aims to:

- *maximise the quality of teaching and learning at the school*
- *support the recruitment and retention of a high quality teacher workforce*
- *enable the school to recognise and reward teachers appropriately for their contribution to the school*
- *help to ensure that decisions on pay are managed in a fair, just and transparent way*

2. RESPONSIBILITIES

Responsibilities of the Governing Body

- to act in accordance with the principles of public life: objectivity, openness (where this does not conflict with a requirement to maintain confidentiality) and accountability; with integrity and, where necessary, confidentiality
- to comply with the relevant legislation / regulations including equalities legislation
- to consider and adopt a model Pay Policy and a model Appraisal Policy including the criteria for pay progression ensuring the content of both is appropriate
- to ensure that arrangements are in place to appropriately and fairly link appraisal and pay and can be applied consistently
- to ensure that pay decisions can be objectively justified and are evidence based
- to set the appropriate level of pay for leadership roles
- to approve salaries and the award of performance pay in line with the Pay Policy
- to ensure that funds are available to support pay decisions
- to monitor the outcomes of pay decisions.

Pay decisions at KMAT schools are made by the Governing Body following consideration of recommendations from the headteacher (who will ensure that increases can be managed within the short and longer term budgets, following procedures outlined in the Kaleidoscope Financial Handbook) with appeals being heard by a separate 'panel' of governors (see below for details of the appeals process). Please see the Terms of Reference of the Governing Body for rules regarding membership and withdrawal from meetings and the specific duties of the Committee.

Responsibilities of the headteacher:

- to develop clear arrangements for linking appraisal to pay progression
- to consult on behalf of the Governing Body with staff and where applicable, with trade unions on the Appraisal and Pay Policies and any subsequent changes to them
- to submit these Policies and any changes to them to the Governing Body for approval
- to ensure that the arrangements set out in the Policies are in place and are being applied effectively and fairly
- to submit pay recommendations to the Pay Committee of the Governing Body together with sufficient information / advice to enable a decision to be made
- to ensure that employees are informed of pay decisions and given any necessary feedback should they not receive pay progression
- to ensure that this Policy and in the case of teachers the Appraisal Policy and Appraisal Regulations 2012 are shared with staff
- to ensure that appraisal and pay records are kept to provide an audit trail and a proper evidence base
- to provide relevant, accurate and factual data to allow the Governing Body to make objective and evidenced based decisions

Responsibilities of Teachers:

- to comply with the Appraisal and Pay Policies / participate in the arrangements for their own appraisal
- to ensure they understand the appraisal and pay progression arrangements in the School
- to assemble any evidence relevant to their meeting of objectives or standards
- to keep their appraisal records and review their objectives throughout the annual cycle

3. PAY AWARDS / PAY 'UPLIFT'

All teachers are paid in accordance with the statutory provisions of the Document as updated from time to time. Pay awards (pay 'uplift') will apply to salaries and allowances but not to safeguarded sums.

In Kaleidoscope schools, performance is primarily recognized through pay progression. For recruitment reasons pay awards (pay 'uplifts') will*normally be applied as set out below. However, a School may withhold the pay award should the School consider a teacher's performance to have been unsatisfactory. Where the pay award of a teacher is withheld the School will have notified the teacher in writing under the School's Appraisal and Capability Policy that their performance is considered unsatisfactory and that their performance will be managed under the Capability Procedure.

From September 2019:

- a 3.5% uplift will be applied to all teachers on the main pay range and the unqualified teachers' pay range
- a 2% uplift will be applied to all *teachers on the upper pay range the leading practitioners' pay range.*
- a 1.5% uplift will be applied to all teachers on the leadership pay range and to the headteacher.
- *Pay uplifts will not apply to TLRs and SEND allowances.*

4.0 APPRAISAL AND PAY REVIEWS FOR ALL TEACHERS

In Kaleidoscope schools, all teachers can expect to receive regular, constructive feedback on their performance and receive an annual appraisal that recognises their strengths, informs plans for their future development, and assists to enhance their professional practice. **The arrangements for teacher appraisal are set out in the School's Appraisal Policy and are in accordance with the 2012 regulations.**

As part of the performance-related pay system for teachers linked to appraisal, the Local Governing Body will ensure that each teacher's salary is reviewed annually, with effect from 1 September and no later than 31 December each year, and that all teachers are given a written statement setting out their salary and any other financial benefits to which they are entitled by 31 December. See Appendix A for the Appraisal and Pay Determination Cycle for Teachers. As part of this review, all eligible teachers will be considered for progression. The statement will say where the School's Pay Policy is located and include any safeguarded sums to which the teacher is entitled, any fixed term pay arrangements which apply and, in the case of members of the leadership group and lead practitioners, the basis / criteria for the salary. The School will notify teachers of the outcome of pay decisions as soon as possible and no later than a month after the pay decision has been made. If teachers require any additional information they should approach their appraiser in the first instance. Pay increases will be backdated to 1 September.

Any instruction to increase pay will be issued as soon as the appeal deadline has passed or, if an appeal is lodged, as soon as the result of the appeal is known. See *Appendix B for the Procedure for Handling Appeals.*

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

The Governing Body will be aware of the progression arrangements for all teachers and will monitor the recommendations for pay progression. The Governors will consider its approach in the light of the school's budget and ensure that appropriate funding is allocated for pay progression at all levels.

The full Governing Body will be provided with information regarding the proportion of teachers on all ranges who have progressed and patterns of progression.

Where a pay determination leads or may lead to the start of a period of safeguarding, the Governing Body will give the required notification as soon as possible and no later than one month after the date of the determination.

5. CLASSROOM TEACHERS

5.1 UNQUALIFIED TEACHER RANGE

This pay range will be used for unqualified teachers (as defined in the current STPCD) only.

5.2 MAIN PAY RANGE

This pay range will be used for all qualified teachers who are not on the upper pay range, or the leadership range.

5.3 UPPER PAY RANGE

The School will pay teachers on the upper pay range if:

- the teacher is employed in the school as a post-threshold teacher, for as long as the teacher is employed as a post-threshold teacher without a break in their continuity of employment with the school
- the teacher was a member of the leadership group in the school since September 2000, has continued to be employed at the school without a break in the continuity of their employment and occupied the post for an aggregate of a year or more
- the teacher applies to the school to be paid on the upper pay range and is successful, the teacher is still employed at the school and there has been no break in their continuity of employment with the school unless the teacher will be paid on the pay range for lead practitioners or as a member of the leadership group.

The School will determine where on the upper pay range the above categories of teachers are placed.

The School will consider whether to pay a teacher on the upper pay range if:

- *the teacher is defined as a 'post-threshold' teacher but has not previously been employed in the school or was employed as a 'post-threshold teacher' in the school prior to a break in the continuity of their employment or*
- *the teacher has applied to another educational setting to be paid on the upper pay range and was successful or*
- *the teacher was formerly paid on the pay range for lead practitioners*

The Governing Body will determine where on the upper pay range teachers falling into the categories in the paragraph above are placed.

5.4 BASIC PAY DETERMINATION ON APPOINTMENT FOR CLASSROOM TEACHERS

The *Governing Body* will determine the pay range for a vacancy prior to advertising it. On appointment it will determine the starting salary within that range to be offered to the successful candidate. Subject to the provisions of this Policy, the Headteacher will

determine the pay range and the starting salary within that range appropriate for any supply teacher engaged directly by the school.

The school will determine where on the unqualified range to place new unqualified appointees and where on the main or upper pay range to place new qualified appointees in accordance with this section, subject to the provisions of the STPCD with regard to the upper pay range (see the 'Upper Pay Range' section above).

In making such determinations, the *Governing Body* may take into account a range of factors, including:

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

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

The school will consider awarding a recruitment incentive / benefit when relevant (see below).

5.5 PAY PROGRESSION BASED ON PERFORMANCE FOR CLASSROOM TEACHERS

Decisions regarding pay progression will be made in relation to the teacher's performance and with reference to the teachers' appraisal reports and the assessments of performance and pay recommendations they contain. In the case of NQTs, whose appraisal arrangements are different, pay decisions will be made by means of the statutory induction process. It will be possible for a decision to be made not to increase pay even where action is not currently being taken in line with the capability procedure.

Where there is a risk that pay progression will not be recommended, the teacher should be notified of this by the appraiser in the course of the appraisal cycle allowing the teacher sufficient opportunity and support to improve. Feedback should be given on the areas requiring improvement. Please refer to the school's Appraisal and Capability Policy for the procedure to follow and further guidance with regard to teachers whose performance is unsatisfactory.

NQTs will be assessed annually with regard to whether they should progress up the pay range (NQTs do not have to have completed their induction in order to progress). Evidence from induction will inform the decision regarding their pay progression. NQTs will have no automatic entitlement to progression on completion of their induction period. Progression for NQTs will only be effective from 1 September, regardless of when their induction period ends.

To be fair and transparent, assessments of performance will be clearly based on evidence and this should be recorded.

Where a teacher is away from school due to maternity *or disability related* leave the teacher will receive any pay increase they would have received, following appraisal, had they not been on leave. Appraisal and pay determination will be based on the evidence of performance before the absence (including in previous appraisal periods) and, where relevant, after the leave.

In this school we will further ensure fairness *through initial considerations of evidence and initial recommendations on pay progression being made by the teacher's appraiser in accordance with the provisions of this Policy. The headteacher will then moderate all the initial recommendations (to ensure consistency).*

The evidence we will use as the basis for assessing performance will include:

- *self-assessment*
- *peer review*
- *tracking pupil progress*
- *review of pupil assessment outcomes*
- *lesson observations*
- *work review (for example, task observation, lesson planning, work sampling)*

Teachers' appraisal reports will contain assessments of performance and pay recommendations. The recommendations should include references to the teacher meeting or not meeting objectives and standards. Decisions about whether or not to accept a pay recommendation will be made by the Pay Committee of the Governing Body, having regard to the appraisal report and taking into account advice from the headteacher. The teacher will be notified of the decision by *31 December of the relevant Academic year.*

A teacher who is dissatisfied with a pay recommendation will have the opportunity to discuss the recommendation with the appraiser or headteacher before the recommendation is actioned and confirmation of the pay decision is made by the school. Where a teacher does not receive pay progression feedback will be given *within 10 working days of the decision.* The feedback will include the reason(s) for the decision (which must be objective) quoting any relevant evidence and be accompanied by notification of the teacher's right to appeal.

On request, a meeting to discuss the feedback will be held at which advice and support with regard to improvement will be offered.

In this school judgments of performance will be made against the extent to which teachers have met their individual objectives and the Teacher Standards and the quality of their teaching. Quality of teaching will be assessed according to Ofsted criteria and categories.

The measures that will be taken into account in making judgments about whether teachers have met their objectives and the standards may include the contribution / impact they have made, specifically their:

- *impact on pupil progress;*
- *impact on wider outcomes for pupils;*
- *improvements in specific elements of practice, such as behaviour management or lesson planning;*
- *impact on effectiveness of teachers or other staff;*
- *wider contribution to the work of the school*

When making judgments about the meeting of standards, full account will be taken of both Parts of the Teaching Standards: Part One: Teaching and Part Two: Personal and Professional Conduct.

Additionally, improvement in teaching skills may be taken into account with regard to unqualified teachers.

As the teacher moves up the unqualified or main pay ranges, from the main to the upper range and up the upper pay range, an increasing positive impact in each of the above areas should be in evidence.

Any pay increase will be clearly attributable to the performance of the teacher concerned.

In Kaleidoscope Schools there will be a clear expectation of progression to the maximum of the relevant (main, upper or unqualified teacher) pay range subject to continued good performance as defined by this Policy.

5.6 PAY PROGRESSION PROVISIONS SPECIFIC TO MAIN AND UPPER PAY RANGE TEACHERS

Although the mandatory pay points in the pay scales for classroom teachers have been abolished in the STPCD, this school will continue to make use of the previously mandatory points for the purposes of pay progression with regard to the main and upper pay ranges. These points will be treated as 'full points' for the purposes of this Policy.

In the case of the main pay range, teachers will be eligible to be considered for progression annually and in the case of the upper pay range, teachers will be eligible to be considered for progression every two years.

The rate of progression will be differentiated according to an individual teacher's performance and will be on the basis of absolute criteria.

All eligible teachers will receive a 'standard' pay increase if they *have shown that they have made good progress towards all their objectives are assessed as fully meeting the Teacher Standards, show a commitment to improving their own performance and to continuing professional development and *all teaching is assessed as good as defined by Ofsted. Note: in the case of upper pay range teachers, 'fully meeting' the teacher standards will mean 'highly competent' in all elements of the teacher standards. In addition, the upper pay range teacher's achievement / contribution to the school will need to have been 'substantial'. For the definition of 'highly competent' and 'substantial' please see the 'Movement to the Upper Pay Range' section of this Policy below.

In KMAT schools, the 'standard' increase is an increase of one full point on the relevant pay range.

If a teacher falls substantially short of the teacher standards or objectives and fails to make sufficient progress against their objectives and / or the standards where there are shortfalls and / or a significant proportion of their teaching is not assessed as at least good then the recommendation should be that there is no pay progression.

Appraisal objectives will be more challenging:

- as the teacher progresses up the main pay range
- for those teachers who move to the upper pay range and
- for teachers as they move up the upper pay range.

5.7 PAY PROGRESSION PROVISIONS SPECIFIC TO UNQUALIFIED TEACHERS

The Teachers' Standards set a clear baseline of expectations for the professional practice and conduct of teachers, from the point of qualification. However, Teachers' Standards should be used to assess all trainees working towards QTS. Therefore pay progression will not be directly linked to the Teacher Standards for all unqualified teachers in this Policy, but will be used if the unqualified teacher is working towards QTS on an employment based scheme.

Although the mandatory pay points in the pay scales for classroom teachers have been abolished in the STPCD, this school will continue to make use of the previously mandatory points for the purposes of pay progression with regard to the unqualified pay range. These points will be treated as 'full points' for the purposes of this Policy. In the case of the unqualified pay range, teachers will be eligible to be considered for progression annually.

Please see Appendix D of this Policy for the points on the unqualified pay range together with the current rate of pay attached to each.

The rate of progression will be differentiated according to an individual teacher's performance and will be on the basis of absolute criteria.

All eligible unqualified teachers will receive a 'standard' pay increase if they have shown that they have made good progress towards all their objectives and show a commitment to improving their own performance and to continuing professional development and most of their teaching is assessed as good as defined by Ofsted. If the unqualified teacher is working towards QTS on an employment based scheme performance/progress against teacher standards will be taken into account.

If an unqualified teacher falls substantially short of their objectives and fails to make sufficient progress against their objectives and / or a majority of their teaching is not assessed as at least good then the recommendation should be that there is no pay progression.

Appraisal objectives will reflect that the teacher is unqualified but will be more challenging as the teacher progresses up the unqualified pay range.

5.8 MOVEMENT TO THE UPPER PAY RANGE

Applications and Evidence

Teachers nearing the top of the main pay scale, may apply to be paid on the upper pay range and any such application must be assessed in line with this policy. It is the responsibility of the teacher to decide whether or not they wish to apply to be paid on the upper pay range.

Applications may be made at least once a year.

Teachers in the school should submit their applications to progress at the start of each Academic year and by 31 October of the new Academic year. This deadline will be extended where particular circumstances warrant, such as in the case of teachers on long term sickness or maternity leave. Teachers should request an extension which will be granted where appropriate. The application should be based on the teacher's performance in the two most recent academic years in which they have service (see below) and completion of the Kaleidoscope Post Threshold Form – where they can demonstrate/evidence that they meet the Post Threshold Standards over a sustained period (for teachers progressing through the scale, this will be for the previous 2 years). The applications from part-time and fixed term contract teachers will be treated on the same basis as those from permanent full-time teachers.

Applications will be assessed by the Headteacher.

If a teacher is simultaneously employed at another school(s), they may submit separate applications if they wish to apply to be paid on the upper pay range in that school or schools. This school will not be bound by any pay decision made by another school.

All applications should include the results of reviews or appraisals under the 2012 Appraisal regulations, including any recommendation on pay (or, where that information is not applicable or available, a statement and summary of evidence designed to demonstrate that the applicant has met the assessment criteria). To fulfill this requirement, teachers can provide copies of the relevant appraisal reports as evidence.

Applications should contain evidence from the previous two Academic years unless:

- the teacher has had a break in service, in which case the application should contain evidence from the most recent last two Academic years in which the teacher has service or
- the teacher has been on long-term maternity or sickness leave or has only worked part of the previous two years in which case the application can contain evidence from the last three academic years.

Applications from teachers with no service prior to the last two academic years (that can be used to provide evidence) who have only worked part of the previous two Academic years and from teachers who have spent part of the previous two Academic years at another school or schools will be considered, provided sufficient evidence is available for assessment.

Applications should be made to the Headteacher.

Applications should be in writing. Teachers summarise in their application the reasons why they believe they should progress to the upper pay range with regard to the assessment criteria. These reasons should be evidence-based. The school will provide a standard Kaleidoscope form on which to submit their application which is attached as Appendix X of this Pay Policy.

Teachers will be given access to all the information they need to make an application.

The Assessment

An application from a qualified teacher will be successful where the Pay Committee of the Governing Body is satisfied that:

(a) the teacher is highly competent in all elements of the relevant standards; and

(b) the teacher's achievements and contribution to the school are substantial and sustained.

For the purposes of this pay policy:

- 'highly competent' means *performance which is not only good but also 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 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 and*
- 'sustained' means *maintained continuously over a period of at least two Academic years as evidenced by two successful appraisal reports and a quality of teaching that is consistently good to outstanding as defined by Ofsted.*

The application will be assessed *by the headteacher who will make a recommendation as to whether the teacher should progress, based on that assessment, to the Pay Committee of the Governing Body providing reasons for that recommendation. The Pay Committee of the Governing Body will then determine whether to accept the recommendation. In order to do so, the Pay Committee will discuss the assessment, the recommendation and the reasons for the recommendation with the headteacher as necessary and in the light of the relevant provisions of this Policy.*

Processes and procedures

The assessment and determination on progression will be made and all applicants notified of the determination regarding progression by *31 December of the relevant Academic year.*

If successful, applicants will move to the upper pay range *from the start of the Academic year (1 September).*

If unsuccessful, written feedback will be provided by the line manager / headteacher, in writing, *within 10 working days of the decision.* The feedback will include the reason(s) for the decision (which must be objective) quoting any relevant evidence and be accompanied by notification of the teacher's right to appeal.

On request, a meeting to discuss the feedback will be held at which advice and support with regard to improvement will be offered.

Any appeal against a decision not to move the teacher to the upper pay range will be heard under the school's general appeals arrangements (see below).

6. LEADERSHIP PAY

6.1 INTRODUCTION

The provisions relating the determination of leadership group pay set out below (in paragraphs 7.3 and 7.4) apply to individuals appointed to a leadership post on or after 1 September 2014, or whose responsibilities have significantly changed on or after that date. The Pay Committee of the Governing body will determine in the light of a school's particular circumstances and context the extent to which any change should be regarded as 'significant' paying particular attention to the extent to which the change creates new levels of accountability and responsibility for the leadership group member or members.

The School will review the pay of all of their leadership posts in accordance with the arrangements introduced in the 2014 document if the Pay Committee of the Governing Body determines that this is required to maintain consistency either with pay arrangements for new appointments to the leadership group made on or after 1 September 2014, or with pay arrangements for a member or members of the leadership group whose responsibilities have significantly changed on or after that date.

The pay progression arrangements set out in the current STPCD and the provisions below apply to all members of the leadership group.

6.2 LEADERSHIP PAY RANGE

The leadership pay range set out in the STPCD will be used for all members of the leadership group.

6.3 BASIC PAY DETERMINATION FOR MEMBERS OF THE LEADERSHIP GROUP

When setting the pay for new appointments to the leadership group, the following three-stage process will be followed.

It will also be followed, as applicable:

- when it becomes necessary to review the headteacher group
- when reviewing the pay of existing members of the leadership group whose responsibilities have significantly changed
- if the Governing Body decides to review the pay of all the leadership posts in the school having determined that this is required to maintain consistency

6.3.1 STAGE 1: DEFINING THE ROLE AND DETERMINING THE HEADTEACHER/CEO GROUP

The leadership role will be defined by setting out the responsibilities and accountabilities of the post (in the job description) and the skills and competencies required (in the person specification).

In the case of the post of Chief Executive Officer (CEO) the Multi Academy Trust will be assigned a group which will determine the appropriate broad pay range within which the individual pay range of the CEO will be placed. The group pay ranges are set out in the STPCD. The group will be assigned by calculating the unit score for the school in accordance with the relevant paragraphs of the STPCD. The unit score will be based on the total number of pupils across all the schools. The unit score for each school will be calculated in accordance with the relevant paragraphs of the STPCD.

In the case of headteacher posts the school will be assigned a headteacher group which will determine the appropriate broad pay range within which the individual pay range of the headteacher will be placed. The group pay ranges are set out in the STPCD. **The group will be assigned by calculating the unit score for the school in accordance with the relevant paragraphs of the STPCD. If the headteacher will be responsible for more than one school on a permanent basis, the unit score will be based on the total number of pupils across all the schools.**

In the case of other leadership group posts the governors will consider:

- whether the role carries specific responsibilities or accountabilities which make it more challenging than or different from other posts with the same title (i.e. deputy or assistant head) in the school and
- how the role (including its whole school responsibilities and accountabilities) fits within the wider leadership structure of the school.

In the case of the Principal Finance Officer of the Multi-Academy Trust, the Trustees will set a pay grade relevant to the nature of the role and in line with similar positions and contexts nationally.

6.3.2 STAGE 2: SETTING THE PAY RANGE

In Stage 2, the Pay Committee of the Governing Body will recommend to the Trust Board, the level of the pay range (decide the position on the leadership pay range of the pay range) and the breadth of the pay range. The Trust Board will make the final decision.

In setting the level of the pay range of the CEO all of the permanent responsibilities of the role and the complexity and challenge of the role in the context of the MAT will be considered.

In setting the level of the pay range of headteachers all of the permanent responsibilities of the role and the complexity and challenge of the role in the context of the school will be considered.

In setting the level of the pay range of other members of the leadership group all of the permanent responsibilities of the role and the complexity and challenge of the role (where applicable, in the context of the school) will be considered.

The following factors will also be taken into consideration where relevant:

- **recruitment and retention**
- **permanent additional responsibilities (for example those relating to the provision of initial teacher training)**

- **long-term provision of services to other schools**

In the case of the CEO and headteachers, factors already taken into account at Stage 1 will not be taken into account when setting the level of the pay range (for example permanent responsibility for more than one school already reflected in the total unit score or indicators such as number of pupils with SEN).

Regular collaboration with other schools (which is part of the role of all headteachers) will not be considered when setting the level of the pay range.

Normally, the total unit score will capture the complexity of the CEO/headteacher role and therefore the pay range for the CEO/headteacher will normally be set within the MAT/school group range. However, if the Trustees (in the case of the CEO) and the Pay Committee of the Governing Body (in the case of the headteacher) considers that the circumstances warrant it, the maximum of the pay range of the headteacher will be set up to 25% above the top of the MAT/school's group range.

The circumstances in which this will be considered include:

- *Particular challenge arising out of pupils' needs (high level of free school meal entitlement, high proportion of children with SEN (if not already taken into account at Stage 1) or looked after children or high in-year pupil mobility)*
- *High degree of complexity and challenge not faced by headteachers of similar sized schools (for e.g. accountability for multiple schools not reflected in calculation of unit score at Stage 1, management across several sites, other additional accountabilities not reflected at Stage 1)*
- *Recruitment considerations: factors specific to the school that may affect the school's ability to attract a field of appropriately qualified and experienced candidates (e.g. location, school circumstances, relatively low level of support from wider leadership team)*

The Trustess/Pay Committee of the Governing Body will only consider setting the top of the pay range of the CEO/headteacher at more than 25% above the top of the school group range in wholly exceptional circumstances. If the Trustees (in the case of the CEO) and the Pay Committee of the Governing Body (in the case of the headteacher) considers that there are circumstances which warrant exceeding this limit, they will seek external independent advice from an appropriate person or body and make a business case to the full Board of Trustees (in the case of the CEO) and the Governing Body (in the case of the headteacher). The full Board of Trustees/Governing Body will then decide whether to agree a range which exceeds the limit.

In the case of other members of the leadership group the Pay Committee of the Governing Body will consider how the proposed pay range relates to the pay range of the headteacher and to the range of any other members of the leadership group, taking into account the relative 'weight' of the role compared with other leadership roles.

The maximum of the deputy or assistant headteacher's pay range will not exceed the maximum of the school's group range.

In Kaleidoscope Schools, the pay range for a deputy or assistant headteacher will not overlap with the headteacher's pay range.

The pay ranges of deputy and assistant headteachers may overlap. *In Kaleidoscope Schools the top of the pay range of an assistant headteacher will not be*
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set at a level equal to or higher than the top of the pay range of a deputy headteacher. When deciding whether the ranges of assistant and deputy headteachers should overlap, consideration will be given to the implications.

In positioning the pay range and deciding the breadth of the pay range the School will make use of the reference points (previously mandatory points) on the leadership pay range (see Appendix D).

In setting the breadth of the pay range, the Pay Committee of the Governing Body will ensure that there is sufficient scope for progression.

Normally, the breadth of the CEO/headteacher's pay range will be 7 reference points on the leadership pay range and the breadth of the deputy and assistant headteacher pay ranges will be 5 reference points on the leadership pay range. In exceptional circumstances the Board of Trustees (in the case of the CEO) and Governing Body (for all school leadership roles) will consider extending these ranges.

Benchmarking information and advice will be sought where necessary.

6.3.3 STAGE 3: DECIDING THE SALARY AND FINALISING THE INDIVIDUAL PAY RANGE

In the case of a new appointment, once the recruitment and selection process for the leadership role has been followed and the School has a preferred candidate for the available leadership post, the School will decide the starting salary in the light of candidate-specific factors.

The candidate-specific factors that the School will consider include:

- *the extent to which the candidate meets the requirements in terms of the skills and competencies of the post*
- *the extent to which the candidate meets the requirements in terms of the context and challenge of the post*
- *the extent and relevance of the candidate's experience*
- *the starting salary required in order to recruit the preferred candidate*
- *how much scope for progression is appropriate for the preferred candidate*

Normally, the starting salary will be set at a level allowing sufficient scope for performance-related progression over time within the pay range set at Stage 2, and the pay range will be confirmed.

However, there may be circumstances in which candidate-specific factors necessitate the revision of the pay range (to accommodate the starting salary and allow sufficient scope for performance-related progression over time).

The starting salary will be set using one of the 'reference' points within the pay range.

The starting salary will not be set higher than the middle point of the pay range to allow scope for performance-related progression over time.

In the case of serving members of the leadership group the salary of the post holder will normally only increase if the minimum of any new range is higher than their current salary. However, the salary of the post holder may be increased in other circumstances where the Board of Trustees (in the case of the CEO) and Pay Committee of the

Governing Body (in the case of school leaders) considers any post holder-specific factors warrant it. Any new salary will not be set higher than the middle of the pay range to allow scope for performance-related progression over time.

6.4 'ALLOWANCE' PAYMENTS FOR MEMBERS OF THE LEADERSHIP GROUP

This School will exercise its discretion under the relevant paragraphs of the Schools Pay and Conditions Document to award 'allowances' to members of the leadership group.

The Pay Committee of the Governing Body will award temporary payments and payments in regard to housing and relocation to headteachers and payments in regard to housing and relocation and 'additional payments' to deputy and assistant headteachers in accordance with the provisions set out in the relevant paragraphs of the STPCD and this Policy. Temporary payments will be clearly time-limited from the outset.

Temporary payments (additional to their salary) may be made to the headteacher for clearly temporary responsibilities or duties that are in addition to the post for which their salary has been determined. (Such temporary responsibilities may include those for one or more additional schools or short-term provision of services to another school.) These temporary responsibilities will not have been taken into account when setting the headteacher's pay range.

Recruitment payments will only be made to the members of the leadership group for reasonably incurred housing and relocation expenses.

An 'additional payment' will be awarded to assistant and deputy headteachers where the reason for the award was not previously taken into account when determining their pay range.

The Pay Committee of the Governing Body will only consider awarding a temporary payment in excess of 25% of the salary otherwise payable to the headteacher in wholly exceptional circumstances. If the Pay Committee of the Governing Body considers that there are circumstances which warrant exceeding this limit, they will seek advice from the PFO and CEO, then make a business case to the Trust Board. The full Governing Body will then decide whether to agree a temporary payment which exceeds the limit.

6.5 PAY PROGRESSION BASED ON PERFORMANCE FOR MEMBERS OF THE LEADERSHIP GROUP

The Board of Trustees (in the case of the CEO) and Pay Committee (in the case of school leaders) will review the pay of members of the leadership group annually and members of the leadership group will be eligible to be considered for progression if they have completed a year of employment.

Pay progression decisions will be made in accordance with the relevant paragraphs in the STPCD. The decision whether or not to award pay progression will relate to the individual school leader's performance and be made with regard to their most recent appraisal report and the assessment of performance and pay recommendations it contains. It will be possible for a decision to be made not to increase pay where action is not currently being taken in line with the capability procedure.

Where there is a risk that pay progression will not be recommended, the school leader should be notified of this by the appraiser(s) in the course of the appraisal cycle allowing the school leader sufficient opportunity to improve. Feedback should be given on the areas requiring improvement.

Any pay progression will be clearly attributable to the performance of the individual school leader.

There will be a clear expectation of progression to the maximum of the individual's pay range subject to sustained high quality performance as defined by this Policy below.

In the case of the CEO/Principal Finance Officer, the performance appraisal will be carried out and recommendations on pay progression will be made by the Appraisal Review Committee of the Trustees in accordance with the provisions of this Policy.

In the case of the headteacher the performance appraisal will be carried out and recommendations on pay progression will be made by the Appraisal Review Committee of Governors in accordance with the provisions of this Policy.

In the case of other members of the leadership group the performance appraisal will be carried out and recommendations on pay progression will be made by the headteacher in accordance with the provisions of this Policy.

To be fair and transparent, assessments of performance will be clearly based on evidence and this will be recorded.

Where a member of the leadership group is away from school due to maternity or disability related leave the teacher will receive any pay increase they would have received, following appraisal, had they not been on leave. Appraisal and pay determination will be based on the evidence of performance before the absence (including in previous appraisal periods) and, where relevant, after the leave.

The evidence we will use as the basis for assessing performance will include:

- *self-assessment*
- *peer review*
- *whole school pupil progress data*
- *other school improvement data*
- *observations of the performance of leadership and management responsibilities*
- *records related to the leadership and management of the school*
- *summaries of teaching and learning practice across the school*
- *reports to governors from school leaders*
- *school policies, procedures / systems, plans and strategies*
- *feedback from / surveys of staff, the wider school community and partner organisations*
- *lesson observations (where relevant)*

The appraisal reports of members of the leadership group will contain assessments of performance and pay recommendations. The recommendations should include references to the school leader meeting or not meeting objectives and standards. Decisions about whether or not to accept a pay recommendation will be made by the Pay Committee of the Governing Body, having regard to the appraisal report and taking into account advice from the Appraisal Review Committee of Governors (in the case of the headteacher) and the headteacher (in the case of the other members of the leadership group). The teacher will be notified of the decision by *31 December of the relevant Academic year*.

A member of the leadership group who is dissatisfied with a pay recommendation will have the opportunity to discuss the recommendation with headteacher / Appraisal Review Committee before the recommendation is actioned and confirmation of the pay decision is made by the school. Where a school leader does not receive pay progression feedback will be given *within 10 working days of the decision*. The feedback will include the reason(s) for the decision (which must be objective) quoting any relevant evidence and be accompanied by notification of the teacher's right to appeal.

On request, a meeting to discuss the feedback will be held at which advice and support with regard to improvement will be offered.

In the case of the CEO/PFO, judgements of performance will be made against the extent to which they have met their individual and MAT objectives.

In the case of the headteacher, judgments of performance will be made against the extent to which they have met their individual objectives, the latest Headteacher Standards, the Teacher Standards and, where applicable, the quality of their teaching.

In the case of other members of the leadership group, judgments of performance will be made against the extent to which they have met their individual objectives, the Teacher Standards and, where applicable, the quality of their teaching.

When making judgments about the meeting of standards, full account will be taken of both Parts of the Teaching Standards: Part One: Teaching and Part Two: Personal and Professional Conduct.

Quality of teaching will be assessed according to Ofsted criteria and categories. *Expectations will reflect the career stage attained by members of the leadership group.*

The measures that will be taken into account in making judgments about whether members of the leadership group have met their objectives and the standards will include the whole school contribution / impact they have made, specifically their:

- *effectiveness in leading, managing and developing in the school;*
- *contribution to school strategy / planning;*
- *impact on whole school objectives;*
- *impact on school improvement;*
- *impact on pupil progress throughout the school;*
- *impact on wider outcomes for pupils throughout the school;*
- *improvements in specific elements of practice, such as behaviour management throughout the school;*

- *impact on behaviour / effectiveness of teachers or other staff throughout the school;*
- *wider contribution to the work of the school and to the school community;*
- *contribution to effective working with other agencies*

As the school leader becomes more experienced in their role, an increasing positive impact in each of the above areas should be in evidence.

Where appropriate, objectives will be longer term (over two or more years) to link to long term school improvement, but will in that case incorporate intermediate (annual) objectives.

Although the mandatory pay points on the leadership range have been abolished in the STPCD, this school will continue to make use of the previously mandatory points for the purposes of pay progression with regard to members of the leadership group.

The Appraisal Review Committee of the Trustees (in the case of the CEO) and The Appraisal Review Committee of the Governors (in the case of the Headteacher) will agree appropriate objectives for the CEO/headteacher and the CEO/headteacher will agree objectives appropriate to their role for other school leaders. Appraisal objectives for school leaders will be more challenging and wide-ranging than for classroom teachers (including lead practitioners) and will relate to the leadership and management of the school / whole school responsibilities.

The rate of progression will be differentiated according to an individual school leader's performance and will be on the basis of absolute criteria.

*All eligible school leaders will receive a 'level 1' pay increase if they have shown that they have made good progress towards all their objectives, are assessed as at least 'highly competent' in all elements of the teachers standards (for the definition of 'highly competent' please see the 'Movement to the Upper Pay Range' section of this Policy); [*all teaching is assessed as at least good with some teaching being assessed as outstanding as defined by Ofsted, show a commitment to improving their own performance and to continuing professional development and if they can demonstrate that they have made a 'substantial' contribution to the school in at least some of the areas listed in the definition below. CEO and Headteachers will also need to have been assessed as highly competent in the latest Headteacher Standards (see the definition below).*

'Highly competent' in relation to the Headteacher Standards means performance which is not only good but also good enough to allow the headteacher to advise / act as a role model or mentor to other school leaders / headteachers and to demonstrate to them effective leadership practice and how to make a wider contribution to the work of the school through leadership, in order to help them develop as school leaders).

'Substantial' means 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 (in addition, in relation to members of the leadership group it means: supporting the strategic direction of the school / school planning; driving school improvement and the meeting of whole school objectives; contributing to pupil progress and wider outcomes of pupils across the school; developing whole school policies /

improving practice across the school; consistently demonstrating leadership qualities; setting a positive example to other staff; representing / promoting the values and vision of the school; making a distinctive contribution to the effective management of the school / its staff and resources; facilitating the professional development and otherwise increasing the effectiveness of others).

6.6 OTHER LEADERSHIP PROVISIONS

Should the Governing Body agree for the headteacher to become temporarily accountable for more than one school or involved in the provision of extended services, the pay arrangements will be in accordance with the guidance in Section 3 of the current STPCD.

If the headteacher becomes head of more than one school consideration will be given to recognising any resulting additional responsibilities undertaken by other teachers through the award of the appropriate 'allowance' under this Policy.

7. ALLOWANCES FOR TEACHERS

7.1 TEACHING AND LEARNING RESPONSIBILITY PAYMENTS

Permanent Teaching and Learning Responsibility Payments (TLR1s and TLR2s)

Permanent TLRs (TLR1s or TLR2s) will be awarded to qualified classroom teachers for undertaking a sustained additional responsibility for the purpose of ensuring the continued delivery of high quality teaching and learning.

Before awarding a TLR the Pay Committee of the Governing Body will ensure that the responsibility satisfies the criteria set out in the relevant paragraph of the current STPCD. Before awarding a TLR the Pay Committee of the Governing Body will ensure that the responsibility includes line management responsibility.

The TLR will be part of the school's staffing structure and the Governing Body will keep the TLRs in its structure under review. The award will be for as long as the teacher remains in the post or covers the post for the absent post-holder. TLRs awarded to part-time teachers will be paid on a pro-rata basis. A teacher will not be awarded more than one permanent TLR concurrently.

A teacher awarded a permanent TLR on a temporary basis or who is on a fixed term contract will not receive a safeguarded sum unless the TLR is ended earlier than specified and the contract extends beyond the date when the TLR ends.

If a teacher with a TLR is given a new post or revised responsibilities then the Pay Committee of the Governing Body will determine whether a TLR still applies to the post and if so what its value should be.

When the Pay Committee of the Governing Body decides to award a TLR the Pay Committee of the Governing Body will determine whether the TLR is a TLR1 or TLR2 and the value of the individual TLR within the TLR1 or TLR2 range in accordance with the relevant paragraphs of the current STPCD.

The Pay Committee of the Governing Body will determine the value of the TLR appropriate for the post in accordance with job weight. Posts of equal weight should be allocated equal value. Decisions on the level of payment will be justifiable in relation to the level of responsibilities attached to the TLR. Recruitment and retention issues will not be taken into account. A change in the value of the TLR will only be agreed if the Pay Committee of the Governing Body determines that the responsibilities attached to the TLR have changed materially.

In determining the value of the TLR, the School will make use of the TLR values set out in Appendix D of this Policy. When awards of TLRs of different values are made the minimum difference between these awards will be £1,500

The responsibility or package of responsibilities for which a permanent TLR is awarded will be clearly set out in the job description of the post holder.

Temporary Teaching and Learning Responsibility Payments (TLR3s)

This School will exercise its discretion under the Schools Pay and Conditions Document to award temporary Teaching and Learning Responsibility Payments (TLR3s).

Temporary TLRs (TLR3s) will be awarded in connection with time limited projects and one-off externally driven responsibilities. A teacher in receipt of a permanent TLR (a TLR1 or TLR2) may also be awarded a concurrent TLR3.

Before awarding any temporary TLR the Pay Committee of the Governing Body must be satisfied that the teacher's duties include a significant responsibility that is not required of all classroom teachers and that the temporary TLR is focused on teaching and learning, requires the exercise of a teacher's professional skills and judgment and has an impact on the educational progress of pupils other than the teacher's assigned classes or groups of pupils.

The annual value of the individual temporary TLR will be within the range specified in the STPCD.

The duration of the fixed term TLR will be established at the time of its award and payment be monthly. Consecutive TLR3s will not be awarded for the same responsibility. Where a TLR3 is awarded for less than one year the total value will be determined proportionately to the annual value. Where a TLR3 is awarded to a part-time teacher, however, the value will not be amended to reflect the part-time hours of the teacher.

The Pay Committee of the Governing Body will determine the value of a temporary TLR appropriate for the post as with permanent TLRs (see above).

Before the decision is taken to offer a temporary TLR, consultation will take place with teaching staff and trade unions

Temporary TLRs (TLR3s) are not subject to safeguarding.

7.2 SEN ALLOWANCE

The Pay Committee of the Governing Body will award SEN Allowances in accordance with the provisions of the current STPCD.

Where a SEN Allowance is to be paid, the Pay Committee of the Governing Body will determine the spot value of the allowance, taking into account the structure of the school's SEN provision and the following factors where applicable:

- **whether any mandatory qualifications are required for the post;**
- **the qualifications or expertise of the teacher relevant to the post and**
- **the relative demands of the post.**

In determining the spot value of a SEN Allowance, reference will be made to the relevant guidance in Section 3 of the current STPCD. Significant differences in the nature and challenge of the work entailed will be reflected in the value of the SEN Allowance awarded so that the payment level can be objectively justified.

SEN Allowances may be held at the same time as TLRs. SEN allowances will be paid pro-rata.

The Pay Committee of the Governing Body will:

- **ensure that holders of SEN Allowances are not carrying out duties more appropriately undertaken by support staff**
- **consider whether the award of a TLR would be more appropriate if the teacher has responsibilities of sufficient 'weight' to qualify for a TLR payment**
- **ensure that the holder has line management responsibilities**
- **not award / increase the value of a SEN Allowance for recruitment or retention reasons.**

SEN responsibilities will be specified in the teacher's job description. Written notification of the start date, amount and reason for the award will be given at the time of the award.

7.3 UNQUALIFIED TEACHERS ALLOWANCE

This School will exercise its discretion under the relevant paragraph of the Schools Pay and Conditions Document to award an allowance to unqualified teachers where appropriate.

The Pay Committee of the Governing Body will award an allowance to an unqualified teacher where it considers, in the context of its staffing structure and this Pay Policy that the teacher has:

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

The value of the unqualified teacher allowance will be determined in accordance with the 'weight' of the responsibilities concerned in accordance with the principles applied when awarding TLRs. Use (for benchmarking purposes) will be made of the values attached to TLRs of comparable 'weight' when determining the value of any unqualified teacher

allowance and awards will accordingly be made within the ranges for TLR3s and TLR2s set out in the STPCD.

7.4 ACTING ALLOWANCE

Where a teacher is assigned and carries out the duties of a member of the leadership group but has not been appointed to a leadership role, the Pay Committee of the Governing Body will determine whether or not an acting allowance will be paid to that teacher not more than 4 weeks from the day the duties were first assigned and carried out.

Save in exceptional circumstances, an acting allowance will be paid to a teacher carrying out the duties of a member of the leadership group (who has not been appointed to a leadership role) starting not more than 4 weeks from the day the duties were first assigned and carried out.

If the Pay Committee of the Governing Body determines that the teacher is not to be paid an acting allowance but the teacher continues to carry out the duties of the relevant leadership role (and has not been appointed to the role) the Pay Committee of the Governing Body may at any time determine that an acting allowance will be paid.

Where the Pay Committee of the Governing Body determines that an acting allowance will be paid, the teacher will be paid not less than the minimum of the pay range for the relevant leadership role and at the point within the range the governors consider appropriate.

7.5 PERFORMANCE PAYMENTS TO SECONDED TEACHERS

Should a teacher be seconded to the headship of this School in the circumstances set out in the STPCD, the School will determine whether to pay a performance payment to that teacher and the value of that payment in accordance with the relevant provisions of the STPCD.

7.6 ADDITIONAL PAYMENTS

This School will exercise its discretion under the relevant paragraph of the Schools Pay and Conditions Document to award 'additional payments' to teachers.

The Pay Committee of the Governing Body will make an additional payment to a teacher other than a headteacher in respect of:

- **continuing professional development undertaken outside the school day**
- **activities relating to the provision of initial teacher training as part of the ordinary conduct of the school**
- **participation in out-of-school hours learning activity agreed between the school and the teacher**
- **additional responsibilities and activities due to, or in respect of, the provision of services by the headteacher relating to the raising of educational standards to one or more additional schools.**

When deciding the appropriateness of awarding an additional payment, reference will be made to the relevant paragraphs in Section 3 of the current STPCD.

Payment will normally be calculated according to the time spent on the activity, on the basis that a day spent on the activity will be paid at the rate of 1/195th of the teacher's actual salary.

Where significant additional responsibilities are being carried out, the value of the additional payments will be determined in accordance with the 'weight' of the responsibilities and with the principles applied when awarding TLRs. Use (for benchmarking purposes) will be made of the values attached to TLRs of comparable 'weight' when determining the value of any additional payment and awards will accordingly be made within the TLR ranges set out in the STPCD.

8.7 RECRUITMENT AND RETENTION INCENTIVES AND BENEFITS

This School will exercise its discretion under the relevant paragraph of the Schools Teachers' Pay and Conditions Document to award 'recruitment and retention incentives and benefits' to teachers.

The Pay Committee of the Governing Body will make such a payment to a teacher as it considers necessary as an incentive for the recruitment of new teachers and the retention of existing teachers.

The Pay Committee of the Governing Body will conduct a regular [annual] formal review of any recruitment and retention awards it makes.

Where a recruitment and retention award is made, written notification will be issued to the teacher at the time of the award and state:

- **whether the award is for recruitment or retention**
- **the nature of the award**
- **when / how it will be paid**
- **unless it is a 'one-off' award, the start date and expected duration of the award**
- **the review date after which it may be withdrawn**
- **the basis for any uplifts which will be applied**

Where this School determines that a Recruitment and Retention Payment should be paid to a teacher, this School will pay a Recruitment or Retention payment to a teacher for such length of time as it is determined by the Pay Committee of the Governing Body up to a limit of 3 years save in exceptional circumstances.

Headteachers will not be awarded recruitment and retention payments other than as reimbursement of reasonably occurred housing or relocation costs. Any award to a headteacher in relation to such housing or relocation costs will be made in accordance with the provisions of the STPCD.

8. OTHER PROVISIONS

8.1 PART-TIME TEACHERS

Teachers employed on an ongoing basis at the school but who work less than a full working week are deemed to be part-time. The Governing Body will give them a written statement detailing their working time obligations and the standard mechanism used to determine their pay (in the case of classroom teachers, by comparison with the school's timetabled teaching week for a full-time teacher in an equivalent post). This statement

and the arrangements for part-time teachers will comply with statutory pay and working time provisions and the applicable provisions of the current STPCD.

8.2 SHORT NOTICE/SUPPLY TEACHERS

Teachers employed on a day-to-day or other short notice basis will be paid on a daily basis calculated on the assumption that a full working year consists of 195 days; periods of employment for less than a day being calculated pro-rata (on the basis that a full day is 6.5 hours).

8.3 SUPPORT STAFF

The Governors will select a grade for the vacant post following the Local Authority (LA) grading structure depending on the requirement of the job description and in the light of grading advice from the LA.

Grade and salary will be set in accordance with the requirements and provisions of the national agreement on pay and conditions of services for Local Authority employees as applied by the Council. The grading structure and conditions of service for support staff are as set out in the appropriate sections of the Schools' Personnel Manual.

Where a salary range applies the starting salary will normally be the minimum for the grade. Where an applicant is appointed to a post with a higher maximum salary they will receive the minimum of the new grade or a starting salary one increment higher than their current salary, subject to the maximum of the grade.

There will be an annual review of salary and, subject to the maximum of the scale or any other mandatory requirements; an annual service increment will be awarded unless the service is deemed to be unsatisfactory. An increment will only be withheld if appropriate formal action has been taken to address the problem.

There is a performance review process in place for support staff.

9.4 SAFEGUARDING ARRANGEMENTS

Safeguarding for Teachers will be in accordance with the provisions of the current School Teachers Pay and Conditions Document.

Safeguarding for Support Staff will be in accordance with the provisions of Safeguarding Policy, Keeping Children Safe in Education 2019, Guidance for safer working practice for those working with children and young people in education settings May 2019, The Kaleidoscope Code of Conduct.

9.5 ARRANGEMENTS FOR HANDLING APPEALS

Please see **Appendix B** of this Pay Policy of the Appeals Procedure in relation to pay decisions. **This is in accordance with the requirements of the current School Teachers' Pay and Conditions Document.**

9.6 COMMUNICATION

The headteacher (in the case of the headteacher's pay, the Appraisal Review Committee of Governors) will ensure that the Pay Committee of the Governing Body has sufficient information to make pay decisions, to satisfy itself that pay recommendations are justified and fair and (with regard to teachers) that there is the necessary correlation between performance and pay and that it can defend its decisions if challenged.

The information the Pay Committee of the Governing Body receives will be the subject of discussion and agreement between the headteacher / the Appraisal Appraisal Review Committee of Governors and the Committee and will include the information that Ofsted request when they inspect a school.

Teachers will be kept informed about the process, recommendations and decisions made in connection with pay progression within their existing range and any application to progress from the main pay range to the upper pay range.

9.7 RECORDS

Throughout all processes under this Policy, a full and accurate record of the decisions taken or recommendations made and the reasoning behind them will be kept. These records should provide a clear audit trail and demonstrate the objectiveness and fairness of the decisions that are made. Teachers should keep records of their objectives and review them throughout the appraisal cycle. Employees will have reasonable access to their own employment records.

All individuals involved in implementing the Pay Policy have a responsibility to maintain the confidentiality of personal information in their possession. All records will be kept confidential, used and retained in accordance with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

9.8 EQUALITY

This Policy will be applied in accordance with equalities legislation and with the provisions of the school's Equality Policy. All pay decisions will comply with equal pay legislation and will be made on objective criteria. The School will not discriminate on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation and the needs of employees will be given careful consideration when operating this Policy.

In applying this Policy (and the Appraisal Policy) the school will ensure that no employee will be disadvantaged or subject to any conduct prohibited by the Equality Act in relation to any protected characteristic or disadvantaged through part-time or fixed term working. In particular, equality will be considered in relation to pay on appointment, setting objectives, assessing performance, making recommendations and decisions on teachers' pay progression, the nature / scale of pay progression and the appeals process. Reasonable adjustments will be made and account will also be taken of special circumstances such as maternity and long term sick leave to ensure that no discrimination occurs. *Further information is available in the DfE non-statutory guidance 'Implementing your school's approach to pay'.*

9.9 WORKLOAD AND STAFF WELLBEING

The procedures and processes followed under this policy will be proportionate and decisions will be based on evidence that relates directly to objectives, has been agreed in advance and is readily available from day to day practice in KMAT schools. Staff well-being will be considered and appropriate account will be taken of individual teachers' circumstances in all performance related pay arrangements and decisions.

9.10 MONITORING THE IMPACT OF THE POLICY

The Pay Committee of the Governing Body will monitor the outcomes and impact of this policy on an annual basis, including trends in progression across specific groups of teachers to assess its effect, assure themselves that appropriate arrangements for linking pay and appraisal for teachers remain in place and continue to be applied consistently, that pay decisions continue to be objectively justified and processes are operating fairly and that the school continues to comply with equalities legislation. *For further information with regard to equality monitoring please see the DfE non-statutory guidance 'Implementing your school's approach to pay'.*

Consultation will take place with the staff and recognised trade unions on any proposed change to the Policy that will affect staff at the school.

The Governing Body will identify and consider the budgetary implications of pay decisions and consider these in the school spending plan.

9.11 OTHER RELEVANT POLICIES

Appraisal and Capability Policy
Headteacher Appraisal Procedure and Guidance
Job Evaluation Procedure
Leave of Absence Policy
Secondment Policy
Code of Conduct

9.11 RELEVANT LEGISLATION

Agency Workers Regulations 2010
Education Act 2002 and the current 'School Teachers' Pay and Conditions Order' issued under that Act
Education (School Teachers' Appraisal) (England) Regulations 2012
Employment Relations Act 1999
Employment Rights Act 1996 (as amended)
Equality Act 2010
Fixed Term Employees (Prevention of Less Favorable Treatment) Regulations 2002
National Minimum Wage Act 1998
Part-time Workers (Prevention of Less Favorable Treatment) Regulations 2000
School Standards and Framework Act 1998 (as amended)
Trade Union and Labour Relations (Consolidation) Act 1992 (as amended)
Working Time Regulations 1998

APPENDIX A THE APPRAISAL AND PAY DETERMINATION CYCLE FOR ALL TEACHERS

Term 6 (June-July)

Teachers and their line managers begin to discuss appraisal objectives, what level of performance will be expected and how performance will be assessed.

Headteacher's Pay: headteacher and Appraisal Review Committee of Governors begin to discuss appraisal objectives, what level of performance will be expected and how performance will be assessed.

Performance is monitored as set out in the school's appraisal policy

September-December

All objectives for the academic year to be finalised. If agreement cannot be reached, they are set by the appraiser (**by 31 October**).

Performance is monitored as set out in the school's appraisal policy

Teachers receive an appraisal report which includes (amongst other things) an assessment against their objectives and the relevant standards and a recommendation on pay (**by 31 October**).

Head teachers ensure moderation of initial recommendations (*where the headteacher has not undertaken the assessment themselves*).

Headteachers put individual pay progression recommendations to the Pay Committee of the Governing Body for agreement (with regard to teachers' progression within their existing range) and account to the Committee for the effective operation of links between pay and performance.

Headteacher's Pay: Appraisal Review Committee of Governors put individual pay progression recommendations to the Pay Committee of the Governing Body for agreement (with regard to headteacher's progression within their existing range) and account to the Committee for the effective operation of links between pay and performance.

Teachers who elect to do so submit their applications to progress from the main to the upper pay scale (**by 31 October**).

Headteachers put individual pay progression recommendations to the Pay Committee of the Governing Body with regard to movement between the main and upper pay ranges for agreement and account to the Committee for the effective operation of links between pay and performance.

Teachers are notified of the decision of the Pay Committee of the Governing Body with regard to their progression within their existing range and given the opportunity to appeal against the decision (**by 31 October**).

Teachers are notified of the decision of the Pay Committee of the Governing Body with regard to their application to progress from the main to the upper pay range and given the opportunity to appeal against the decision (**by 31 October**).

Teachers are given a written statement setting out their salary and any other financial benefits to which they are entitled (**by 31 October**).

Pay Policy and the Appraisal part of the Appraisal and Capability Policy reviewed as necessary in the light of experience

Teachers and Trade Unions consulted on any substantive proposed changes to the Policies.

Where applicable, following consultation, Pay Policy and Appraisal part of the Appraisal and Capability Policy updated (and teachers/unions informed of the changes that have been made).

Governing Body determines what provision should be made in the school's budget in light of the School's Pay Policy and its implementation.

January-May

Performance is monitored as set out in the school's appraisal policy

APPENDIX B THE PROCEDURE FOR HANDLING APPEALS

Teaching and support staff have the right to appeal against pay decisions.

Stage one – informal discussion with the appraiser or headteacher / line manager prior to confirmation of pay recommendation

1. An employee who is dissatisfied with a pay recommendation will have the opportunity to discuss the recommendation with the appraiser or headteacher (teachers) or their line manager (support staff) before the recommendation is actioned and confirmation of the pay decision is made by the school.

Stage two – a formal written appeal and representation hearing with the Pay Committee

2. If, having had an informal discussion, the member of staff believes that the wrong decision has been reached, he/she may follow a formal appeal process. To begin the process the employee should submit a formal appeal and send it to the Pay Committee (i.e. the Committee that made the determination) within 10 days setting down in writing the grounds for questioning the pay decision (see paragraph 1 above);

3. The employee will be given the opportunity to make representations at a formal meeting with the Pay Committee, at which the appeal will be considered.

Stage three – a formal appeal hearing with an Appeals Panel of governors

4. Should an agreed outcome not be reached the employee can have a further appeal hearing before an Appeals Panel of governors;

5. In the hearing before governors, both the employee and the management representative will have the opportunity to present their evidence and call witnesses, and to question each other. The panel is permitted to ask exploratory questions;

6. Having heard the appeal, the Panel will reach a decision, which it will relay to the employee in writing, including their rationale for reaching the decision. The Appeal Panel's decision is final and, as set out in Section 3 of the STPCD, there is no recourse to the school's Grievance Procedure.

Appeals hearings panels

7. The Panel which hears pay appeals will comprise three governors who were not involved in previous discussions regarding the employee's pay determination. Governors on appeals panels should be familiar with the school's Pay and Appraisal policies. To ensure that appeals are properly considered, the Governing Body will consider any training needs its members have, including in duties placed on the school by the Equality Act 2010 and the ACAS Code of Practice (Disciplinary and Grievance Procedures).

8. Employees appealing pay decisions are entitled to be accompanied by a colleague or representative from a trade union.

9. Pay appeals will be formally clerked and a note of proceedings should be produced.

10. Appeal hearings will normally be convened within 20 working days of receipt of a written appeal notification.

APPENDIX C PAY PANEL HEARING PROTOCOL

The protocol for the conduct of formal hearings under this Policy.

Introductions

- Chair introduces everyone, what their role is, and then outlines the order of the hearing.
- Clerk takes notes of the hearing.

The employee case

- Employee or their representative presents employee case providing any evidence to support their case including from witnesses (if any).
- Management representative has the opportunity to question the employee.
- Chair asks questions and subsequently opens the discussion to the panel.

The management case

- Management representative presents management case, providing any evidence to support their case and any witnesses.
- Employee or their representative has the opportunity to question the management representative.
- Chair asks questions and subsequently opens the discussion to the panel.

Summarising and end of hearing

- Employee or their representative sums up the employee case.
- Management representative sums up the management case.
- If appropriate, the Chair can sum up the key points on both sides.
- Chair will then end the hearing, advising the employee that they will receive the panel's decision in writing within a given timescale.

Decision-making

- Panel meet to reach their decision.
- Clerk notes main points of panel discussion and their decision.
- Panel obtains HR advice if required to inform their decision-making.

Communication of decision

- Employee is notified of decision.
- Decision and reason for the decision confirmed in writing within five working days. Where an appeal is rejected the decision should also communicate the evidence considered and the reasons for the decision.