



**SOLIHULL METROPOLITAN BOROUGH COUNCIL**

# **Pay Policy Guidance Document 2017**

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# Pay Policy Guidance Document

This guidance document is to be read in conjunction with the school's Pay policy document. A link to the extranet site where this document is stored is here:

<https://extranet.solgrid.org.uk/management/staffing/smbcschoolshr/SitePages/Policies%20and%20Supporting%20Documents.aspx>

The following is a link to the 2016 School Teachers Pay and Conditions Document (STPCD):

<https://www.gov.uk/government/publications/school-teachers-pay-and-conditions-2016>

## 1. Overview of the 2016 changes to the STPD.

Changes to the STPCD since the 2014 version are summarised in the 2015 document as follows:

“The main changes to the Document and accompanying guidance since 2014 make provision for the September 2015 pay award. “

**Remit / terms of reference of the pay committee (insert alternative wording if the relevant committee is known by a different title)**

### **INSERT RELEVANT SCHOOL COMMITTEE REMIT / TERMS OF REFERENCE**

#### **Example:**

The Pay Committee will be authorised by the Governing Body to determine all matters relating to pay and related performance of staff to establish a whole school pay policy. This pay policy will be adopted by the Governing Body and will be monitored and reviewed as necessary.

#### **Committee membership**

The Pay Committee will consist of at least 3 governors, elected by the Governing Body. Normally, wherever possible, the Pay Committee will not include any member of staff employed by the Governing Body at the school. The quorum for this committee will be 3 governors.

#### **Committee Remit**

The Pay Committee will have full delegated powers from the Governing Body to take all decisions relating to pay in accordance with the approved school pay policy.

#### **Specifically this will include:**

- (i) Ensuring that the whole school pay policy observes all statutory and contractual obligations, notably including compliance with the School Teachers' Pay and Conditions Document (STPCD), Appraisal Regulations 2012 and Equalities Legislation (as outlined in the Pay Policy).
- (ii) Reviewing the whole school pay policy and making recommendations to the full Governing Body for amendment where necessary.

- (iii) Reviewing the school pay structure on an annual basis to consider the impact of any changes to nationally recommended pay rates and reporting to the Governing Body as appropriate.
- (iv) Ensuring that the policy and performance assessment criteria is applied equitably and consistently for all staff.
- (v) Ensuring that pay decisions are fair and equitable, link with the school appraisal policy and take account of the recommendations of the head teacher and where appropriate other members of the school leadership team.
- (vi) In accordance with the pay policy, determination of appropriate pay for all staff employed in the school, including allowances and temporary recruitment and retention payments where appropriate.
- (vii) Review the school staffing structure specifically in respect to pay relativities of posts in the structure. Maintain an up to date staffing structure as an appendix to the pay policy.
- (viii) Recommend the annual pay budget, including pay progression to the Governing Body.
- (ix) Ensure that external advice is sought where appropriate, particularly in respect of salary matters relating to the head teacher and any proposal to withhold pay progression.
- (x) Ensure accurate and up to date person specifications and job descriptions are maintained in school to inform pay decisions where necessary.
- (xi) To minute clearly the reasons for all pay decisions and report the fact of these decisions to the next meeting of the full Governing Body
- (xii) The Governing Body will ensure that every teacher is provided with an annual summary of their pay in line with the requirements of the STPCD.
- (xiii) Provide an annual report to the full Governing Body summarising pay decisions and issues arising.

## **2. Guidance on basic pay determination on appointment**

All appointments will made in line with the Recruitment Policy adopted by the School.

Payscale for 2016/17 for the following posts are shown in Appendix One in this document:

- Mainscale teachers
- Upper Pay Range teachers
- Unqualified teachers
- Leading Practitioner teachers
- Leadership

## 2.1 Classroom teacher posts

Salary on appointment will be determined in line with **Section 20.1** of the Schools Pay Policy. Where the Governing Body uses its discretion to appoint a teacher on a salary that is less than their current salary, this will be clearly documented and the decision will have been taken as a proportionate means, of achieving a legitimate aim.

Governing Bodies have the discretion to offer a starting salary higher than the current salary where they have opted for the removal of pay portability (SMBC pay policy Point 20.1) where there is business justification for doing so (e.g. securing a high quality candidate) Ideally, the school should be committed to the principle of pay portability and if they adopt this option in their own pay policy, they will apply this principle in practice when making all new appointments.

The Local Authority's position on pay portability (and only for those Schools choosing Option A as their Policy – see section 20.1) is that the only circumstances in which a School would not match an applicant's existing salary are:

- The School advertises a post citing a minimum and maximum based on affordability. The pay range advertised will normally be the full range of either the main pay range (M1 – M6) or the main pay and upper pay ranges combined (M1 – UPR3).
- Such decisions must be based on evidence and satisfy the test of being a proportionate means of achieving a legitimate aim. Those people choosing to apply for a position with a pay range that is lower than their current salary do so on a voluntary basis in the knowledge that this may result in a reduction in pay to the maximum of the range advertised.
- Upper Pay Range (UPR) (formerly known as Upper Pay Spine – UPS) teachers applying for main-scale posts do so knowing they will be placed on the maximum point advertised. This will facilitate movement for UPR teachers wishing to move areas, or wishing to relinquish working to the standards required for UPR for other reasons (e.g. personal, capability, work-life balance)

Teachers on the main pay range will be paid on the six point scale on the Main pay range. Further to the introduction of two pay levels at M6 (provided for in the 2015 STPCD) it is recommended that schools should be working towards a position where all teachers within their School are paid at the same level (within M6)

When determining the starting pay for a classroom teacher taking up their first appointment as a qualified teacher, the Governing Body will pay the teacher on the main pay range and will allocate pay scale points, as a minimum, on the following basis:

- one point for each one year of service as a qualified teacher in a maintained school, academy, city technology college or independent school; or
- one point for each one year of service as a qualified teacher in higher education or further education including sixth form colleges, or in countries outside England and Wales in a school in the maintained sector of the country concerned; or
- one point for each three years of non-teaching experience spent working in a relevant area, including industrial or commercial training, time spent working in an occupation relevant to the teacher's work at the school, and experience with children/young people; or

- one point for each three years of other relevant remunerated or unremunerated experience including caring for children during a career break.

The Governing Body will also consider the allocation of additional scale points on the above basis to other teachers appointed to the main or upper pay ranges.

The Governing Body has discretion under the current STPCD to determine the starting salary of a vacant classroom teacher post. The Governing Body will have determined the criteria to be adopted when setting starting salaries in line with section 20.1 of the Pay Policy

The school will ensure that all appointments to vacant classroom teacher posts are made within the lower limit of the Main pay range and the upper limit of the Upper pay range.

## **2.2 Leading practitioner teacher posts**

The Governing Body has established the a pay scale for leading practitioner teacher posts paid on the leading practitioner pay range – see Appendix One Such posts may be established for teachers whose primary purpose is the modelling and leading improvement of teaching skills, where those duties fall outside the criteria for the TLR payment structure.

When determining the pay scales for such posts, the Governing Body will do this by reference to the weight of the responsibilities of the post and bear in mind the need to ensure pay equality where posts are equally onerous and fair pay relativities between posts of differing levels of responsibility.

## **2.3 Leadership teacher posts (head teacher, deputy and assistant head teachers)**

The following is a reminder of the significant changes to Leadership Pay arising from the 2014 STPCD:

- Arrangements provide increased flexibility for schools to decide how they wish to reward their leadership teams to reflect individual performance and the challenges of the post.
- Schools will need to clarify their approach to making performance-based pay decisions for the leadership group.
- All pay decisions must be made on objective criteria so that there is no discriminatory effect on any group of teachers with a particular protected characteristic under the Equality Act 2010.
- The principles underlying the core provisions on non-pay conditions remain unchanged.
- The pay of those in post will only need to be reviewed when there are significant changes to responsibilities.
- Pupil weighted numbers continue to provide the basis for determining individual pay ranges.

Since 2014 there has been no requirement to have a 7 point range for heads and the 5 point range for deputy and assistant head teachers and the STPCD only refers to the minima and maxima of the leadership pay range. However the Department for Employment continue to suggest that reference points may still be included in line with the previous leadership pay points. There is no requirement however for Schools to adhere to these *although the Pay Policy for this Authority recommends they are retained.*

The Governing Body will pay teachers as deputy or assistant head teachers only where they are satisfied, in the context of the teacher's duties, that the role includes a significant responsibility that is not required of all classroom teachers or TLR holders, and that the role is:

- (a) focused on teaching and learning;
- (b) requires the exercise of a teacher's professional skills and judgment;
- (c) requires the teacher to lead and manage the school through:
  - development of teaching and learning priorities across the school;
  - accountability for the standards of achievement and behaviour of pupils across the school;
  - accountability for the planning and deployment of the school's resources;
  - leading policy development and implementation across the school in accordance with statutory provisions;
  - managing whole school operational activity;
  - working with external bodies and agencies; and
  - securing pupils' access to their educational entitlements.
- (d) has an impact on the educational progress of the school's pupils;
- (e) involves leading, developing and enhancing the teaching practice of school staff;
- (f) includes line management responsibility for a significant number of people and/or the line management of other line managers.

In the case of a deputy head teacher post, the Governing Body must also be satisfied that this significant responsibility features a job weight which exceeds that expected of an assistant head teacher employed in the same school, notwithstanding that from September 2014, an assistant head teacher can now assume responsibility for discharging in full the responsibilities of the head in the absence of the head teacher.

APPENDIX ONE contains guidance on a three stage process to determining leadership pay following the changes to this aspect of STPCD from September 14. This includes guidance on setting a pay range above the range determined by calculating the School group.

## **2.4 TLR allowances**

The Governing Body pays TLR1 and TLR2 payments to teachers, as indicated in the staffing structure, in accordance with the pay ranges specified in the 2016 STPCD, as updated from time-to-time and the following levels and values will apply:

### **TLR 1:**

*[insert the school's pay range and pay points for any TLR1 posts] \*currently in the School Teacher Pay and Conditions Document with effect from 1/9/16 a TLR 1 has £7,622 as a minimum and £12,898 as a maximum value.*

### **TLR 2:**

*[insert the school's pay range and pay points for any TLR2 posts] \*currently in the School Teacher Pay and Conditions Document with effect from 1/9/16 a TLR 2 has £2,640 as a minimum and £6,450 as a maximum value.*

### **TLR3:**

*\*currently in the School Teacher Pay and Conditions Document with effect from 1/9/16 a TLR 3 has £523 as a minimum and £2603 as a maximum value.*

*Clear criteria for the award, level and duration of time limited TLR3 payments will be set out. TLR3 payments should not be used for recruitment and retention purposes.*

Before awarding any TLR 1 or 2 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:

- (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 teacher's assigned classes or groups of pupils; and
- (e) involves leading, developing and enhancing the teaching practice of other staff.

In addition, before awarding a TLR1, the Governing Body must be satisfied that the significant responsibility referred to in paragraph 25.2 includes line management responsibility for a significant number of people.

Teachers will not be expected to undertake permanent additional responsibilities without payment of a permanent TLR1 or TLR2 payment.

**Section 25** of the SMBC pay policy sets out the circumstances in which a TLR 3 may be awarded.

### **3. Pay Progression Criteria Examples**

3.1 In this school pay decisions will be based on achievement of performance management targets/objectives. When agreeing these targets/objectives head teachers will have due regard to:

- a. Quality of teaching
- b. Pupil progress - where teachers use relevant ,appropriate strategies to enable pupils to make the levels of progress agreed through target setting.
- c. The relevant teacher standards (**see Appendix Three of this document**)
- d. Whole school contribution – e.g. mentoring/supporting colleagues, leading whole school initiatives
- e. *[you may want to include other criteria e.g. behaviour for learning]*

Performance management objectives to be included in appraisal documentation will be developed to focus on these areas. The minimum expectation to achieve pay progression is:

- Consistently good teaching evidenced throughout the year
- Evidence of relevant, appropriate strategies used to enable expected pupil progress
- That the relevant teacher standards are being met

NB: The Teachers' Standards are not to be used as a checklist for appraisal or performance management. In the context of appraisal undertaken as a positive and supportive process of professional dialogue and evaluation of practice, these standards can be used to support the identification of objectives in the appraisal cycle.

Additional progression will be considered for those teachers who demonstrate:



- Consistently outstanding teaching.
- Progress targets exceeded in the majority of groups or pupils.
- Successful leadership of a whole school initiative where impact can be evidenced.

Where there are concerns in relation to a teacher's performance the appraisal policy (and where appropriate capability policy) will be followed.

3.2

<b>Performance Level</b>	<b>Description</b>	<b>Increase</b>
<b>Exceptional</b>	All objectives exceeded. Meets relevant standards. consistently outstanding teaching. Excellent pupil progress. Makes a valued contribution to a whole school initiative	2 increments up to and not exceeding the maximum point
<b>Good</b>	All objectives met. Meets relevant teacher standards. Consistently good teaching. Good pupil progress evidenced	1 increment up to and not exceeding the maximum point.
<b>Requires Improvement</b>	Some concern about either: achievement of objectives, teacher standards or pupil progress	Possibility of no increase (refer to Pay Policy section 20.2.6) and support through appraisal and ongoing performance management to improve performance (Appraisal Policy)
<b>Poor Performance (Inadequate)</b>	Continued or significant concerns	Move to appropriate policy to address (Appraisal or Capability policy)

### **3.3 Applications to be paid on the upper pay range**

Teachers who apply to move to the Upper Pay Range will be awarded progression to that range having regard to the most recent performance management /appraisal review. The review will be deemed to be successful unless concerns about standards of performance have been raised in writing with the teacher during the annual performance management/appraisal cycle and have not been addressed through support provided by the school by the conclusion of that process.

Teachers applying to move to the Upper Pay Range will be able to demonstrate that their performance meets the definitions of of "highly competent", "substantial" and "sustained. In this School these definitions are:

**"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. 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 own teaching practices.

**“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 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 in this school and have made good progress towards their objectives during this period (see exceptions in the introduction to this section).

A model assessment form for considering applications to be paid on the UPR is contained within the Teacher Appraisal Guidance Document (appendix 9)

### **3.4 Pay Progression on the Upper Pay Range**

Teachers on the Upper Pay Range will be paid on the three-point scale on the Upper Pay Range.

Teachers will be awarded pay progression annually of at least one point on the Upper Pay Range following a successful performance management/appraisal review.

**For 3.3 and 3.4 Please refer to Appendix Six:**

### **GUIDANCE ON HANDLING APPLICATIONS FOR AND MOVEMENT UP THE UPPER PAY RANGE [UPR]**

## APPENDIX ONE: Revised Pay Scales 2016

### Main pay range

	Pay Point
1	22,467
2	24,243
3	26,192
4	28,207
5	30,430
6	32,835 *a) 33,160

**\*Note that there are two pay levels at M6:**

**6) represents a 1% scale uplift from 1.9.15 and 1% uplift from 1.9.16**

**6a) represents a 2% scale uplift from 1.9.15 and 1% uplift from 1.9.16**

**Individual Schools/Academies will determine which level to apply to teachers on M5, progressing through to M6 and those teachers remaining on M6 in this academic year. Advice on this can be sought from your HR Provider or Trade Union.**

### Upper pay range

	Pay Point
1	35,571
2	36,889
3	38,250

### Unqualified teacher pay range

	Pay Point
1	16,461
2	18,376
3	20,289
4	22,204
5	24,120
6	26,034

### Leadership group pay range

	Pay Point
1	38,984
2	39,960
3	40,958
4	41,978
5	43,023
6	44,102
7	45,290
8	46,335
9	47,492
10	48,711
11	49,976
12	51,127
13	52,405
14	53,712
15	55,049
16	56,511
17	57,810

18 <sup>1</sup>	58,677
18*	59,264
19	60,733
20	62,240
21 <sup>2</sup>	63,147
21*	63,779
22	65,363
23	66,982
24 <sup>3</sup>	67,963
24*	68,643
25	70,349
26	72,089
27 <sup>4</sup>	73,144
27*	73,876
28	75,708
29	77,583
30	79,514
31 <sup>5</sup>	80,671
31*	81,478
32	83,503
33	85,579
34	87,694
35 <sup>6</sup>	88,984
35*	89,874
36	92,099
37	94,389
38	96,724
39 <sup>7</sup>	98,100
39*	99,081
40	101,554
41	104,091
42	106,699

43 <sup>8</sup>	108,283
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Notes:

1 - scale point to be used only by schools in group 1 where it is the maximum value of the head teacher group range for the school

2-8 - scale point to be used only by schools in groups 2 to 8 respectively where it is the maximum value of the head teacher group range for the school

\* - scale points to be used unless the above applies

**Leading Practitioner Pay Range**

	Pay Point
Minimum	38,984
Maximum	59,264

Note: the minimum of the Leading Practitioners range equates to the minimum of the Leadership Range and the maximum equates to Leadership Range point 18. Schools wishing to use pay points within the leading Practitioners range might therefore decide to use values equal to Leadership points 1 to 18.

## Appendix Two: New leadership appointments – the three-stage process

You should adopt the following three-stage process when setting the pay for **new appointments** to headship or the wider leadership team.

There is no need to reassess the pay or allowances of existing head teachers or leadership teams in September 2015. This includes those who were appointed to a leadership post prior to 1 September 2015 but who will not take up post until on or after that date. The pay of those in post will only need to be reviewed when there are **significant** changes to responsibilities.

The three-stage process offers governing bodies substantial flexibility to set pay at the level needed to attract head teachers and other members of the leadership team by systematically considering the circumstances of the role before advertising the post.

The three stages are:

Stage 1 – Defining the role and determining the head teacher group

Stage 2 – Setting the indicative pay range

Stage 3 – Deciding the starting salary and individual pay range

You should ensure that all decisions and the reasons for them are well documented at every stage. All pay decisions must be made on objective criteria so that there is no discriminatory effect on any group of teachers with a particular protected characteristic under the Equality Act 2010.

### Stage 1 – Defining the role and determining the head teacher group

You should use this stage to define the job and identify the broad pay range as a provisional guide to determining an appropriate level of pay.

You will need to define and set out the specific role, **responsibilities and accountabilities** of the post as well as the **skills and relevant competences** required.

### Stage 2 – Setting the indicative pay range

At this stage you will need to consider the complexity and challenge of the role in the particular context of the school and make a judgement on pay in the light of this.

You should note that current discretionary payments, such as allowances for recruitment and retention, permanent additional responsibilities (e.g. the provision of initial teacher training (ITT)), and long-term provision to other schools, should be captured at this stage.

For head teacher posts it is expected that normally you will conclude that the total unit score fully captures the complexity of the head teacher role and that the relevant broad pay range accommodates appropriate levels of reward. You will wish to consider whether the indicative pay range should start at the minimum of the head

teacher group or whether you wish it to start at a higher level because of the level of challenge of the post.

There may, however, be circumstances in which there are additional factors that suggest the indicative pay range should be higher than would be provided by the basic calculation in stage 1. The following represent some examples of the additional factors that you may wish to consider, but these are for *guidance only and are not intended to provide an exhaustive list*.

- **the context and challenge arising from pupils needs** e.g. if there is a high level of deprivation in the community (Free School Meal (FSM) entitlement and/or English as an Additional Language indicators may be relevant) or there are high numbers of looked after children or children with special needs or there is a high level of in-year churn/pupil mobility, and this affects the challenge in relation to improving outcomes;
- **a high degree of complexity and challenge** e.g. accountability for multiple schools or managing across several dispersed sites, which goes significantly beyond that expected of any head teacher of similar-sized school(s) and is not already reflected in the total unit score used at stage 1;
- **additional accountability not reflected in stage 1** e.g. leading a teaching school alliance;

factors that may impede the school's ability to attract a field of appropriately qualified and experienced leadership candidates, e.g. location; specialism; level of support from the wider leadership team.

If you consider that circumstances warrant it, you can set the indicative pay range with a **maximum of up to 25%** above the top of the relevant head teacher group range. Above that limit, external independent advice must be sought and, should the advice suggest additional payment is appropriate, a business case must be made and agreed by the full governing body.

You should ensure that no **double counting** takes place, e.g. of things taken account of in stage 1, such as responsibility for an additional school already reflected in the total unit score; or from using overlapping indicators, such as FSM and the pupil premium.

You **should not** increase base pay nor pay an additional allowance for regular local collaboration which is part of the role of all headteachers.

For other leadership roles the process is broadly the same. You will wish to consider how the other leadership roles should be set in accordance with the level set for the head teacher and ensure that there is sufficient scope for progression.

At the end of this stage you should decide where in the broad range to position the indicative pay range and set this out clearly when you advertise the job. You should make an **overall judgement** on the position and breadth of range, allowing appropriate scope for performance-related progression over time, clearly linked to school improvement priorities and outcomes.

There should be a clear audit trail for all decisions made and the reasoning behind them.



### **Stage 3 – Deciding the starting salary and individual pay range**

The first two stages provide the means for determining the appropriate pay range. The third stage is essentially about deciding on the starting salary for the individual who is to be offered the post.

At this stage you will have a preferred candidate for the role and will wish to set the starting salary in the light of candidate-specific factors, such as the extent to which the candidate meets the specific requirements of the post.

It will be important for you to ensure that there is scope for performance-related progression over time.

### **Establishing a pay range above the school's head teacher group**

The expectation is that in most cases the pay range will be within the limits of the head teacher group. However, in some cases, e.g. where there may be significant difficulty in making an appointment or there is a need to incentivise a head to take on

responsibility for a very large school or to lead multiple large schools, it may be appropriate to consider extending the individual pay range.

The governing body can in such cases decide that the maximum of the pay range may be above the maximum of the head teacher group, **up to** an additional 25%.

It should be wholly exceptional for the maximum of the pay range to be more than an additional 25% higher than the maximum of the head teacher group. If it is considered that there are exceptional circumstances that warrant an extension beyond that limit, a business case would be required. You would need to seek external independent advice from an appropriate person or body who can consider whether it is justifiable to exceed the limit in a particular case. There must be a clear audit trail for any advice given and a full and accurate record of all decisions made and the reasoning behind them.

# Appendix Three Teachers' Standards (England)

Extract from School Teachers' Pay & Conditions Document 2015

## INTRODUCTION

The Teachers' Standards (England) and Practising Teacher Standards (Wales) are presented in this document as they underpin the assessment process for accessing the upper pay range.

## TEACHERS' STANDARDS (ENGLAND)

### PRE-AMBLE

Teachers make the education of their pupils their first concern, and are accountable for achieving the highest possible standards in work and conduct. Teachers act with honesty and integrity; have strong subject knowledge, keep their knowledge and skills as teachers up-to-date and are self-critical; forge positive professional relationships; and work with parents in the best interests of their pupils.

### PART ONE: TEACHING

#### A teacher must

1. **Set high expectations which inspire, motivate and challenge pupils:**
  - establish a safe and stimulating environment for pupils, rooted in mutual respect;
  - set goals that stretch and challenge pupils of all backgrounds, abilities and dispositions ;
  - demonstrate consistently the positive attitudes, values and behaviour which are expected of pupils.
2. **Promote good progress and outcomes by pupils:**
  - be accountable for pupils' attainment, progress and outcomes;
  - be aware of pupils' capabilities and their prior knowledge, and plan teaching to build on these;
  - guide pupils to reflect on the progress they have made and their emerging needs;
  - demonstrate knowledge and understanding of how pupils learn and how this impacts on teaching;
  - encourage pupils to take a responsible and conscientious attitude to their own work and study.
3. **Demonstrate good subject and curriculum knowledge:**
  - have a secure knowledge of the relevant subject(s) and curriculum areas, foster and maintain pupils' interest in the subject, and address misunderstandings;
  - demonstrate a critical understanding of developments in the subject and curriculum areas, and promote the value of scholarship;
  - demonstrate an understanding of and take responsibility for promoting high standards of literacy, articulacy and the correct use of standard English, whatever the Teacher's specialist subject;

- if teaching early reading, demonstrate a clear understanding of systematic synthetic phonics;
  - if teaching early mathematics, demonstrate a clear understanding of appropriate teaching strategies.
- 4. Plan and Teach Well-Structured Lessons:**
- impart knowledge and develop understanding through effective use of lesson time;
  - promote a love of learning and children's intellectual curiosity;
  - set homework and plan other out-of-class activities to consolidate and extend the knowledge and understanding pupils have acquired;
  - reflect systematically on the effectiveness of lessons and approaches to teaching;
  - contribute to the design and provision of an engaging curriculum within the relevant subject area(s).
- 5. Adapt Teaching to Respond to the Strengths and Needs of All Pupils:**
- know when and how to differentiate appropriately, using approaches which enable pupils to be taught effectively;
  - have a secure understanding of how a range of factors can inhibit pupils' ability to learn, and how best to overcome these ;
  - demonstrate an awareness of the physical, social and intellectual development of children, and know how to adapt teaching to support pupils' education at different stages of development;
  - have a clear understanding of the needs of all pupils, including those with special educational needs; those of high ability; those with English as an additional language; those with disabilities; and be able to use and evaluate distinctive teaching approaches to engage and support them.
- 6. Make Accurate and Productive Use of Assessment:**
- know and understand how to assess the relevant subject and curriculum areas, including statutory assessment requirements;
  - make use of formative and summative assessment to secure pupils' progress;
  - use relevant data to monitor progress, set targets, and plan subsequent lessons;
  - give pupils regular feedback, both orally and through accurate marking, and encourage pupils to respond to the feedback.
- 7. Manage Behaviour Effectively to Ensure a Good and Safe Learning Environment**
- have clear rules and routines for behaviour in classrooms, and take responsibility for promoting good and courteous behaviour both in classrooms and around the school, in accordance with the school's behaviour policy ;
  - have high expectations of behaviour, and establish a framework for discipline with a range of strategies, using praise and sanctions;
  - rewards consistently and fairly;
  - manage classes effectively, using approaches which are appropriate to pupils' needs in order to involve and motivate them ;
  - maintain good relationships with pupils, exercise appropriate authority, and act decisively when necessary.
- 8. Fulfill Wider Professional Responsibilities:**
- make a positive contribution to the wider life and ethos of the school;
  - develop effective professional relationships with colleagues, knowing how and when to draw on advice and specialist support;
  - deploy support staff effectively;

- take responsibility for improving teaching through appropriate professional development, responding to advice and feedback from colleagues;
- communicate effectively with parents with regard to pupils' achievements and well-being.

## **PART TWO: PERSONAL AND PROFESSIONAL CONDUCT**

A Teacher is expected to demonstrate consistently high standards of personal and professional conduct. The following statements define the behaviour and attitudes which set the required standard for conduct throughout a Teacher's career.

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by:
    - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a Teacher's professional position;
    - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions;
    - showing tolerance of and respect for the rights of others;
    - not undermining fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs;
    - ensuring that personal beliefs are not expressed in ways which exploit pupils' vulnerability or might lead them to break the law.
  - Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards in their own attendance and punctuality.
  - Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.
-

## Appendix Four : CONFIDENTIAL – TEMPLATE FOR ASSESSMENT OF MAINSCALE TEACHER'S PAY (1.9.20\_\_)

Name of Teacher: \_\_\_\_\_

Year/Department: \_\_\_\_\_

Agreed Performance Management Objectives:

(space to set out whether the objective is MET, PROGRESS TOWARDS OR NOT MET)

1.

2.

3.

### RECOMMENDATION OF REVIEWER

I confirm that

Either

- has made significant progress towards meeting objectives
- are assessed as meeting the *relevant Teachers' Standards and*
- Teaching should over an appropriate period of time have demonstrated the use of relevant ,appropriate strategies which has enabled most pupils, to have made good progressand most groups of pupils to have made good progress

Or

- has met all objectives
- are assessed as fully meeting the *relevant Teachers' Standards and*
- Teaching should over an appropriate period of time have demonstrated the use of relevant, appropriate strategies which has enabled most pupils, to have made good progress, and most groups of pupils to have made good progress

*In the case of exceptional performance:*

- *exceeded all objectives*
- *are assessed as fully meeting the relevant Teachers' Standards and*
- Teaching should, over an appropriate period of time have demonstrated the use of relevant, appropriate strategies which has enabled almost all pupils, including groups of pupils to have made rapid and sustained progress.

This judgement has been made with regard to the results of the most recent appraisals.

1. I recommend salary progression on the Main Pay Range

Or

2. I do not recommend salary progression on the Main Pay Range for the following reasons

Signed: .....  
(Reviewer)

Date: .....

**RECOMMENDATION OF HEAD TEACHER TO PAY COMMITTEE**

1. I support the recommendation of the Reviewer

*or*

2. I do not support the recommendation of the Reviewer for the following reasons:

Signed: .....  
(Head Teacher)

Date: .....

**CONFIDENTIAL – TEMPLATE FOR ASSESSMENT OF REQUEST TO ACCESS THE UPPER PAY RANGE (1.9.20\_\_)**

**Name of Teacher:** \_\_\_\_\_

**Year/Department:** \_\_\_\_\_

**Agreed Performance Management Objectives:**

**(space to set out whether the objective is MET, PROGRESS TOWARDS OR NOT MET)**

- 1.
- 2.
- 3.

**RECOMMENDATION OF REVIEWER**

I confirm that [ENTER NAME OF TEACHER] has had two successful consecutive performance management reviews or appraisals. These successful performance management reviews or appraisals have ensured that the achievements and contribution of the Teacher have been substantial and sustained by assessing that the Teacher has continued to meet the required standards and grown professionally by developing their teaching experience. This judgement has been made with regard to the results of the most recent appraisals or reviews.

1. **His/her contribution to the school has been substantial and sustained and I recommend for post-threshold salary progression**

**OR**

2. **His/her contribution to the school does not fulfil some or all of the criteria for progression to the upper pay range (i.e. the requirement to be ‘highly competent’, ‘substantial’ and ‘sustained’) and I therefore do not recommend the teacher for post-threshold salary progression. The reasons are outlined below:**

**Signed:** .....  
**(reviewer)**

**Date:** .....

**RECOMMENDATION OF HEAD TEACHER TO PAY COMMITTEE**

1. I support the recommendation of the Reviewer

OR

2. I do not support the recommendation of the Reviewer for the following reasons:

Signed: .....  
(head teacher)

Date: .....



**CONFIDENTIAL – TEMPLATE FOR SALARY PROGRESSION ON THE UPPER PAY RANGE (1.9.20\_\_)**

**Name of Teacher:** .....

**Year/Department:** .....

**Agreed Performance Management Objectives:**

**(space to set out whether the objective is MET, PROGRESS TOWARDS OR NOT MET)**

- 1.
- 2.
- 3.

**RECOMMENDATION OF REVIEWER**

I confirm that [ENTER NAME OF TEACHER]

- has had a successful appraisal and has met or made significant progress towards objectives (in relation to the two most recent appraisals), and
- is highly competent in all elements of the relevant Teacher Standards, and
- that the teacher’s achievements and contribution to the school are substantial and sustained. The meaning of these criteria is set out in the section 21.3 of the School’s Pay Policy, “The Assessment”.

This judgement has been made with regard to the results of the most recent appraisals or reviews.

1. I recommend salary progression on the Upper Pay Range

or

2. I do not recommend salary progression on the Upper Pay Range for the following reasons:

**Signed:** .....

**(Reviewer)**

**Date:** .....

**RECOMMENDATION OF HEAD TEACHER TO PAY COMMITTEE**

1. I support the recommendation of the Reviewer

*or*

2. I do not support the recommendation of the Reviewer for the following reasons:

Signed: .....  
(Head Teacher)

Date: .....

## Appendix Five

### **Managing Appeals against Pay Determination**

Teachers have the right to raise formal appeals against pay determinations if, for example, they believe that the person or committee by whom the decision was made:

- (a) incorrectly applied the school's pay policy
- (b) incorrectly applied any provision of the STPCD
- (c) failed to have proper regard to statutory guidance
- (d) failed to take proper account of relevant evidence
- (e) took account of irrelevant or inaccurate evidence
- (f) was biased or
- (g) unlawfully discriminated against the teacher.

Whilst the majority of appeals are likely to be based on pay recommendations, this process may also be adapted to hear appeals against performance management outcomes where these are not linked to pay.

As an example a teacher may be dissatisfied with their performance management outcome, but not be eligible for a pay increase (e.g. they may be at the top of their scale). This satisfies the requirement (in line with the Appraisal Policy) that a teacher may appeal against any entry in their performance management statement.

#### **Support for school leaders and governors**

It is important that school leaders and governors are well supported in managing pay and appeals processes. It is recommended that governing bodies seek Human Resource (HR) advice to guide them in exercising their judgement and reinforces the need for minuted, auditable decisions on pay and appeals processes.

HR advice should be available if needed during any formal hearings, or as soon afterwards as is reasonably practicable, and before any decision is confirmed. The HR provider should be familiar with the duties placed on schools by the Equality Act 2010, the ACAS Code of Practice and relevant case law concerning pay grievances and equal pay claims.

Schools should ensure that an appeals procedure is in place before any pay determinations are made. The adoption of an appeals procedure after a pay appeal has already been lodged could leave schools open to legal challenge.

An appeals policy should have clear timescales which are reasonable in all circumstances, make allowances for school holidays, but allow appeals to be expedited in good time.

#### **Example of a pay appeals procedure**

What follows is intended as a recommendation as there is no statutory process for schools to follow in terms of hearing pay appeals.

A key aspect of the process is the opportunity for a teacher to discuss a pay recommendation prior to it being confirmed by the governing body. This stage in the process will help to ensure that pay decisions and pay policies are seen as transparent and fair.

### Stage one – (informal resolution)

The opportunity to discuss a pay decision informally before it is made may also mitigate the need for the more formal stages two and three.

A teacher who is dissatisfied with a proposed pay recommendation has the opportunity to have an informal discussion with the appraiser or Headteacher before the recommendation is actioned and confirmation of the pay decision is made in writing by the school.

The individual should be informed in writing of when it is intended that the written pay decision is to be communicated so they can exercise their rights under Stage Two in a timely manner.

### Stage two – (representation to pay committee)

If the teacher believes that an incorrect recommendation is being made they he/she may make representation to the person (or governors' committee) making the decision **within 10 working days** of receiving that decision.

To start the process the teacher should submit a formal written statement to the person (or governors' committee) making the determination, setting down in writing the grounds for not agreeing with the pay recommendation.

The teacher is given the opportunity to make representations, including presenting evidence, calling witnesses and the opportunity to ask questions, at a formal meeting with the person (or governors' committee) who will make the pay determination.

This meeting should normally take place within 10 working days of receipt of the formal written statement.

Following this meeting the person (or governors' committee) will make a pay determination that will be communicated to the teacher in writing. This will be within five working days.

### Stage three (formal appeal panel)

Should the teacher not agree with the pay determination at Stage two, the teacher may appeal the decision in writing (within ten working days) and have an appeal hearing before an appeals panel of (normally) three governors. The appeal panel should be convened normally within ten working days of receipt of notification.

In this hearing both the teacher 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 of either party.

When all evidence has been presented,, the panel must reach a decision, which it will relay to the teacher in writing. This will include their rationale for reaching the decision, the fact that the decision is final.and, (as set out in Section 3, paragraph 6 of the STPCD 2015), there is no recourse to the general staff grievance procedure.

### Representation at meetings/hearings

There is the right to be accompanied by a Trade Union official or work colleague at Stages two and three of this procedure.

### **Appeals hearing panels**

It is recommended that the panel which hears pay appeals should normally comprise three governors who were not involved in previous discussions regarding the teacher's pay determination. If any panel members have had previous involvement this compromises their ability to be impartial.

Governors serving on an appeals panel should be familiar with the school's pay and appraisal policies.

To ensure that appeals are properly considered, governing bodies should consider any training needs their members have, including in duties placed on the school by the Equality Act 2010 and the ACAS Code of Practice (Disciplinary and Grievance Procedures).

Teachers making representation at stage two and making an appeal at stage three may be accompanied by a colleague or representative from a professional organisation or trade union.

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

### **Pay Panel Hearing Procedure**

The following is a suggested format for the conduct of formal hearings:

- Chair introduces all parties, what their role is, and then outlines how the hearing will be structured

#### **The employee case**

- The employee or their representative presents the employee's 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**

- The management representative presents their case, providing any supporting evidence and any witnesses.
- Employee or their representative have 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. The Chair will then end the hearing, advising the employee that they will receive the panel's decision in writing within 5 working days.

#### **Decision-making**

- Panel meet to reach their decision (if not made on the day of the hearing).
- Panel obtains HR advice if required to inform their decision-making.

Communication of decision

- Employee is notified within 5 working days of the decision and rationale, in writing.

**Pay Policy 2015/2016 – Flowchart for Appeals Procedure**

**STAGE ONE**

1. Informal discussion with appraiser/Head teacher prior to written communication of the proposed pay decision.
2. Teacher is informed of when the proposed pay decision is due to be communicated in writing .

**STAGE TWO**

1. Teacher makes written representation to person/committee (within 10 days of notification of pay decision).
2. Meeting is convened (within 10 days of receipt of representation)
3. Outcome of meeting is communicated in writing (within 5 days of the meeting)

**STAGE THREE**

1. Teacher appeals outcome of Stage Two in writing (within 10 days of receipt of decision).
2. Appeal hearing is held with panel of Governors (within 20 days).
3. Decision of panel is communicated in writing (within 5 days of hearing).
4. Appeal decision is final stage (internally).

## Appendix Six:

### **GUIDANCE ON HANDLING APPLICATIONS FOR AND MOVEMENT UP THE UPPER PAY RANGE [UPR]**

Teachers should be aware that being on the Upper Pay Range (UPR) is an important career step which requires a formal application as part of the process.

The School's policy on Appraisal (and associated Guidance) are mentioned in this Pay Policy guidance document with associated links to the relevant documents.

Teachers should be aware that the current provisions in the STPCD do not provide for reversing progression onto the UPR back to the main scale and therefore must be confident in their application that they not only meet the criteria set out but are capable of maintaining that performance.

Headteachers, line managers and governors should be aware that moving to the UPR is not about increasing workload or about taking on whole school responsibility for specific areas. It is about the ability of the teacher to function at a high level in their own classroom and to have a wider influence on the performance of other teachers.

This could happen quite naturally around teamwork structures in a school. Sometimes additional opportunities may have to be created e.g. peer support.

UPR is good for teachers as it provides career progression and motivation for continuous improvement, and it is good for schools as the contribution of those teachers supports school outcomes. It should be part of creating ambition for the individual teacher and for the school in improving outcomes for pupils.

Budget limitations are not a valid reason for withholding advancement to UPR as it is the statutory right (in line with STPCD) of a teacher whose performance is in line with requirements for UPR progression.

There is an application process for UPR. The STPCD does not describe what this should look like and it is for Schools to set this out in their Pay Policy. The STPCD stipulates that the deadline for applications must be made clear in the Pay Policy. It is for schools to determine the application process, but they should make sure that the process is not overly onerous in terms of providing evidence and completing forms. A balance needs to be struck between having sufficient robust evidence and creating workload. Much of the evidence will have been gathered during performance management (including previous years if appropriate). Schools should consider how applicants for UPR can summarise their progress within the performance management process.

Both teachers and line managers should be aware of the issue of 'double counting.' Some applicants may have other additional payments e.g. TLR for subject or phase responsibilities. Contributions linked to the job descriptions for these additional payments cannot count towards evidence of eligibility for UPR

The responsibility for developing performance management plans should be equally shared between the appraiser and the teacher.

The Pay Policy Guidance document states "Teachers who apply to move to the Upper Pay Range will be awarded progression to that range having regard to the most recent

performance management /appraisal review. The review will be deemed to be successful unless concerns about standards of performance have been raised in writing with the teacher during the annual performance management/appraisal cycle and have not been addressed through support provided by the school by the conclusion of that process. Teachers applying to move to the Upper Pay Range will be able to demonstrate that their performance meets the definitions of 'highly competent', 'substantial' and 'sustained'.

In this School we define these as set out in 3.4 of this Policy Guidance Document.

Once the application has been considered there may be three possible outcomes:

1. It is rejected in which case the reasons should be explained to the teacher in relation to appraisal and the criteria for UPR. There should be clear communication about how the applicant needs to improve to meet their appraisal objectives and the criteria and how they could be supported.
2. It is successful.
3. Further evidence is required. Again the process by which additional evidence is provided should be clear, simple and not overly onerous.

A template form for assessing applications is appended to this Policy Guidance Document.

### **Progression on UPR**

A teacher on UPR is entitled to be considered for progression in each performance management cycle. The performance management process is critical to this progression. Appraisers and teachers must work together to make sure the appraisal objectives are in line with the expectations of a UPR teacher. This should be a joint responsibility and headteachers should have a moderation process in place to ensure expectations are consistent and manageable from a resources and workload perspective.

All schools should have an interim review process in place during the performance management cycle (in line with the Teachers Appraisal Policy) and any difficulties should be addressed at that point, to create opportunity for improvement, and not at the end of the cycle. Appraisers and teachers should be equal partners in that process and take equal responsibility. If the teacher cannot address this with their appraiser they should refer the problem to the headteacher. The aim should be no surprises at the salary review stage.



## **Appendix Seven: Further Sources of Information**

### **Appraisal**

Appraisal arrangements in England from September 2012:

- <http://www.education.gov.uk/schools/leadership/deployingstaff/b00201884/new-arrangements>

### **Standards**

The Teachers' Standards (which apply in England) and Practising Teacher Standards (which apply in Wales) can be found in Annex 1 of the STPCD 2015. More information is available at:

- <http://www.education.gov.uk/schools/teachingandlearning/reviewofstandards/a00205581/Teachers-standards1-sep-2012>.

### **Equalities Issues**

Advice on the Equalities Act 2010

- <http://www.equalityhumanrights.com/advice-and-guidance/new-equality-act-guidance/equality-act-guidance-downloads/>
- <http://www.education.gov.uk/aboutdfe/advice/f00215460/equality-act-2010-departmental-advice>

### **Ofsted expectations**

<https://www.gov.uk/government/publications/school-inspection-handbook-from-september-2015>