



Wyvern Academy

A company limited by guarantee, registered in England and Wales. No 8123602

Pay Policy - Teachers

Review of Policy: Autumn 2018

Members of staff responsible: F&BM, Deputy Head & Head Teacher

Policy History: Amendment Ratified

Description of Policy Formation and Consultation Process

People involved: Head Teacher
Finance and Business Manager / Clerk to the TB
Finance and Resources Committee
FTB

Date: 21st December 2018

Date for Review: Autumn Term 2019

Wyvern Academy Pay Policy for Academy Based Teaching Employees

1 September 2018 to 31 August 2019

1 INTRODUCTION

- 1.1 The aim of establishing a pay policy is to ensure fair and equitable treatment for all teachers in the Academy. The policy also provides a mechanism for teachers to appeal against any decision taken in respect of their pay.
- 1.2 The statutory pay arrangements for teachers give significant discretion to the Board of Trustees to make pay decisions. This includes pay progression which is not automatic and which will depend on the outcome of appraisal. When taking decisions regarding pay, the Academy will have regard to both the pay policy and to the teacher's particular post within the staffing structure of the Academy. (A copy of the Academy's staffing is available.)
- 1.5 This policy has been consulted upon locally with the recognised Trade Unions.

2 SCOPE

- 2.1 This policy applies to all teaching employees in Wyvern Academy. It applies the framework recommended to Governing Bodies by the Local Authority and covers all key areas of pay determination that the Academy / Board of Trustees need to consider.
- 2.3 The arrangements for determining pay in respect of Academy based nonteaching employees are outlined in the Academy's 'Pay Policy for Academy Based Non-Teaching Employees'.

3 POLICY STATEMENT

- 3.1 All decisions relating to pay determination shall be taken in compliance with the STPCD.
- 3.2 The Board of Trustees will comply with relevant employment legislation: Employment Relations Act 1999, Part-Time Worker (Prevention of Less Favourable Treatment) Regulations 2000, Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002 and the Equality Act 2010.
- 3.3 The Academy will take decisions about pay in respect of all teachers, in a fair, transparent and equitable manner.
- 3.4 The Academy will review its policy each year and consult with staff and Trade Unions, as appropriate, to ensure that the policy reflects the latest statutory position as determined by the STPCD.
- 3.5 This policy includes advice received from the Local Authority HR Provider on amendments that may need to be made to the recommended Academy's pay policy to ensure that the policy reflects the latest statutory position, as determined by the STPCD and other legislation, as appropriate.

4 PAY REVIEWS

- 4.1 Pay reviews may take place at other times of the year (i.e. other than 1 September) to reflect changes in circumstances or job description that lead to a change in the basis for calculating an individual's pay.
- 4.2 A written pay statement will be given no later than one month after the determination, and where applicable, will give information about the basis on which the determination was made.
- 4.3 Where a pay determination leads, or may lead, to the start of a period of safeguarding, the Board of Trustees will give the required notification as soon as possible and no later than one month after the date of the determination.

Pay Determinations

- 4.4 The Board of Trustees will establish a committee to make determinations of pay in accordance with the pay policy and the STPCD. (This may be a delegated responsibility of the Academy's existing staffing committee.)¹ The committee has fully delegated powers and shall be established in accordance with the appropriate Academy governance regulations.²
- 4.5 The Academy has delegated the responsibility for making pay determinations to the Head Teacher. The Head Teacher will make determinations of pay in accordance with the Academy's pay policy and the current STPCD.
- 4.6 Decisions of the pay committee/Head Teacher will be communicated, in writing, to each member of staff by the Head teacher. Decisions taken in respect of the Head teacher will be communicated to the Head teacher, in writing, by the Chair of the Board of Trustees.

The Professional Standards

- 4.7 The Teachers' Standards were introduced from 1 September 2012. The standards set a clear baseline of expectations for the professional practice and conduct of all teachers, from the point of qualification through to leadership.
- 4.8 The Teachers' Standards will be used to assess all trainees working towards QTS, and all those completing their statutory induction period. They will also be used to assess the performance of all teachers subject to the Education (Academy Teachers' Appraisal) (England) Regulations 2012. This framework is intended to help teachers as they plan their careers and discuss their future development with their line managers. The standards provide a backdrop to discussions about how a teacher's performance should be viewed in relation to their current career and the career stage they are approaching.
- 4.9 The Board of Trustees recognises that within the framework the standards are designed to be cumulative and progressive. The teacher standards underpin all the subsequent standards and continue to apply at all subsequent career stages. Where teachers are subject to appraisal, assessment that a teacher meets the teacher standards is carried out through the appraisal process.
- 4.10 Decisions on basic pay determination in respect of part time employees; those employees employed on fixed term contracts; those employees on maternity, adoption or shared parental leave and those on long term sick leave will be taken in

¹ Academies may wish to attach the membership and terms of reference of such a committee, as an appendix to the Academy's pay policy

² Further advice may be sought from Governor Services

accordance with the same timescales and processes as for all other employees, so as to ensure equitable treatment of all groups of employees.

- 4.11 Appropriate differentials will be created and maintained between posts within the Academy, recognising accountability, job weight and the Academy's need to recruit, retain and motivate employees at all levels.

Basic Pay Determination on Appointment

- 4.12 The Board of Trustees will determine the pay range for a vacancy prior to advertising that post. On appointment it will determine the starting salary within that range to be offered to the successful candidate.
- 4.13 In making such determinations, the Board of Trustees may take into account a range of factors including the nature of the post, the level of qualifications, skills and experience required and the context of the Academy structure,
- 4.14 When determining the starting pay for a classroom teacher who has previously gone through the threshold and is paid on the Upper Pay Range, the Board of Trustees may decide to pay on the Upper Pay Range. The decision will depend upon the post having been advertised at this level and the qualifications, skills and experience of the candidate.

Classroom Teacher Posts

- 4.15 The Board of Trustees has established the following pay scales for classroom teacher posts paid on the Main Pay Range and Upper Pay Range

Main Pay Range

All pay points have been uplifted by 3.5% in line with the Government's public sector 3.5% pay policy.

1	£23,720
2	£25,344
3	£27,380
4	£29,488
5	£31,811
6	£34,665

Upper Pay Range

1	£36,646
2	£38,004
3	£39,406

Leading Practitioner Teacher posts

- 4.22 The Board of Trustees has decided not to have any Leading Practitioner posts in the Academy.

Unqualified Teachers

The Board of Trustees has decided not to have any Unqualified Teacher posts in the Academy.

Leadership teacher posts (Head Teacher, Deputy and Assistant Head Teacher(s))

4.27 [School to insert appropriate Head Teacher Pay Group]

Head Teacher Group 5

Pay Spine for Leadership	
Spine point	Annual Salary
	£
L18	£60,755
L19	£62,263
L20	£63,807
L21	£65,384
L22	£67,009
L23	£68,668
L24	£70,370
L25	£72,119
L26	£73,903
L27	£75,735
L28	£77,613
L29	£79,535
L30	£81,515
L31	£82,701

Leadership Pay Spine for Deputy Head Teachers and Assistant Head Teachers

Pay Spine for Leadership	
Spine point	Annual Salary
	£
01	£39,965
02	£40,966
03	£41,989
04	£43,035
05	£44,106
06	£45,213
07	£46,430
08	£47,501
09	£48,687
10	£49,937
11	£51,234
12	£52,415
13	£53,724
14	£55,064
15	£56,436
16	£57,935
17	£59,266
18	£60,755

19	£62,263
20	£63,807
21	£65,384
22	£67,009
23	£68,668
24	£70,370
25	£72,119
26	£73,903
27	£75,735
28	£77,613
29	£79,535
30	£81,515
31	£83,528
32	£85,606
33	£87,732
34	£89,901
35	£92,135
36	£94,416
37	£96,765
38	£99,158
39	£101,574
40	£104,109
41	£106,710
42	£109,383
43	£111,007

- 4.28 The current pay ranges for the Head Teacher, Deputy Head Teacher(s) and Assistant Head Teacher(s) have been determined in accordance with the Individual Academy Range and other criteria specified in the 2018 STPCD paras 5-11 and ensuring fair pay relativities.
- 4.33 The Deputy Head Teacher will have the responsibility for discharging, in full, the responsibilities of the Head in the absence of the Head Teacher.

Pay Awards

- 4.47 The pay award for teachers for this year will be paid to all teachers in the Academy on the minimum of their pay scale

Part time teachers

- 4.49 Teachers employed at the Academy on an ongoing basis but who work less than a full working day or week are deemed to be part time.
- 4.50 Teachers employed on a part time basis have the right to not be treated less favourably than full time employees as outlined in the Part Time Workers (Prevention of Less Favourable Treatment) Regulations, 2000.
- 4.51 The Board of Trustees will provide part time teachers with a written statement in the form of their contract, detailing their working time obligations and the mechanism used to determine their pay, subject to the provisions of the statutory pay

arrangements. The Board of Trustees will ensure this information is maintained and updated accordingly.

4.52 Part time teachers shall be paid a proportion of the remuneration that would be paid if they were employed on a full time basis.

4.53 Part time teachers are entitled to PPA time pro rata to full time teachers.

Short notice/supply teachers

4.54 Teachers who work on a day-to-day or other short notice basis have their pay determined in the same way as other teachers. Teachers paid on a daily basis will have their salary assessed as an annual amount, divided by 195; periods of employment for less than a day being calculated pro rata. **(STPCD 2018 paragraph 42.1).**

4.55 A teacher engaged by a Academy specifically **for the full day** is entitled to claim payment calculated by reference to 1/195th of the aggregate annual salary of an equivalent full time teacher. A full day's engagement would not ordinarily be limited to the duration of the Academy's sessional period and the teacher will be expected to undertake work other than the teaching of pupils, as directed, i.e. to undertake on that day the full range of work of the regularly employed teacher, for whom (s)he is substituting.

4.56 A teacher engaged on a particular day by a Academy specifically for a period or periods which amount to **less than a full day**, is entitled to claim payment for the time worked calculated pro rata to that of an equivalent full time teacher.

4.57 In this case payment will be claimed by reference to the hours agreed between the Academy and the teacher at the outset of the engagement or as subsequently modified, by agreement, for additional work undertaken. Normal mid session breaks will be included as part of the hours offered.

4.58 The hourly rate of payment will be determined by reference to the average directed time of an equivalent full time teacher – i.e. 6.5 hours per day.

4.59 The Academy will, in contracting the teacher, make clear at the outset the terms of the engagement, including the number of hours to be worked and the level of pay for that engagement. Where, following acceptance of these terms, the teacher requests confirmation of the details, this will be confirmed by the Academy in writing as soon as possible thereafter.

5 PAY PROGRESSION BASED ON PERFORMANCE

5.1 The Board of Trustees agrees the Academy budget and will ensure that appropriate funding is allocated for performance pay progression at all levels. [The Board of Trustees recognises that funding cannot be used as a criterion to determine pay progression or progression to the UPS.]

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

5.3 Decisions regarding pay progression will be made with reference to the teacher's appraisal reports and the pay recommendations they contain. Final decisions about whether or not to accept a pay recommendation will be made by the Board of Trustees, having regard to the appraisal report and taking into account advice from the senior leadership team.

- 5.4 All teachers can expect progression to the top of their pay range as a result of successful appraisal reviews.
- 5.5 To be fair and transparent, assessments of performance will be based on evidence. Fairness and equity will be assured by annual monitoring by the Board of Trustees of the applications of the pay policy and pay decisions.
- 5.6 NQTs have no automatic entitlement to pay progression on completion of induction. The evidence from induction should inform decisions about their pay progression. The Board of Trustees can determine where, within the pay range, their annual salary will be fixed.

Head Teacher

- 5.10 The Head Teacher must demonstrate sustained high quality of performance, with particular regard to leadership, management and pupil progress at the Academy and will be subject to a review of performance (in accordance with the Academy's Performance Management Policy) against performance objectives before any performance points will be awarded. **(Refer to STPCD 2018, para 11)**
- 5.11 The Board of Trustees will consider the following in determining the amount of any pay progression: Achievement of appraisal objectives, pupil progress and Headteacher standards.
- 5.12 Where the appraisal review does not demonstrate successful achievement of appraisal objectives, pupil progress, meeting teacher standards, no pay progression will be awarded. The appraiser will inform the appraisee during the course of the year if performance is falling short and should be given assistance to achieve the standards required.

Deputies and Assistant Heads

- 5.13 Deputies and Assistant Heads must demonstrate sustained high quality of performance in respect of Academy leadership, management and pupil progress and will be subject to a review of performance against their performance objectives before any performance points will be awarded. **(Refer to STPCD 2018, para 11)**
- 5.14 The Board of Trustees will consider the following in determining the amount of any pay progression: achievement of appraisal objectives and pupil progress
- 5.15 Where the appraisal review does not demonstrate successful achievement of achievement of objectives and pupil progress no pay progression will be awarded. The appraiser will inform the appraisee during the course of the year if performance is falling short and should be given assistance to achieve the standards required.

Post Threshold Teachers

- 5.22 Post Threshold teachers will be subject to an annual review of performance. Progression within the UPR will normally be at **two yearly intervals** and is subject to **two consecutive** successful appraisals and the Board of Trustees being satisfied that the teacher's achievements and contribution to the Academy have been substantial and sustained. For annual progression to be awarded, teachers will be expected to have achieved all appraisal targets.
- 5.23 Where the appraisal review does not demonstrate successful achievement of objectives, no pay progression will be awarded. The appraiser must tell the

appraisee during the course of the year if performance is falling short and should be given assistance to achieve the standards required.

Classroom Teachers on the Main Scale

- 5.24 Main scale classroom teachers will be awarded pay progression on the Main Pay Range following each successful appraisal review. The criteria for pay progression is set out below: achievement of all objectives, pupil progress and meeting teacher standards.
- 5.25 A classroom teacher may be awarded additional pay progression on the main pay range for excellent performance over the previous academic year, having regard to all aspects of their professional duties, but in particular classroom teaching. The Board of Trustees will only exercise this discretion on the recommendation of the reviewer, where the outcomes of the performance review demonstrate that such an award is clearly merited.
- 5.26 Where the appraisal review does not demonstrate successful achievement of objectives, pupil progress, meeting teacher standards, no pay progression will be awarded. The appraiser will inform the appraisee during the course of the year if performance is falling short and should be given assistance to achieve the standards required.

6 DISCRETIONARY ALLOWANCES AND PAYMENTS

Teaching and Learning Responsibility Payments (TLRs) (Refer to STPCD, 2018, para 20)

- 6.1 TLRs will be awarded to the holders of the posts indicated in the attached staffing structure.
- 6.2 The values of the TLRs to be awarded are set out below:
TLR2s will be awarded to the following values:
- 2.2 [£4,532] to the holder of Department leader posts
- 6.3 Before awarding any TLR1 or TLR2 payment, the Board of Trustees 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
- 6.5 Teachers will not be expected to undertake permanent or additional responsibilities without payment of an appropriate permanent TLR1 or TLR 2 payment. A TLR1 and TLR2 payment cannot be paid concurrently.
- 6.6 The Trustees can award a fixed term TLR3 payment to a teacher for clearly time-limited Academy improvement projects or one-off externally driven responsibilities. The duration of the fixed term must be established at the outset and payment will be made

on a monthly basis for the duration of the fixed term. TLR3 payments do not attract safeguarding and can be paid concurrently with a TLR1 or TLR2 payment.

TLR 3s will be awarded to the following value

- 3.1 £529
- 3.2 £1,579
- 3.3 £2,630

Special Educational Needs Allowances (Refer to STPCD 2018, para 21)

- 6.7 The annual value of an SEN allowance is set within the **range of no less than £2,149 and no more than £4,242 (STPCD 2018, para 21.1)**.
- 6.10 Those teachers who are in their NQT year will receive an SEN allowance of £2,149 (the minimum of the range)
- 6.11 Those teachers who have successfully completed their NQT year and are carrying an additional curricular responsibility will receive an SEN allowance of £4242
- 6.13 The decision to make SEN awards to teachers and the value of those awards will be made on a rational, transparent and fair basis.
- 6.14 The value of SEN allowances in payment will be reviewed each year to ensure that the appropriate amount is paid. If payments are reduced, safeguarding will be paid in the usual way.

7 OTHER DISCRETIONARY PAYMENTS⁹

Recruitment and Retention Incentives and Benefits Refer to STPCD 2018 paragraph 27

- 7.7 The Board of Trustees will pay recruitment awards to teachers of £2550 for maximum of three years in the following circumstances: Failure to recruit. This payment will be reviewed and may be extended.
- 7.8 The Board of Trustees will pay retention awards to teachers of £2550 for a maximum of three years. This may be extended.
- 7.10 The Board of Trustees will review the level of payment/benefits annually or as set out above.
- 7.11 Head Teachers, Deputy Head Teachers and Assistant Head Teachers may not be awarded recruitment or retention allowances other than reasonably incurred housing or relocation costs. Otherwise recruitment and retention difficulties should be taken into account when determining the pay range under the STPCD 2018. Where a recruitment or retention allowance was awarded to a Leadership teacher under a previous document, subject to review, the payment will continue until such time as previously determined or Leadership pay is determined under the STPCD 2018.

8 PROGRESSION TO THE UPPER PAY RANGE

⁹ *These payments are discretionary. Governing Bodies must be able to objectively justify additional payments and they should be applied consistently across the Academy*

- 8.1 A qualified teacher may apply, once a year, to the Head Teacher for threshold assessment. Applications should be received by 1st December.
- 8.2 The evidence used in assessing whether the teacher meets the criteria set out below will be the Appraisal Review statements covering the 2 year period up to and ending at the date of the teacher's application.
- 8.3 An application from a qualified teacher will be successful where the Board of Trustees is satisfied that:
- a) the teacher is highly competent in all elements of the relevant standards; and
 - b) the teacher's achievements and contribution to the Academy are substantial and sustained.

For the purposes of this pay policy

- 8.4 Highly competent means:

performance which is not only good but also good enough to provide coaching and mentoring to other teachers, give advice to them and demonstrate to them effective teaching practice and how to make a wider contribution to the work of the Academy in order to help them meet the relevant standards and develop their teaching practice)

- 8.5 Substantial means:

of real importance, validity or value to the Academy, play a critical role in the life of the Academy, provide a role model for teaching and learning; make a distinctive contribution to the raising of pupil standards; take advantage of appropriate opportunities for professional development and use the outcomes effectively to improve pupils' learning); and

- 8.6 Sustained means maintained continuously over a long period, e.g. 2 Academy years.

- 8.7 Where the Board of Trustees is satisfied that the teacher meets the criteria set out above the teacher will move to UPR 1 from 1 September **of the following year**.

- 8.8 Where the Board of Trustees is not satisfied that the teacher has met the standards set out above the application will be rejected and the applicant informed in writing giving reasons for the decision and advice about those aspects of performance which need to be improved in order to meet the standards.

- 8.9 The assessment will be made within 10 working days of the receipt of the application or the conclusion of the appraisal process whichever is later. If unsuccessful the teacher will be advised of their right of appeal against the decision. Appeals will be heard under the Academy's general appeals arrangements.

- 8.10 If a teacher is simultaneously employed at another Academy(s), they may submit separate applications if they wish to apply to be paid on the Upper Pay Range in that Academy or Academies. This Academy will not be bound by any pay decision made by another Academy.

- 8.11 An application form is available.

9 PROCESS WHERE DISSATISFIED WITH DECISIONS OF PAY

- 9.1 A teacher has a right to seek a review of any determination in relation to their pay or any other decision taken by the Board of Trustees (or a committee acting with delegated authority) that affects their pay.
- 9.2 At specified points in the appraisal process teachers and Head Teachers also have a right of appeal against any of the entries in their planning and review statements, including changes made to the statement during the cycle.
- 9.3 Where a reviewee wishes to appeal on the basis of more than one entry this would constitute one appeal hearing¹⁵.
- 9.4 Any appeal should be deferred until after the moderation process is complete where the Head Teacher has indicated an intention to moderate the statements.
- 9.5 Initially, the teacher should seek to resolve any appeal against a decision informally, with the Head Teacher (or in the case of the Head Teacher, the Chair of the Board of Trustees, or representative) within 10 working days of receiving written confirmation of the decision. This informal process is considered Stage 1.
- 9.6 Where this is not possible, or in cases where the teacher is dissatisfied with any informal resolution, they may follow a formal appeals process.

10 APPEALS AGAINST DECISIONS OF PAY

- 10.1 The order of proceedings for appeals will be as follows:
 - 1 Having not resolved matters via informal means (Stage 1), the teacher / Head Teacher has a right of appeal against the pay determination. They should set down, in writing, the grounds for questioning the pay decision and send it to the Chair of Governors, within ten working days of the notification of the decision being challenged or of the outcome of the discussion referred to above. This formal written submission initiates Stage 2.
 - 2 The Chair of Governors should arrange a Stage 2 Hearing within ten working days of receipt of the written grounds for questioning the pay decision to consider this and give the teacher an opportunity to make representations in person. The person (or panel) representative) who made the recommendation for the decision may also be called into the hearing to present their recommendation. Following the hearing the employee should be informed in writing of the final decision within 5 working days.
- 10.2 The teacher is entitled to be accompanied by a colleague or Trade Union representative, at each of the formal stage of the appeals procedure.
- 10.3 The guidance note attached as **Appendix 1** provides further information about the process for appealing against a pay determination.
- 10.4 Further advice on managing appeals against pay determination is available from the DfE via the Gov.uk website.

¹⁵ Refer to the school's Appraisal Policy for more information

Appendix 1 – Conduct of Appeal against Pay Determination

- The teacher / Head teacher receives written confirmation of the pay determination and, where applicable, the basis on which the decision has been made.
- The teacher / Head teacher is dissatisfied with the pay determination.

Stage 1 – Informal:

- The teacher should seek to resolve this by discussing the matter informally with the head teacher within 10 working days of being notified of the pay determination. In the case of the Head teacher, they should seek to resolve this by discussing with the Chair of Governors within the same time frame.
- Following the informal discussion and decision, the teacher/head teacher has the right of appeal against the pay determination to the Chair of Governors (stage 2) if necessary.

Stage 2 – Formal:

- If the teacher / Head teacher continues to be dissatisfied, they can appeal in writing by stating the grounds for questioning the pay determination and send this to the Chair of Governors, within 10 working days of the informal discussion.

Stage 2 – Hearing:

- The Chair of Governors should arrange a hearing within 10 working days of receipt of the written grounds for questioning the pay determination. The panel will be made up of a new panel of 3 governors not involved with the original pay determination.
- Written confirmation of the hearing should be sent to the teacher / head teacher providing them with 5 working days' notice and allowing them to be represented by a trade union representative or colleague.
- The teacher / head teacher should be provided with the opportunity to make representations in person. The person (or panel representative) who made the recommendation for the decision may also be called to the hearing as a witness.
- Following the hearing, the teacher / head teacher should be informed in writing within 5 working days of the decision.

