



Headteacher: Miss K House

## Pay Policy Hampstead Norreys Primary School

<b>Headteacher</b>	Sign & Date:	
<b>Chair of Governing Body</b>	Sign & Date:	

Review schedule (this policy will be reviewed annually)

<b>Date</b>	<b>Description of any changes</b>	<b>Date approved by Governing Body</b>

# **1. Pay Policy Principles**

## **1.1 Statement of Intent**

The prime statutory duty of governing bodies in England, as set out in paragraph 21(2) of the Education Act 2002 is to "...conduct the school with a view to promoting high standards of educational achievement at the school." The pay policy is intended to support that statutory duty. The governing body of Hampstead Norreys Primary School will act with integrity, confidentiality, objectivity and honesty in the best interests of the school; will be open about decisions made and actions taken, and will be prepared to explain decisions and actions to interested persons. Its procedures for determining pay will be consistent with the principles of public life: objectivity, openness and accountability.

## **1.2 Equalities legislation**

The governing body will comply with relevant equalities legislation:

- Employment Relations Act 1999
- Equality Act 2010
- Employment Rights Act 1996
- The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- The Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002
- The Agency Workers Regulations 2010

The governing body will promote equality in all aspects of school life, particularly as regards all decisions on advertising of posts, appointing, promoting and paying staff, training and staff development.

See „governing body obligations“ in relation to monitoring the impact of this policy.

## **1.3 Equalities and performance-related pay**

The governing body will ensure that its processes are open, transparent and fair. All decisions will be objectively justified. Adjustments will be made to take account of special circumstances, e.g. an absence on maternity or long-term sick leave. The exact adjustments will be made on a case-by-case basis, depending on the individual teacher's circumstances and the school's circumstances.

## **1.4 Job descriptions**

The head teacher will ensure that each member of staff is provided with a job description in accordance with the staffing structure agreed by the governing body. Job descriptions may be reviewed from time to time, in consultation with the individual employee concerned, in order to make reasonable changes in the light of the changing needs of the school. Job descriptions will identify key areas of responsibility. All job descriptions will be reviewed annually as part of the appraisal process.

## **1.5 Access to records**

The head teacher will ensure reasonable access for individual members of staff to their own employment records.

## 1.6 Appraisal

The governing body will comply with The Education (School Teachers' Appraisal) (England) Regulations 2012 concerning the appraisal of teachers. Assessment will be based on evidence from a range of sources (see the school's appraisal policy). Although the school will establish a firm evidence base in relation to the performance of all teachers, there is a responsibility on individual teachers and appraisers to work together. Teachers should also gather any evidence that they deem is appropriate in relation to meeting their objectives, the Teachers' Standards and any other criteria (ie application to be paid on Upper Pay Range) so that such evidence can be taken into account at the review.

The head teacher will moderate objectives to ensure consistency and fairness; the head teacher will also moderate performance assessment and initial pay recommendations to ensure consistency and fairness.

## 2. Roles and Responsibilities

### 2.1 Governing body obligations

The governing body will fulfil its obligations to:

- **Teachers:** as set out in the School Teachers' Pay and Conditions Document 2014 (the Document) and the Conditions of Service for School Teachers in England and Wales
- **Support staff:** the West Berkshire Council Employment Terms and Conditions

The governing body will need to consider any updated pay policy and assure themselves that appropriate arrangements for linking appraisal to pay are in place, can be applied consistently and that their pay decisions can be objectively justified.

The governing body will ensure that it makes funds available to support pay decisions, in accordance with this pay policy (see „Procedures“) and the school's spending plan. The governing body will monitor the outcomes of pay decisions, including the extent to which different groups of teachers progress at different rates, ensuring the school's continued compliance with equalities legislation.

### 2.2 Head teacher obligations

The head teacher will:

- develop clear arrangements for linking appraisal to pay progression and consult with staff and school union representatives on the appraisal and pay policies;
- submit any updated appraisal and pay policies to the governing body for approval;
- ensure that effective appraisal arrangements are in place and that any appraisers have the knowledge and skills to apply procedures fairly;
- submit pay recommendations to the governing body and ensure the governing body has sufficient information upon which to make pay decisions;
- ensure that teachers are informed about decisions reached; and that records are kept of recommendations and decisions made.

## **2.3 Teachers' obligations**

A teacher will:

- engage with appraisal; this includes working with their appraiser to ensure that there is a secure evidence base in order for an annual pay determination to be made;
- keep records of their objectives and review them throughout the appraisal process;
- share any evidence they consider relevant with their appraiser;
- ensure they have an annual review of their performance.

## **3. Pay Award Guidelines**

### **3.1 Salary Differentials**

Appropriate differentials will be created and maintained between posts within the school, recognising accountability and job weight, and the governing body's need to recruit, retain and motivate sufficient employees of the required quality at all levels.

### **3.2 Discretionary pay awards**

Criteria for the use of pay discretions are set out in this policy and discretionary awards of additional pay will only be made in accordance with these criteria.

### **3.3 Salary Safeguarding**

Where a pay determination leads or may lead to the start of a period of safeguarding, the governing body will comply with the relevant provisions of the Document and will give the required notification as soon as possible and no later than one month after the determination.

### **3.4 Governing Body Committees and Procedures**

The governing body will determine the annual pay budget on the recommendation of the pay committee, taking into account Section 3 of the Document - Guidance for Local authorities, School Leaders, School Teachers and Governing Bodies of Maintained Schools

The governing body has delegated its pay powers to the pay committee. Any person employed to work at the school, other than the head, must withdraw from a meeting at which the pay or appraisal of any other employee of the school, is under consideration. The head must withdraw from that part of the meeting where the subject of consideration is his or her own pay. A relevant person must withdraw where there is a conflict of interest or any doubt about his/her ability to act impartially.

Where possible, no member of the governing body who is employed to work in the school shall be eligible for membership of this committee.

The pay committee will be attended by the head in an advisory capacity. Where the pay committee has invited either a representative of the LA or the external adviser to attend and offer advice on the determination of the head's pay, that person will withdraw at the same time as the head while the committee reaches its decision. Any member of the committee required to withdraw will do so.

### **3.4.1 Pay Committee Terms of Reference**

The terms of reference for the pay committee will be determined from time to time by the governing body. The current terms of reference are:

- to achieve the aims of the whole school pay policy in a fair and equal manner;
- to apply the criteria set by the whole school pay policy in determining the pay of each member of staff at the annual review;
- to observe all statutory and contractual obligations;
- to minute clearly the reasons for all decisions and report the fact of these decisions to the next meeting of the full governing body;
- to recommend to the governing body the annual budget needed for pay, bearing in mind the need to ensure the availability of monies to support any exercise of pay discretion;
- to keep abreast of relevant developments and to advise the governing body when the school's pay policy needs to be revised;
- to work with the head in ensuring that the governing body complies with the Appraisal Regulations 2012 (teachers).

The report of the pay committee will be placed in the confidential section of the governing body's agenda and will either be received or referred back. Reference back may occur only if the pay committee has exceeded its powers under the policy.

### **3.5 Annual determination pay awards**

All teaching staff salaries, including those of the head, deputy head(s) and assistant head(s) will be reviewed annually to take effect from 1 September. The governing body will endeavour to complete teachers' annual performance pay reviews by 31 October and the head teacher's annual pay review by 31 December. They will, however, complete the process without undue delay.

Hampstead Norreys will apply national teacher pay awards and local government (West Berkshire Council) pay awards on a timely basis, effective from the agreed date of the increase (generally 1st September for Teachers and 1st April for Local government).

### **3.6 Notification of pay determination**

Decisions will be communicated to each member of staff by the head in writing and will set out the reasons why decisions have been taken. Decisions on the pay of the head will be communicated by the pay committee, in writing. An instruction to amend pay from the relevant date will be issued immediately after the time limit for the lodging of an appeal has passed, or immediately after an appeal has been concluded.

### **3.7 Appeals procedure**

The governing body has an appeals procedure in relation to pay. It is set out as an appendix to this pay policy.

## **4. Pay Awards by Employee Type**

### **4.1 Head teacher pay**

#### **4.1.1 Pay on appointment**

For appointments on or after 1 September 2014, the governing body will determine the pay range to be advertised and agree pay on appointment, taking account of the full role of the head teacher (Part 2 and in accordance the section 3 guidance):

- the pay committee will review the school's head teacher group and the head's Individual School Range (ISR);
- if the head teacher takes on permanent accountability for one or more additional schools, the pay committee will set an ISR in accordance with the provisions of section 3 of the document.
- the pay committee will take account of any other permanent payments, made to staff within the school to ensure that appropriate differentials are created and maintained between posts of differing responsibility and accountability;
- the pay committee will exercise its discretion and pay on any of the bottom four points on the ISR, in order to secure the appointment of its preferred candidate.
- the pay committee will consider exercising its discretion to award a discretionary payment where the governing body consider the school would have difficulty recruiting to the vacant head teacher post;
- the pay committee will consider the need to award any further discretionary payments to a head teacher
- The pay committee will consider using its discretion, in wholly exceptional circumstances, to exceed the 25% limit on discretionary payments. However, before agreeing to do so, it will seek the agreement of the governing body which in turn will seek external independent advice before providing such agreement.

#### **4.1.2 Serving head teachers**

The governing body will determine the salary of a serving head teacher in accordance with section 3 of the Document.

- the pay committee will review the head teacher's pay and award up to two performance points where there has been a sustained high quality of performance having regard to the results of the most recent appraisal carried out in accordance with the Appraisal Regulations 2012 and any recommendation on pay progression in the head teacher's most recent
- appraisal report.
- the pay committee may determine the head's ISR, within the group range for the school, as at 1 September or at any time if they consider it is necessary (section 3 guidance);
- if the pay committee makes a determination to change the ISR, it will determine the head's ISR within the group range for the school, in accordance with section 3 guidance;
- if the head teacher takes on temporary accountability for one or more additional schools, the pay committee will consider awarding a discretionary payment.
- the pay committee will consider the use of discretionary payments, as per the guidelines.

- The pay committee will consider using its discretion, in wholly exceptional circumstances, to exceed the 25% limit on discretionary payments. However, before agreeing to do so, it will seek the agreement of the governing body which in turn will seek external independent advice before providing such agreement.

## **4.2 Deputy/assistant head teacher pay**

### **4.2.1 Pay on appointment**

The governing body will, when a new appointment needs to be made, determine the pay range to be advertised and agree pay on appointment as follows:

- the pay committee will determine a pay range in accordance with the Document, taking account of the role of the deputy/assistant head teacher.
- the pay committee will record its reasons for the determination of the deputy/assistant head pay range, in accordance with section 3 guidance;
- the pay committee will exercise its discretion and pay any of the bottom three points on deputy/assistant head pay range, in order to secure the appointment of its preferred candidate.
- the pay committee will exercise its discretion Document where there are recruitment issues.

### **4.2.2 Serving deputy/assistant head teachers**

- the pay committee will review pay in accordance with the document and award up to two points where there has been sustained high quality of
- performance having regard to the results of the recent appraisal, and to any recommendation on pay progression recorded in the deputy/assistant head's most recent appraisal report;
- the pay committee will review and, if necessary, re-determine the deputy/assistant head pay range where there has been a significant change in the responsibilities of the serving deputy/assistant head teacher ( section 3 guidance);
- the pay committee may determine the deputy/assistant head pay range at any time in accordance with section 3 guidance pursuant with the discretionary provisions of that paragraph and to maintain differentials;

## **4.3 Acting allowances**

Acting allowances are payable to teachers who are assigned and carry out the duties of head, deputy head or assistant. The pay committee will, within a four week period of the commencement of acting duties, determine whether or not the acting post holder will be paid an allowance. In the event of a planned and prolonged absence, an acting allowance will be agreed in advance and paid from the first day of absence. Any teacher who carries out the duties of head, deputy head, or assistant head, for a period of four weeks or more, will be paid at an appropriate point of the head's ISR, deputy head range or assistant head range, as determined by the pay committee. Payment will be backdated to the commencement of the duties.

## 4.4 Classroom teachers

### 4.4.1 Pay on appointment

The governing body will determine the starting salary of a vacant classroom teacher post on the main pay range or upper pay range, such as the governing body determines, having regard to:

- the requirements of the post;
- any specialist knowledge required for the post;
- the experience required to undertake the specific duties of the post;
- the wider school context.

The governing body will, if necessary, use its discretion to award a recruitment incentive benefit to secure the candidate of its choice.

### 4.4.2 Pay determinations for existing main pay range teachers

The pay committee will use reference points. Therefore the teachers main pay range (including National 2014 1% Teachers pay award) in Hampstead Norreys Primary School is:

11 Range Point 1	£22023
Range Point 2	£23764
Range Point 3	£25675
Range Point 4	£27650
Range Point 5	£29829
Range Point 6	£32187

***Appraisal objectives will become more challenging as the teacher progresses up the main pay range.***

To move up the main pay range, one annual point at a time, teachers will need to have made good progress towards their objectives and have shown that they are competent in all elements of the Teachers' Standards.

If the evidence shows that a teacher has exceptional performance, the governing body will consider the use of its flexibilities to award enhanced pay progression, up to the maximum of 2 points.

Judgments will be properly rooted in evidence. As a teacher moves up the main pay range, this evidence should show:

- an increasing positive impact on pupil progress
- an increasing impact on wider outcomes for pupils
- improvements in specific elements of practice identified to the teacher, eg behaviour management or lesson planning
- an increasing contribution to the work of the school
- an increasing impact on the effectiveness of staff and colleagues

Further information, including sources of evidence is contained in the school's appraisal policy. The pay committee will be advised by the head teacher in making all such decisions. Any increase (ie no movement, one point, more than one point) will be clearly attributable to the performance of the teacher in question. The pay committee will be able to justify its decisions.

### **4.4.3 Applications to be paid on the Upper Pay Range**

From 1 September 2014, any qualified teacher who has reached Range Point 6 on the Main Pay Range can apply for Upper Pay Range. If a teacher is simultaneously employed at another school(s), they may submit separate applications if they to apply to be paid on the UPR in that school(s). This school will not be bound by any pay decision made by another school.

All applications should include the results of the two most recent appraisals, under the Appraisal Regulations 2012, including any recommendation on pay. Where such information is not applicable or available, e.g. those returning from maternity or sickness absence, a written statement and summary of evidence designed to demonstrate that the applicant has met the assessment criteria must be submitted by the applicant.

In order for the assessment to be robust and transparent, it will be an evidence-based process only. Teachers therefore should ensure that they build a mainly paper evidence base to support their application. Those teachers who are not subject to the Appraisal Regulations 2012, or who have been absent, through sickness, disability or maternity, may cite written evidence from a 3 year period before the date of application in support of their application.

#### **4.4.3.1 Process:**

One application may be submitted annually. The closing date for applications is normally 31st September each year; however, exceptions will be made in particular circumstances, e.g. those teachers who are on maternity leave or who are currently on sick leave. The process for applications is:

- Complete the school's application form;
- Submit the application form and supporting evidence to the head teacher by the cut-off date of 31st September.
- You will receive notification of the name of the assessor of your application within 5 working days;
- The assessor will assess the application, which will include a recommendation to the pay committee of the relevant body;
- The application, evidence and recommendation will be passed to the head teacher for moderation purposes, if the head teacher is not the assessor;
- The pay committee will make the final decision, advised by the head teacher;
- Teachers will receive written notification of the outcome of their application by *31st December*. Where the application is unsuccessful, the written notification will include the areas where it was felt that the teacher's performance did not satisfy the relevant criteria set out in this policy (see „Assessment“ below).
- If requested, oral feedback which will be provided by the assessor. Oral feedback will be given within 10 school working days of the date of notification of the outcome of the application. Feedback will be given in a positive and encouraging environment and will include advice and support on areas for improvement in order to meet the relevant criteria.
- Successful applicants will move to the minimum of the UPR on 1 September 2014.
- Unsuccessful applicants can appeal the decision. The appeals process is set out at the back of this pay policy.

#### **4.4.3.2 Assessment:**

The teacher will be required to meet the criteria set out in paragraph 18 of the Document, namely that:

- the teacher is highly competent in all elements of the relevant standards; and
- the teacher's achievements and contribution to an educational setting or settings are substantial and sustained.

In this school, this means:

“highly competent”: the teacher's performance is assessed as having excellent depth and breadth of knowledge, skill and understanding of the Teachers' Standards in the particular role they are fulfilling and the context in which they are working.

“substantial”: the teacher's achievements and contribution to the school are significant, not just in raising standards of teaching and learning in their own classroom, or with their own groups of children, but also in making a significant wider contribution to school improvement, which impacts on pupil progress and the effectiveness of staff and colleagues.

“sustained”: the teacher must have had two consecutive successful appraisal reports and have made good progress towards their objectives during this period (see exceptions, eg maternity/sick leave, in the introduction to this section). They will have been expected to have shown that their teaching expertise has grown over the relevant period and is consistently good to outstanding.

Further information, including information on sources of evidence is contained within the school's appraisal policy.

## **4.4 Upper pay range**

### **4.4.1 Pay determinations**

The Upper Pay Range in this school will consist of three points: minimum, mid-point, maximum as set out below:

Minimum: £34868

Mid-point: £36160

Maximum: £37495

The pay committee will determine whether there should be any movement on the Upper Pay Range. In making such a determination, it will take into account:

- the criteria set out in the Document 2014;
- the evidence base, which should show that the teacher has had a successful appraisals during the relevant period and has made good progress towards objectives;
- evidence that the teacher has maintained the criteria ,namely that the teacher is highly competent in all elements of the relevant standards; and that the teacher's achievements and contribution to an educational setting or settings are substantial and sustained. The meaning of these criteria is set out in the section of this policy entitled, “Applications to be paid on the Upper Pay Range”.

Pay progression on the Upper Pay Range will be clearly attributable to the performance of the individual teacher. The pay committee will be able to objectively justify its decisions.

Where it is clear that the evidence shows the teacher has made good progress, ie they continue to maintain the criteria set out above (see „Applications to be Paid on the Upper Pay Range”), and have made good progress towards their objectives, the teacher will move to £35802 on the Upper Pay Range; or if already on the mid-point, will move to the top of the Upper Pay Range.

Where it is clear from the evidence that the teacher's performance is exceptional, in relation to the criteria set out above (see „Applications to be Paid on the Upper Pay Range“), and where the teacher has met or exceeded their objectives, the pay committee will use its flexibility to decide on enhanced progression from the minimum to the maximum of UPR.

Further information, including sources of evidence is contained within the school's appraisal policy.

The pay committee will be advised by the head teacher in making all such decisions.

## **4.5 Unqualified teachers**

### **4.5.1 Pay on appointment**

The pay committee will pay any unqualified teacher in accordance with guidelines in the Document. The pay committee will determine where a newly appointed unqualified teacher will enter the scale, having regard to any qualifications or experience s/he may have, which they consider to be of value. The pay committee will consider whether it wishes to pay an additional allowance.

### **4.5.2 Pay determinations**

In order to progress up the unqualified teacher range, unqualified teachers will need to show that they have made good progress towards their objectives

If the evidence shows that a teacher has exceptional performance, the governing body will award enhanced pay progression of 2 points.

Judgments will be properly rooted in evidence. As unqualified teachers move up the scale, this evidence should show:

- an improvement in teaching skills
- an increasing positive impact on pupil progress
- an increasing impact on wider outcomes for pupils
- improvements in specific elements of practice identified to the teacher
- an increasing contribution to the work of the school
- an increasing impact on the effectiveness of staff and colleagues

Information on sources of evidence is contained within the school's appraisal policy.

The pay committee will be advised by the head teacher in making all such decisions. Pay progression on the unqualified teacher range will be clearly attributable to the performance of the individual teacher. The pay committee will be able to objectively justify its decisions.

## **4.6 Teaching and learning responsibility points**

The pay committee may award a TLR to a classroom teacher in accordance with the section 3 guidance. TLR 1 or 2 will be for clearly defined and sustained additional responsibility in the context of the schools staffing structure for the purpose of ensuring the continued delivery of high quality teaching and learning. All job descriptions will be regularly reviewed and will make clear, if applicable, the responsibility or package of responsibilities for which a TLR is awarded, taking into account the criterion and factors in the guidelines.

The pay committee may award a TLR3 of between £510 and £2550 for clearly time-limited school improvement projects, or one-off externally driven responsibilities. The project/responsibility will be focused on teaching and learning; require the exercise of a teacher's professional skills and judgement and have an impact on the educational progress of pupils other than the teacher's assigned classes or groups of pupils. The governing body will set out in writing to the teacher the duration of the fixed term, and the amount of the award will be paid in monthly instalments. If a TLR3 is awarded to a part-time teacher, the pro rata principle will **not** apply. No safeguarding will apply in relation to an award of a TLR3.

#### **4.7 Special needs allowance**

The pay committee will award an SEN spot value allowance on a range of between £2022 and £3994 to any classroom teacher who meets the criteria .

When deciding on the amount of the allowance to be paid, the governing body will take into account the structure of the school's SEN provision, 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. The governing body will also establish differential values in relation to SEN roles in the school in order to reflect significant differences in the nature and challenge of the work entailed so that the different payment levels can be objectively justified.

#### **4.8 Support staff**

The pay committee notes its powers to determine the pay of support staff in accordance with the School Staffing (England) Regulations 2009 and Chapter 7 of the associated guidance. The pay committee will determine the pay grade of support staff on appointment in accordance with the scale of grades, currently applicable in relation to employment with the West Berkshire council which the pay committee consider appropriate for the post. In reaching its determination, the pay committee will consider the advice of the LA, but will not consider itself bound by that advice. The appeals process is set out in the appendix to this policy.

#### **4.9 Part-time Employees**

**Teachers:** The governing body will apply the provisions of the Document in relation to part-time teachers' pay and working time.

**All staff:** The head and governing body will use its best endeavours to ensure that all part-time employees are treated no less favourably than a full-time comparator.

#### **4.10 Teachers employed on a short-notice basis**

Such teachers will be paid in accordance with the Document guidelines.

### **5. Other Pay Related Awards**

#### **5.1 Residential duties**

The pay committee will take account of agreements reached in the National Joint Council for Teachers in Residential Establishments in determining payments for residential duties.

#### **5.2 Additional payments**

In accordance with the Document, the relevant body may make payments as they see fit to a teacher, including a head teacher 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 teacher and the head teacher or, in the case of the head teacher, between the head teacher and the relevant body;
- additional responsibilities and activities due to, or in respect of, the provisions of services by the head teacher relating to the raising of educational standards to one or more additional schools.

The pay committee will make additional payments to teachers in accordance with the provisions of the Document where advised by the head. Payment will be calculated on a daily basis at 1/195th of the teacher's actual salary.

### **5.3 Recruitment and retention incentive benefits**

The governing body can award lump sum payments, periodic payments, or provide other financial assistance, support or benefits for a recruitment or retention incentive.

The pay committee will consider exercising its powers where they consider it is appropriate to do so in order to recruit or retain relevant staff. It will make clear at the outset, in writing, the expected duration of any such incentive or benefit, and the review date after which they may be withdrawn.

The governing body will, nevertheless, conduct an annual formal review of all such awards. In relation to a head teacher, any „additional payments“ under this section will form part of the 25% limit on the use of all discretions, unless the governing body choose to use the „wholly exceptional circumstances“ discretion. The governing body will not award a recruitment or retention payment where they have taken such reason (recruitment or retention) into account when determining the ISR .

### **5.4 Salary sacrifice arrangements**

Where the employer operates a salary sacrifice arrangement, a teacher may participate in any arrangement and his/her gross salary shall be reduced accordingly.,

### **5.5 Honorariums**

For support staff , Hampstead Norreys follow West Berkshire Council Pay Policy – Guidance for Payment of Additional Payments/Honoraria March 2008 (amended Jan14).

Teachers are rewarded through Performance related pay and additional TLR payments.

Additional hours (to normal contract) are paid at the additional hour rate up to 37.5 hours including INSET days where not part of the normal contract. Overtime (> 37.5hours) paid at standard overtime rate. The exceptions are zero hours contracts (keyholder, caretaker, clerk to governors) currently paid at relief rate.

Generally the type of payment will be “Payment of one-off lump-sum Honorarium” – to reward “sustained period of exceptional achievement or performance, for example on a project or to meet exceptional circumstances”.

When calculating the payment then the consideration will be over what period the achievement was sustained and the upper limit of one third of normal pay for this period should be followed except in truly exceptional circumstances.

## **Appendix 1 Hampstead Norreys Appeal Procedure**

The School Teachers' Pay and Conditions Document ("the Document") requires schools and local authorities to have a pay policy in place that sets out the basis on which teachers' pay is determined and the procedures for handling appeals.

As part of the overall appraisal process, a pay recommendation is made by the appraiser/reviewer (normally the line manager) and discussed with the teacher at the Review Meeting prior to being submitted to the school's Pay Committee or relevant decision-making body. Written details of and the reasons for the pay recommendation will be given to the teacher.

At this particular stage of the pay determination process, if the teacher wishes to better understand the rationale for the pay recommendation or bring any further evidence to the attention of the appraiser/reviewer, they should be given the opportunity to do so before the final pay recommendation is drafted in the appraisal report. The nature of any subsequent appraisal and pay discussion will be informal and therefore representation (on either side) is not necessary nor would it be appropriate. At the conclusion of any further discussion, the pay recommendation may be adjusted or it may remain the same; the appraisal report will be updated to reflect the discussion.

If a teacher believes that the final pay recommendation falls short of their expectations and they wish to seek a further review of the information that affects their pay, they may wish to formally appeal against the decision, utilising the formal Appeal Hearing Procedure. Appeal Hearings against pay decisions must satisfy the dispute resolution requirements of employment law (i.e. Part 4 of the Trade Union and Labour Relations (Consolidation) Act, 1992) and the ACAS Code of Practice.

### **Appeal hearing procedure**

It is the intention that the Appeals Procedure will be dealt with promptly, thoroughly and impartially.

### **Guidance**

- When a teacher feels that a pay decision is incorrect or unjust, they may appeal against that decision, especially when there is new evidence to consider.
- Teachers / Head Teachers should put their appeal in writing to either the Head Teacher or the Governing Body; their appeal should include sufficient details of its basis.
- Appeals should be heard without unreasonable delay and at an agreed date, time and place.
- Employees have a statutory right to be accompanied at any stage of an appeal hearing by a companion who may be either a work colleague or a trade union representative.

### **Appeal Procedure Steps: Informal Stage**

As part of the pay determination process, the line manager ("the recommendation provider") will make a recommendation to the "the decision maker" (the person/s or committee responsible for approving the pay recommendation) supported by relevant assessment evidence. On determining a teacher's pay, "the decision maker" will write to the teacher advising them of the pay decision, the reasons for it and will, at the same time, confirm their right to appeal the decision to "the decision maker".

If the teacher wishes to appeal the decision, they must do so in writing to “the decision maker”, normally within 10 school working days or within a mutually agreed alternative timescale. The appeal must include a statement, in sufficient detail, of the grounds of the appeal. In the event that an initial appeal is raised, “the decision maker” must then arrange to meet the teacher to discuss the appeal. “The recommendation provider” should also be invited to the meeting to clarify the basis for the original recommendation.

“The decision maker” will reconsider the decision in private and write to the teacher to notify them of the outcome of the review and of the teacher’s right of appeal to the Governing Body. If the teacher wishes to exercise their right of appeal, they must write to the Clerk of the Governing Body at the earliest opportunity and normally within 10 school working days, including a statement of the grounds of the appeal and sufficient details of the facts on which they will rely.

This will invoke the Formal Stage of the Appeal Procedure.

### **Appeal Procedure Steps: Formal Stage**

On receipt of the written appeal, the Clerk to the Governing Body will establish an Appeal Committee that should consist of three governors, none of whom are employees in the school or have been previously involved in the relevant pay determination process and convene a meeting of the Appeal Committee at the earliest opportunity and no later than 20 school working days of the date on which the written appeal was received. Both “the recommendation provider” and “the decision maker” will be required to attend the meeting.

The Chair of the Appeal Committee will invite the employee to set out their case. Both “the recommendation maker” and “the decision maker” will also be asked to take the committee through the procedures that were observed in their part of the pay determination process.

Following the conclusion of representations by all relevant parties, the Appeal Committee will then consider all the evidence in private and reach a decision. The Appeal Committee will write to the teacher notifying them of their decision and the reasons for it. Other attendees at the meeting will also be notified of the decision. The decision of the Appeal Committee is final.

### **The Modified Procedure**

There will be no entitlement to invoke the appeal procedure in relation to a pay decision if the teacher has left the employment of the school.

Where a teacher has, whilst employed at the school, lodged an appeal against a pay decision but has then subsequently left the school’s employment before any appeal hearing is held, the following steps will be observed:

1. The teacher must have set out details of their appeal in writing;
2. The teacher must have sent a copy of their appeal to the Chair of the Governing Body;
3. The Chair of the Governing Body will consult with relevant school personnel and provide the teacher with an appropriate written response on behalf of the school.