



MIDDLESEX  
LEARNING  
PARTNERSHIP

# TRUST PAY POLICY

<b>APPROVED BY:</b>	TRUST BOARD
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## 1. Scope

This policy applies to all employees in The Middlesex Learning Partnership.(Academy Trust). The Trust may be referred to as Academy Trust or School throughout this policy.

The recognised trade unions have been consulted.

## 2. Policy Purpose

This policy explains:

- The Trust's adopted pay framework for Teachers
- The Trust's adopted pay framework for Support Staff
- The criteria which will be considered when making pay decisions
- The process by which pay determinations / decisions will be made.

This policy has been developed to comply with current legislation (which includes The Education (School Teacher's Appraisal) (England) Regulations 2012) and aims to enable pay decisions to be made in compliance with the following employment legislation as amended: the Employment Rights Act 1996, the Employment Relations Act 1999, the Equality Act 2010, The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000, The Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002.

This policy aims to be consistent with the principles of public life: objectivity, openness and accountability.

In adopting this policy, the aim is to:

- Maximise the quality of teaching and learning at the Trust
- Support the recruitment and retention of a high-quality teaching and support staff workforce
- Enable the Trust to recognise and reward staff appropriately for their contribution to the Trust
- Help to ensure that decisions on pay are managed in a fair, just and transparent way.

Pay decisions are made at the Trust HR and Pay Committee.

### 2.1 Teachers

The School Teachers' Pay and Conditions Document (STPCD) requires schools to have a pay policy which sets out the basis on which they determine teachers' annual pay review; and the procedures for determining appeals.

Schools must stay within the legal framework set out in the STPCD and in other relevant legislation that affects all employers (for example, legislation on equality, employment protection and data protection).

The 2023 School Teachers' Pay and Conditions Document (referred to as 'the 2023 Document' for the purposes of this policy) makes a number of changes to how teachers' pay will be determined from September 2023.

This policy is based on the Department for Education's model policy which is non-statutory and sets out how the school determines the salary of its teachers and needs to be read in conjunction with the [2023 School Teachers' Pay and Conditions Document](#) guidance and the DfE document entitled "[Implementing Your School's Approach to Pay](#)".

### 2.2 Support Staff

The Trust recognise that the pay and conditions of employment for support staff will come from a number of sources:

- National Joint Council for Local Government Services (National Agreement on Pay & Conditions of Service);
- Local agreements and conditions of service agreed/negotiated by the Local Authority, including a framework for grading posts through a recognised job evaluation process;

- Terms and conditions of employment set by the Trust itself.

### **3. Determining Pay for Teachers**

#### **3.1 September 2023 Pay Award**

A consolidated award of £250 is awarded to all teachers whose full-time equivalent basic earnings are less than £27,419.

Any part-time teacher whose full-time equivalent basic earnings meet the eligibility criteria receive the award on a pro-rata basis according to their contracted hours.

#### **3.2 Pay Reviews**

The Trust will ensure:

- **that each teacher's salary is reviewed annually, with effect from 1<sup>st</sup> September** and no later than 31<sup>st</sup> 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.**

Reviews may take place at other times of the year to reflect any changes in circumstances or job description that lead to a change in the basis for calculating an individual's pay.

A written statement will be given after any review and where applicable will give information about the basis on which it was made.

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

#### **3.3 Basic Pay Determination on Appointment**

The Trust 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.

In making such determinations, the Trust 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 Trust context
- in exceptional circumstances the Trust have the discretion to award outside of the advertised scale following interview
- Awarding a recruitment incentive benefit to secure an appointment

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

#### **3.4 Pay Progression based on Performance**

In this Trust all teachers can expect to receive regular, constructive feedback on their performance and are subject to annual appraisal that recognises their strengths, informs plans for their future development, and helps to enhance their professional practice.

The arrangements for teacher appraisal are set out in the Trust's Appraisal Policy.

**Decisions regarding pay progression will be made with reference to the teachers' appraisal reports and the pay recommendations they contain. In the case of NQTs/ ECTs, whose appraisal arrangements are different, pay decisions will be made by means of the statutory induction process.**

It will be possible for a 'no progression' determination to be made without recourse to the capability procedure.

To be fair and transparent, assessments of performance will be properly rooted in evidence. In this Trust we will ensure fairness by *ensuring that objectives and assessments are consistent, including any arrangements for quality assurance and moderation.*

The evidence we will use will include *a range of sources that may be used as the basis for assessing performance* (e.g. self-assessment, peer review, tracking pupil progress, lesson observations, the views of pupils and parents).

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

### **3.5 Teachers on Maternity Leave**

If a teacher is away from the Trust because of maternity leave, the Trust will take a flexible, common sense and practical approach to conducting appraisals and making pay decisions, including where a teacher has been absent for part or all of the reporting year. For example, the Trust may consider conducting appraisals prior to the teacher departing on maternity leave.

### **3.6 Teachers on Long Term Sickness Absence**

If a teacher is away from the Trust because of long term sickness absence, the Trust will take a flexible, common sense and practical approach to conducting appraisals and making pay decisions, including where a teacher has been absent for part or all of the reporting year. For example, the Trust may take account of the mid-year review.

### **3.7 Teachers on the Main Pay Range**

The Trust's Main Pay Range is as given below:

<b>Level of Practice</b>	<b>Band</b>	<b>Pay Point</b>	<b>£</b>
New Teacher	A	MPS1	£34,514
		MPS2	£36,320
Developing Teacher	B	MPS3	£38,219
		MPS4	£40,218
Accomplished Teacher	C	MPS5	£42,654
		MPS6	£46,001

Teachers on the Main Pay Range will be paid on a point in the above pay range as determined following an appropriate performance appraisal review.

Progression through the pay points and bands will be as follows:

#### **Main Pay Scale Point 1 (NQT/ECT) to Main Pay Scale Point 2**

On successful completion of their Induction Year, NQT/ECTs will move to Main Pay Scale Point 2 within Band A (If a NQT/ECT is salary assessed to start at a higher salary point, upon successful completion of their Induction Year they will move to the next point on the scale).

#### **Main Pay Scale Point 2 (Band A) to Main Pay Scale Point 3 (Band B)**

To move to Main Pay Scale Point 3 in Band B, a teacher will:

Have met their performance appraisal objectives, including their pupil progress and attainment targets in the context of any mitigating circumstances.

### **Main Pay Scale Point 3 to Main Pay Scale Point 4 within Band B**

To move to Main Pay Scale Point 4 in Band B, a teacher will:

Have met their performance appraisal objectives, including their pupil progress and attainment targets in the context of any mitigating circumstances.

### **Main Pay Scale Point 4 (Band B) to Main Pay Scale Point 5 (Band C)**

Any qualified teacher who can demonstrate sustained performance at Band B over 2 years may apply to be paid on Band C and any such application will 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 Band C.

Applications on the appropriate form may be made by the specified date in the first half of the Autumn term. This date will be no later than October 31 and will be notified to all staff. Applicants will be advised of the outcome of their application before the end of Autumn Term.

The application will be assessed by the appropriate Leadership Group Line Manager, Head of School and/or Chief Executive Officer.

The applicant will need to:

- Demonstrate that the 8 teacher standards are met/surpassed
- 2 previous year's Performance Appraisal reviews have been successful
- lesson observation data over the previous 2 years is "above the line"
- student progress for all classes over the previous 2 years is at least in line with Head of School's expectations for good or better progress.

If the applicant is successful, the pay increase will be effective from 1<sup>st</sup> September of that year.

Unsuccessful applicants will be provided with comprehensive feedback as to why they were not successful and the areas where further professional development is required.

### **Main Pay Range Point 5 to Main Pay Range Point 6 within Band C**

To move to Main Pay Range Point 6 in Band C a teacher will:

Have met their performance appraisal objectives, including their pupil progress and attainment targets in the context of any mitigating circumstances

## **3.8 Movement to the Upper Pay Range**

The Trust's Upper Pay Range is as given below:

<b>Pay Point</b>	<b>£</b>
UPS1	£47,592
UPS2	£49,353
UPS3	£51,179

There is no automatic provision for a teacher to "step down" from the Upper Pay Range, once they have been assessed at this level, if employed in the same school.

### **3.8.1 Applications**

Any qualified teacher who can demonstrate sustained performance at Band C (2 years) 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 on the appropriate form may be made at least once a year on the specified date in the first half of Autumn Term. For Teachers this date will be no later than 31 October and will be notified to all staff. For Head of Schools/ Chief Executive Officer, by 31 December.

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 Trust will not be bound by any pay decision made by another school.

Where a teacher is subject to the 2011 or 2012 Regulations, the relevant body shall have regard to the assessments and recommendations in the teachers' appraisal reports under these Regulations (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 should be submitted).

### **3.8.2 Criteria**

An application from a qualified teacher will be successful where the Trust 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 the Teacher's 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 the Teachers impact is of real importance, validity or value to the school; play a critical role in the life of the school; provide a role model for teaching and learning; make a distinctive contribution to the raising of pupil standards; take advantage of appropriate opportunities for professional development and use the outcomes effectively to improve pupils' learning.
- **'sustained'** means maintained continuously over 5 school years unless exceptional circumstances or 2 years for applications for the upper pay range.

### **3.8.3 Processes and Procedures**

The applicant will be assessed by the Leadership Group Line Manager and the Head of School.

The applicant will need to:

- Demonstrate that the 8 Teacher Standards are met/surpassed
- 2 previous year's Performance Appraisal reviews have been successful
- Lesson observation data over the previous 2 years is "solidly secure or better"
- Student progress for all classes over the previous 2 years is at least "in line with Head of School's expectations for good or better progress"

If the applicant is successful, the pay increase will be effective from 1 September of that year.

Unsuccessful applicants will be provided with comprehensive feedback as to why they were not successful and the areas where further professional development are required.

Any appeal against a decision not to move the teacher to the upper pay range will be heard under the Trust's general appeals arrangements.

### **3.9 Leading Practitioners**

The Trust has discretion to create posts for qualified teachers whose primary purpose is modelling and leading improvement of teaching skills.



Teachers on the pay range for leading practitioners must be an exemplar of teaching skills, lead the improvement of teaching skills in the school and carry out the professional responsibilities of a teacher other than a Head of School, including those responsibilities delegated by the Head of School.

A teacher on the pay range for leading practitioners must take a leadership role in developing, implementing, and evaluating policies and practice in the school that contribute to school improvement. This may include:

- a) Coaching, mentoring and induction of teachers, including trainees and NQT/ECTs
- b) Disseminating materials and advice on practice, research and continuing professional development provision
- c) Assessment and impact evaluation, including through demonstration lessons and classroom observation
- d) Helping teachers who are experiencing difficulties.

The post may require leading practitioners to take on this role across the Trust.

Where the Trust decides to appoint a Leading Practitioner, it will advertise the vacancy and appoint in the same way as for other vacancies, satisfying itself that the successful candidate can demonstrate excellence in teaching and will be able to contribute to leading the improvement of teaching skills.

When setting the individual post range for teachers on the pay range for leading practitioners, the Trust will have regard to the challenge and demands of the individual post and the Trust's pay structure.

Where the Trust creates more than one such post, the individual post ranges for each post will be determined separately and can differ to reflect the different demands and challenges of each post.

The Trust has established a pay scale for Leading Practitioner teaching posts, Points 1 to 18.

### **Lead Practitioner Range**

Minimum	£47,417
Maximum	£72,085

### **Leading Practitioner Pay Progression**

The Trust will consider awarding one pay point on the individual range for the post having regard to evidence provided as part of the Performance Appraisal review, the appraisal report, the relevant Teacher standards and taking into account advice from senior leaders.

The evidence should show the leading practitioner:

- Has made good progress towards their objectives
- Is an exemplar of teaching skills, which should impact significantly on student progress, within the Academy Trust and within the wider school community, as appropriate
- Has made a substantial impact on the effectiveness of staff and colleagues, including any specific elements of practice that have been highlighted as in need of improvement
- Is highly competent in all aspects of the Teachers' Standards
- Has shown strong leadership in developing, implementing and evaluating policies and practice in the work place that contribute to school improvement.

The definitions of "highly competent" and "substantial" are set under the "Assessment" section for progression to the Upper Pay Range.

The Academy Trust will be advised by the Head of School in making all such decisions.

A Leading Practitioner is not eligible for a teaching and learning responsibility payment or a special educational needs allowance.

### 3.10 Unqualified Teachers

An unqualified teacher is a trainee working towards qualified teacher status, an overseas trained teacher who has not exceeded the four years they are allowed without obtaining qualified teacher status, or an instructor with a particular skill.

The Trust's Unqualified Teachers Pay Range is as below:

Unqualified Teachers Range	
1.	£24,415
2	£26,779
3	£29,141
4	£31,229
5	£33,590
6	£35,954

Unqualified teachers will be paid on a point within the above Range as determined by the Trust and subject to the appropriate performance appraisal process.

The Trust will not determine a salary for an unqualified teacher outside of the unqualified teacher pay spine.

Upon obtaining qualified teacher status, an unqualified teacher will be transferred to a salary within the Main Pay Range which is the same or higher than the sum of salary paid on the Unqualified Teachers Pay Range.

### 3.11 Part-time Teachers

Teachers employed on an ongoing basis at the Trust but who work less than a full working week are deemed to be part-time.

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

When calculating an individual's working week, please refer to the STPCD 2023, page 42 for further guidance.

The salary of any pay allowances, except TLR3s for part time staff, will be pro rata.

### 3.12 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 (194 for 2021/21 to account for the Queen's Platinum Jubilee bank holiday in June 2022); periods of employment for less than a day being calculated pro-rata.

It is the Trust's responsibility to determine the pay point an individual teacher will be paid.

### 3.13 Leadership Teacher Posts

The Trust's Leadership Pay Range is as below. Leaders will be on a 4 point scale within this range, dependent on the position.

1	£50,929	23	£84,812
2	£52,113	24	£82,826
3	£53,314	25	£88,890
4	£54,555	26	£90,995
5	£55,822	27	£93,157
6	£57,124	28	£95,377
7	£58,565	29	£97,642
8	£59,826	30	£99,980
9	£61,225	31	£102,364
10	£62,703	32	£104,808
11	£64,229	33	£107,325
12	£65,629	34	£109,884
13	£67,178	35	£112,519
14	£68,749	36	£115,210
15	£70,368	37	£117,987
16	£72,144	38	£120,813
17	£73,718	39	£123,662
18	£75,478	40	£126,661
19	£77,258	41	£129,729
20	£79,076	42	£132,881
21	£80,994	43	£134,765
22	£82,852		

#### 3.13.1 Tier 1: Chief Executive Officer

The Chief Executive Officer must demonstrate high quality of performance with particular regard to Leadership, Management and pupil progress at the Trust.

S/He will be subject to a review of performance against performance objectives by his/her Performance Management Appraisal that will include advice from an External Advisor. Any pay recommendations by this panel will be decided on by the Academy Trust Directors.

#### 3.13.2 Tier 2: Head of School/ Deputy Head

All staff in Tier 2 must demonstrate high quality of performance with particular regard to Leadership, Management and pupil progress at the Trust.

S/He will be subject to a review of performance against performance objectives by his/her Performance Management Appraisal. Any pay recommendations by this panel will be decided on by the Academy Trust Directors.

#### 3.13.3 Determination of Discretionary Payments to Head of Schools

Where the Trust makes a determination to pay the Head of School additional payments, the total sum of these payments in any school year must not exceed 25% of the amount that corresponds to the Head of School salary.

The Trust may make a determination to pay an additional payment where the Head of School has reached the maximum point of their pay range; the Trust can consider a pay increase within the 25% discretionary amount.

### **3.13.4 Tier 3: Deputy and Assistant Head of School**

Assistant Head of School must demonstrate high quality of performance with particular regard to Leadership, Management and pupil progress at the school.

S/He will be subject to a review of performance against performance objectives by his/her Line Manager. Any pay recommendations will be approved by the Chief Executive Officer and Head of School (in appropriate cases). These approved recommendations will be decided upon by the MAT Pay Committee.

The Deputy or Assistant Head of School's pay range will be based on the Leadership Group pay range and must not exceed the maximum reference point of the Head of School group for the school.

In determining the pay range for the Deputy or Assistant Head of School, the Trust will ensure:

- that the maximum of the Deputy or Assistant Head of School's pay range must not exceed the maximum of the Head of School group for the school. The pay range for a Deputy or Assistant Head of School should only overlap the Head of School's pay range in exceptional circumstances.
- Deputy and Assistant Head of Schools must demonstrate sustained high quality of performance in respect of school leadership and management and pupil progress and will be subject to a review of performance against their performance objectives before any incremental progression is awarded.

### **3.13.5 Payment to Acting Head of School**

The Trust must determine within four weeks if an Acting Allowance should be paid to a Deputy Head of School or Assistant Head of School who is covering the absence of the Head of School.

The acting allowance must provide a salary which is the equivalent to at least the minimum of the pay range for post.

## **3.14 Allowances**

### **3.14.1 Teaching and Learning Responsibility (TLR) Payments**

The Trust can award a TLR1 or TLR2 to a classroom teacher for undertaking a sustained additional responsibility in the context of its staff structure to ensure the continued delivery of high-quality teaching and learning and for which the teacher is made accountable.

The values of the TLRs to be awarded are set out below:

- TLR1 Range: £9,272 to £15,690
- TLR2 Range: £3,214 to £7,847
- A TLR3 will be awarded to a classroom teacher undertaking a clearly time-limited individual school improvement project or one-off externally driven responsibilities. The annual value of the TLR3 will be between £639 and £3,169.
- A TLR3 can be awarded for catch-up tutoring in response to the coronavirus pandemic and would cover planning, preparation, co-ordination and delivery of tutoring for pupils whose learning was affected by the coronavirus pandemic. The tutoring must take place during the school day, but outside of normal directed hours.

The duration of the fixed term will be established at the outset and payment will be made on a monthly basis for the duration of the fixed term.

A teacher cannot be in receipt of a TLR1 and TLR2 at the same time; however, they can receive a TLR3 in addition to either TLR1 or TLR2.

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

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

For payment of TLR1, the significant responsibilities must include line management responsibility for a significant number of staff.

Posts attracting the level of TLR1 or TLR2 will be identified in the Trust's staffing structure.

In establishing appropriate values for TLR allowances, the Trust will ensure that values chosen are properly positioned between the established minimum and maximum values.

### **3.14.2 Special Educational Needs (SEN) Allowance**

A SEN allowance of no less than £2,539 and no more than £5,009 is payable to:

- In any SEN post that requires a mandatory qualification;
- To all classroom teachers who teach pupils in one or more designated special classes or units in a school.

Where a SEN allowance is to be paid, the Trust will determine the spot value of the allowance, taking into account the structure of the school's SEN provision and following factors:

- a) Whether any mandatory qualifications are required for the post;
- b) The qualifications or expertise of the teacher relevant to the post; and
- c) The relative demands of the post.

SEN allowances can be held at the same time as TLRs. The Trust will, when keeping their staffing structures under review:

- a) Ensure that, in the light of remodelling and the move of administrative tasks from teachers to support staff, holders of SEN allowances are not carrying out tasks that would be more appropriately undertaken by support staff;
- b) Consider whether, if teachers have responsibilities that meet all the criteria for the award of TLR payments, it would be more appropriate to award a TLR payment instead of a SEN allowance of a lower value;
- c) Not continue to award new SEN payments solely for the purposes of recruitment and retention; and
- d) Ensure that any SEN responsibilities are clearly specified in individual teachers' job descriptions.

In establishing appropriate values for SEN allowances, the Trust will ensure that values chosen are properly positioned between the established minimum and maximum values. Differential values relating to SEN roles in the school will be established to properly reflect the significant differences in the nature and challenge of the work entailed so that the different payment levels can be objectively justified.

The Trust will award SEN allowances in accordance with the criteria and provisions set out in the STPCD.

The teacher will be given written notification at the time of the award specifying the amount of the award and the reason for the award.

### **3.14.3 Allowances payable to Unqualified Teachers**

The Trust may award an additional allowance to an unqualified teacher where it considers that, in the context of its staffing structure, the teacher has:

- a) Taken on a sustained additional responsibility which:
  - is focused on teaching and learning; and
  - requires the exercise of a teachers' professional skills and judgement; or
- b) Qualifications or experience which bring added value to the role being undertaken.

Unqualified teachers may not hold TLRs or SEN allowances.

### **3.14.4 Acting Allowance**

Subject to the provisions set out in the 2023 Document, an acting allowance may be paid to a teacher who is assigned and carries out duties of a Head of School, deputy Head of School or assistant Head of School but has not been appointed as an acting Head of School, deputy Head of School or Assistant Head of School.

### **3.15 Additional Payments**

The Trust may make such payment as it sees fit to a teacher, other than a Head of School, in respect of:

Where a member of Trust staff undertakes Continued Professional Development opportunities with an external provider and the Trust is reimbursed, the payment will be divided equally between the Trust School and the individual. Payment will be made via payroll. Payment of £30 p/h for Primary Schools and £37.50p/h for Secondary Schools

Payment to classroom teachers will only be made in respect of activities undertaken outside of either the 1265 hours of directed time for full-time teachers; or the appropriate proportion of the 1265 hours of directed time for part-time teachers.

The related activities will require the exercise of the teacher's professional skills or judgement.

### **3.16 Contractual Performance Related Bonus Payments**

Where agreed by the Board and the CEO, contractual Performance Related bonus payments can be made available for senior staff at Deputy Head Level and above. All contractual Performance Related bonus payments will be subject to clear and convincing evidence through Performance Management reviews. Any contractual bonus payment will be reviewed annually.

### **3.17 Recruitment and Retention Incentives and Benefits**

The Trust will pay recruitment and retention awards as an incentive for the recruitment of new teachers and the retention of existing teachers. Incentives may, for example, include a cash sum, a percentage uplift of salary, or defined benefits such as childcare costs or health care provision.

In relation to all Leadership posts the STPCD states that recruitment and retention incentives should not be awarded other than as reimbursement as reasonably incurred housing or re-location costs. If this discretion has been applied in setting a pay range for recruitment purposes any further payment should not be made.

The Trust will determine the level of payment and the fixed-term duration over which the payment is to be made. These arrangements will be subject to regular formal reviews.

### **3.18 Salary Safeguarding**

The Trust will operate salary safeguarding arrangements in line with the provisions of the STPCD.

### 3.19 Pay increases arising from changes to the 2023 Document

All teachers are paid in accordance with the statutory provisions of the STPCD as updated from time to time.

### 3.20 Pay Appeals Procedure

The Academy Trust is committed to ensuring that appeals against pay decisions meet the requirements of the dispute resolution provisions of employment law.

The process set out below is consistent with dispute resolution provisions of employment law and has been adopted by the Trust as the means by which appeals against pay decisions are considered.

Teachers may seek a review of any determination in relation to their pay or any other decision taken by the Academy Trust (or a committee or individual acting with delegated authority) that affects their pay.

The following list, which is not exhaustive, includes the usual reasons for seeking a review of a pay determination:

That the person or committee by whom the decision was made:

- a) Incorrectly applied any provision of the School Teachers' Pay and Conditions Document;
- b) failed to have proper regard for statutory guidance;
- c) failed to take proper account of relevant evidence;
- d) took account of irrelevant or inaccurate evidence;
- e) was biased; or
- f) otherwise unlawfully discriminated against the teacher.

The order of proceedings is as follows:

1. The teacher receives written confirmation of the pay determination and where applicable the basis on which the decision was made.
2. If the teacher is not satisfied, they should seek to resolve this by discussing the matter informally with the decision-maker within **10 working days** of the decision.
3. Where this is not possible, or where the teacher continues to be dissatisfied, they may follow a formal appeal process.
4. The teacher should set down in writing the grounds for questioning the pay decision and send it to some one above the person who made the determination e.g. if the Head of School made the determination, then the matter should be addressed to the Chair of Governors, within **10 working days** of the notification of the decision being appealed against or of the outcome of the informal discussion referred to above.
5. The person should provide a hearing, within **10 working days** of receipt of the written appeal, to consider the appeal and give the teacher an opportunity to make representations in person. At this stage it would be appropriate to invite the person who made the determination and possibly the appraiser who would have made the initial recommendation to provide evidence. Following the hearing the employee should be informed in writing of the decision and the right to appeal.
6. If the teacher remains dissatisfied they can lodge an appeal within **10 working days** of being notified of the outcome of the hearing.
7. Any appeal should be heard by a panel of three governors/trustees who were not involved in the original determination, normally within **20 working days** of the receipt of the written appeal notification.

The teacher will be given the opportunity to make representations in person. The decision of the appeal panel will be given in writing, and where the appeal is rejected will include a note of the evidence considered and the reasons for the decision.

For any formal meeting the teacher is entitled to be accompanied by a trade union representative or a colleague. Each step and action of this process must be taken without unreasonable delay. The timing and location of formal meetings must be reasonable. Formal meetings must allow both parties to explain their case.

## **4. Determining Pay for Support Staff**

The Trust, in conjunction with the Head of School, will undertake an annual review of the pay and duties performed by support staff. If as a result of any review it is necessary to consider a change in the duties of any member of the support staff, consultation will take place with the member/s of staff concerned and Union representatives to ensure appropriate changes are made to job descriptions.

### **4.1 Pay Rates and Allowance**

#### **a) Increments**

Where a performance linked incremental scheme does not apply and staff are employed on scales that permit annual incremental progression, increments are payable only within the grade range applicable to the post concerned unless otherwise stated in the employee's contract of employment or an authorised contractual variation. Increments will be reviewed on 1 April each year.

An increment may be withheld following an adverse performance appraisal report on an employee.

Increments may be accelerated at the discretion of the Trust on the grounds of special merit or ability as documented in one to one supervision meetings or at an appraisal subject to the maximum of the scale not being exceeded.

On appointment or promotion employees will normally be appointed to the minimum point of the grade.

Probationers will be judged on the progress they have made during their probationary period. The Trust may decide to pay a previously withheld increment if the employee's performance is deemed to have reached the required level within the following 12month period with effect from a date determined by the Trust.

An employee who, for any reason other than the annual leave of an employee, is required to undertake the full duties of a higher graded employee for a continuous period is entitled to receive a higher salary in accordance with the Local Authority conditions of service or in accordance with locally agreed arrangements.

An employee may seek a review, through the Trust's Grievance Procedure, of any determination in relation to their pay or any other decision taken that affects their pay.

#### **b) Spot Salaries**

Employees employed on a "spot salary" contract are included in the annual living wage increases in line with NJC recommendations.

#### **c) Overtime Payments**

Overtime payment will be paid in accordance with locally agreed terms and conditions.

Where an employee is asked to work additional hours or is asked to attend an activity (e.g. staff meeting, parents' evening) the Governors undertake to pay overtime or to allow time off in lieu (TOIL). All records of overtime and TOIL will be agreed with the Line Manager. To claim overtime, staff will be required to complete an overtime form that is paid at the end of the month following the receipt of the claim. The Finance Office needs to be notified of TOIL at least two weeks in advance of time being taken or this may be recorded as unpaid leave. Support Staff carrying out additional hours without the prior agreement of their Line Manager will not be paid overtime or be eligible for TOIL.

#### **d) Part and Term Time Employees**

Part and Term Time employees should be paid within the salary scale for the post and paid proportionately with regard to the hours actually worked and additionally, in respect of term-time only staff, the number of weeks worked. Overtime rates where applicable would only be paid in respect of those hours worked over and above 36 hours in any week.



#### e) Value of Accommodation and Services

The Trust will assess and deduct from the salary of an employee the value of any accommodation and services that they provide in accordance with the contract of employment and associated conditions.

#### 4.2 Job Evaluations

Employees are entitled to be paid the rate for the role provided that they are fulfilling the full duties and responsibilities of the grade. All non-teaching posts should have up to date job descriptions and person specifications and have been evaluated under a recognised job evaluation scheme.

Where an employee disputes the evaluated grade of the post they would need to progress this through the Trust's Grievance Procedure.

#### 4.3 MAT Posts

Where MAT Directors feel that there are posts across the MAT they are able to draw up appropriate job description/person specification and use market forces to determine pay. Pay progression for these posts will relate to performance.

#### 4.4 Pay Appeals Procedure

The Trust is committed to ensuring that appeals against pay decisions meet the requirements of the dispute resolution provisions of employment law.

The process set out below is consistent with dispute resolution provisions of employment law and has been adopted by the Trust as the means by which appeals against pay decisions are considered. A member of the Support Staff may seek a review of any determination in relation to his/her pay or any other decision taken by the Trust (or a committee or individual acting with delegated authority) that affects his/her pay.

The following list, which is not exhaustive, includes the usual reasons for seeking a review of a pay determination:

That the person or committee by whom the decision was made:

- a) Incorrectly applied any provision of the Support Staff Pay Policy
- b) failed to have proper regard for statutory guidance
- c) failed to take proper account of relevant evidence
- d) took account of irrelevant or inaccurate evidence
- e) was considered by the member of staff to be biased ; or
- f) otherwise unlawfully discriminated against the member of staff.

The order of proceedings is as follows:

1. The staff member receives written confirmation of the pay determination and where applicable the basis on which the decision was made.
2. If the staff member is not satisfied, they should seek to resolve this by discussing the matter informally with the Pay and Salaries Committee through the Operations Direct or Head of School within **10 working days** of the decision.
3. Where this is not possible, or where the member of staff continues to be dissatisfied, they may follow a formal appeal process.
4. The staff member should set down in writing the grounds for questioning the pay decision and send it to some above the person who made the determination e.g., if the Head of School made the determination, then the matter should be addressed to the Chair of Governors, within **10 working days** of the notification of the decision being appealed against or of the outcome of the informal discussion referred to above.
5. The person should provide a hearing, within **10 working days** of receipt of the written appeal, to consider the appeal and give the staff member an opportunity to make representations in person. At this stage it would be appropriate to invite the person who made the determination and possibly the appraiser who

would have made the initial recommendation to provide evidence. Following the hearing the employee should be informed in writing of the decision and the right to appeal.

6. If the staff member remains dissatisfied they can lodge an appeal within **10 working days** of being notified of the outcome of the hearing.
7. Any appeal should be heard by a panel of three governors/trustees who were not involved in the original determination, normally within **20 working days** of the receipt of the written appeal notification. The staff member will be given the opportunity to make representations in person. The decision of the appeal panel will be given in writing, and where the appeal is rejected will include a note of the evidence considered and the reasons for the decision.

For any formal meeting the staff member is entitled to be accompanied by a trade union representative or a colleague. Each step and action of this process must be taken without unreasonable delay. The timing and location of formal meetings must be reasonable. Formal meetings must allow both parties to explain their case.

## **5. Over/Under Payments**

Should an overpayment occur, the employee will be notified in writing of the full amount of the overpayment and agreement will be sought about a reasonable repayment schedule.

Where an employee is due to leave employment the balance owing may be deducted from their final salary.

In the case of former employees, recovery of overpayments will be pursued.

In the case of underpayments, the Trust will apply appropriate refunds as soon as possible.

Employees are expected to draw to the attention of the Head of School/ Trust HR Manager any overpayment or underpayment as soon as possible.

The Trust will draw to the attention of an employee any overpayment or underpayment as soon as possible.

## **6. Monitoring the impact of this Policy**

The Trust will monitor the outcomes and impact of this policy on a regular basis e.g. biennially, including trends in progression across specific groups of teachers to assess its effect and the Trust's continued compliance with equalities legislation.

## **7. Review of Policy & Consultation**

Staff and the Trade Union Representatives will be consulted on any changes to the Trust's Pay Policy. It will be reviewed each year or when the other changes occur to the STPCD and/or changes to support staff pay and conditions of employment.

**Appendix 1—Teachers’ Annual Salary Review Statement**

**September 2023**

Name: \_\_\_\_\_

School: \_\_\_\_\_

**Salary**

Main Pay Range: \_\_\_\_\_ £ \_\_\_\_\_

Unqualified Pay Range: \_\_\_\_\_ £ \_\_\_\_\_

Upper Pay Range: \_\_\_\_\_ £ \_\_\_\_\_

TLR: \_\_\_\_\_ £ \_\_\_\_\_

Recruitment & Retention: \_\_\_\_\_ £ \_\_\_\_\_

Special Needs: \_\_\_\_\_ £ \_\_\_\_\_

Other (Please State): \_\_\_\_\_ £ \_\_\_\_\_

**TOTAL SALARY** £ \_\_\_\_\_

**Signed:**

Chair of Governors: \_\_\_\_\_

Date: \_\_\_\_\_

Head of School: \_\_\_\_\_

Date: \_\_\_\_\_

Teacher: \_\_\_\_\_

Date: \_\_\_\_\_

(Annual Salary Review Statement 2023)

## Appendix 2 - Pay Ranges for Teachers (Outer London)

September 2023

### Main Pay Range £

Minimum	34,514
Maximum	46,001
<i>Advisory Points (if appropriate)</i>	
M2	36,320
M3	38,219
M4	40,218
M5	42,654

### Upper Pay Range

Minimum	47,592
Maximum	51,179
<i>Advisory Point (if appropriate)</i>	
U2	49,353

### Unqualified Pay Range

Minimum	24,415
Maximum	35,954

#### *Advisory Point (if appropriate)*

UT2	26,779
UT3	29,141
UT4	31,229
UT5	33,590

### Additional allowances for classroom teachers

#### Ranges for TLRs

##### TLR 2

Minimum	3,214
Maximum	7,847

##### TLR 1

Minimum	9,272
Maximum	15,690

##### TLR 3 (Fixed Term)

Minimum £639 - Maximum £3,169

### Special Needs

Minimum £2,539 – Maximum £5,009