

Holly Lodge 11-19 Science College

PAY POLICY

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SECTION 1: Teaching Staff

1. Introduction

The Statutory pay arrangements for teachers give significant discretion to Governing Bodies to make pay decisions. The School Teachers' Pay and Conditions Document (STPCD) has since September 2004 placed a statutory duty on schools to have a pay policy in place which sets out the basis on which they determine teachers' pay, and to establish procedures for determining appeals. This should ensure fair and equitable treatment for all teachers and minimise the prospect of disputes and legal challenge of pay decisions.

Schools when taking pay decisions must have regard both to their pay policy and to the teachers' particular post within the staffing structure. A copy of the school's staffing structure is attached to this pay policy ([Annex 1](#)).

This model pay policy has been subject to consultation with all recognised teacher trade unions in Sandwell. It is a structure for schools to follow and covers all key areas of pay discretion that schools need to consider. The Local Authority recommends schools to adopt this policy with the example insertions. This Pay Policy is compliant with all appropriate Employment Legislation.

The Pay Policy complies with the current STPCD and the accompanying statutory guidance. It should be used in conjunction with them, but, in the event of any contradictions, the STPCD and guidance take precedence.

All references to the STPCD in this policy relate to the School Teachers Pay and Conditions Document 2011 and accompanying statutory guidance. This Pay Policy will be updated and reissued on an annual basis.

All references to the Committee in this policy relate to the Staffing & Finance Committee of the Governing Body.

The Committee has been established in accordance with school governance regulations and has fully delegated powers.

Relevant bodies should attach a copy of the staffing structure to the published copy of the pay policy. (Section 3 paragraph 19 of STPCD)

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2. Basic Principles

All teachers employed at this school are paid in accordance with the statutory provisions of the School Teachers Pay and Conditions Document as updated from time to time. A copy of the latest version may be found in the school office and is also on-line at:

<http://www.education.gov.uk/schools/careers/payandpensions/teacherspayandconditionsdocument>

The process for making decisions on the pay of teachers at the school is as follows within this document.

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3. Policy Statement

The Committee will act with integrity, 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.

With regard to reporting to the Governing Body, all information on which the Committee bases a decision on the pay of an individual will be confidential to the Committee. The decision on individual salary assessments should be reported in the minutes of the Committee by reference to each post and not named employees.

The Head Teacher will attend the Committee in an advisory capacity other than when his/her own salary is reviewed when he/she will leave the meeting.

Any person, other than the Head Teacher, employed to work at the school must withdraw from a meeting at which the pay or performance management of any other employee of the school is being considered.

3.1 Pay Policy and the Management of the School

The Committee will:

1. Be objective, open and accountable
2. Work within employment legislation
3. Work within National and Local agreements on Pay and Conditions of Service.
4. Base decisions on Performance Management review outcomes as appropriate.
5. Avoid practices and decisions which may be considered discriminatory.
6. Recognise the responsibility of the Governing Body to set and operate a balanced budget.
7. Provide clear and known criteria for salary assessment.
8. Ensure pay is consistent with job descriptions.
9. Formally record its decisions together with the rationale for reaching them.

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4. Pay Reviews (STPCD, Section 2, para 4)

The Committee will ensure that every salary of every employee covered by the STPCD is reviewed with effect from 1 September and no later than 31 October (except in the case of the head teacher for whom the deadline is 31 December), and give them a written statement setting out their salary and other financial benefits to which they are entitled by 31 October (except in the case of the head teacher for whom the deadline is 31 December). The timescales for performance management review and planning meetings will be in accordance with the Education (School Teacher Performance Management) (England) Regulations 2006.

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

A written statement will be given after any review and where applicable will give information about the basis on which it was made. A revised pay statement will also be given where there are any other changes in pay arrangements during the year, this will be issued as soon as possible (and in any event within one month of the relevant Bodies determination).

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

Where, for salary assessment purposes, a qualifying period of time is required, the Committee will pay full regard to STPCD (section 2 para 1.8) and to the guidance in STPCD (section 3 paras 77 to 80). Further clarification and advice will be sought from the school's HR Consultant where necessary on a case by case basis.

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5. Hearings and Appeals (STPCD, Section 2, para 3.1(b))

The arrangements for considering Hearings and Appeals are as follows:

A teacher may seek a review of any decision in relation to his/her pay. The following list, which is not exhaustive, includes the usual reasons for seeking review of a pay determination;

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

- Incorrectly applied any provision of the STPCD
- Failed to have proper regard for statutory guidance
- Failed to take proper account of relevant evidence
- Took account of irrelevant or inaccurate evidence
- Was biased; or
- Otherwise unlawfully discriminated against the Teacher.

Each teacher will receive written confirmation of the pay determination and the basis on which the decision was made.

If the teacher is not satisfied with his/her salary assessment/performance review he/she should seek to resolve this by discussing the matter informally with the decision maker(s) within ten working days of receiving the decision.

This discussion will:

- Give verbal clarification on the reasons why the assessor will not recommend the salary assessment/performance review.
- Allow the teacher to produce further evidence for consideration.
- The decision maker will then re-consider the case and inform the teacher of the decision and confirm this in writing within 3 working days.

Where this is not possible or where the teacher continues to be dissatisfied with his/her salary assessment/performance review, he/she may request a formal hearing process.

For any formal hearing or appeal the teacher is entitled to be represented by a colleague or trade union representative.

Please see:

[Appendix 1](#) - Format for the formal hearing process.

[Appendix 2](#) - Format for the appeals process.

[Appendix 3](#) - Flow Chart for Pay Hearings and Appeals

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6. Basic Pay Determination

6.1 Head Teachers (STPCD, Section 2, para 12)

The Committee will determine the pay range (known as the Individual School Range or ISR) for the Head Teacher in accordance with STPCD section 2, para 12.

The ISR must consist of seven consecutive leadership spine points within the specified school group range (determined in accordance with section 2, para 7 to 11). See [Appendix 4](#) for Leadership pay ranges.

Where the Head Teacher is appointed as head teacher of more than one school on a permanent basis, i.e. the schools are part of a hard federation with a single Governing Body; the Committee will determine the ISR within the school group range of the combined total number of pupil units across all schools.

The Committee has determined that the current ISR for the serving Head Teacher is set at points L37 to L43 (7 point range inclusive). This falls within the range of spine points applicable to a group 8 school.

The above ISR will continue to apply until the Committee decides to re-determine it. When recalculating the ISR, the Committee will follow the statutory requirements to determine the ISR within the school group range that is applicable at the time of recalculation.

The Committee will determine the ISR when a new Head Teacher appointment is to be made, if the Head Teacher group changes (including where the head becomes responsible and accountable for more than one school on a permanent basis) or if the Deputy or Assistant Head Teachers' pay range is set to overlap with the ISR. When determining the ISR the Committee shall take into account the full responsibilities of the post and the head teacher duties set out in Part 9 of the STPCD.

The Committee shall determine the salary of a newly appointed Head Teacher, or the salary of the serving Head Teacher where the Committee has raised the ISR, in accordance with the STPCD (section 2 para 7).

The Committee will seek Local Authority advice, from a representative of the Corporate Director People, prior to making any decision in respect of the Head Teacher's salary and discretionary payments.

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• Discretionary Payments

The Committee may determine that additional payments be made to the Head Teacher, the total sum of such payment in any school year will not exceed 25 per cent of the amount that corresponds to the head teacher's point on the leadership pay spine.

Any discretionary payments made will be in accordance with STPCD para 12.4.1.

Where the Committee has already taken into account any of the circumstances set out in above when determining the ISR prior to 1 September 2011, resulting in the ISR exceeding the maximum of the school group range, a discretionary payment will not be made in respect of the same circumstance.

The Governing Body has chosen to exercise its discretion to award the Head Teacher discretionary payments that exceed the limit of 25 per cent of the amount that corresponds to the head teacher's point on the ISR.

The Committee shall record the reasoning behind the determination of the ISR and any discretionary payments made to the head teacher.

Where the Governing Body uses its powers of the Education Act 2002 (section 11 or 27) to form or invest in a company, or to provide community facilities/services, and funding is not from the School Budget (e.g. a Children's Centre, Day Nursery), remuneration will be made outside of the School Pay Policy.

6.2 Deputy Head Teachers and Assistant Head Teachers (STPCD, Section 2, para 14 + 16)

In accordance with the STPCD (section 2 para 14) for Deputies, and (para 16) for Assistants, the Committee will determine the pay range for Deputy and Assistant Head Teachers when a new appointment is to be made, or at any time if it is considered necessary to adjust the range of a serving Deputy or Assistant to reflect a significant increase in responsibility. See [Appendix 4](#) for Leadership pay ranges.

The Committee have determined that the pay range for the serving Deputy Head Teacher(s) is set at points L21 to L25 (5 point range inclusive).
(amended 30/11/10)

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The Committee have determined that the pay range for the Assistant Head Teacher(s) (part of the Executive Leadership Team) is set at points L16 to L20 (5 point range inclusive). (*amended 29/3/11*)

The Committee have determined that the pay range for the Assistant Head Teacher(s) (Senior Leadership Team) is set at points L11 to L15 (5 point range inclusive). (*amended 29/3/11*)

The Committee shall determine the salary of a newly appointed Deputy or Assistant Head Teacher, or the salary of a serving Deputy or Assistant Head Teacher where the Committee has raised the pay range, in accordance with the STPCD section 2 para 13 (Deputies) and para 15 (Assistants).

The Committee will seek Local Authority advice, from a representative of the Corporate Director People, prior to making any decision in respect of other teachers where payments are to be made for responsibilities undertaken by the head teacher in respect of other schools.

- **When the Head becomes responsible for more than one school (permanent arrangement paragraph 12.2.4 and temporary arrangements section 3, paras 48 to 50)**

In all cases, consideration needs to be given to the remuneration of Deputy and Assistant Heads who as a result of the Head Teacher's role are taking on additional responsibilities. An increase in remuneration should only be agreed where the post accrues additional extra responsibilities as a result of the Head Teacher's enlarged role, it is not automatic.

- **Extended Services (section 3, para 51)**

Where the Head takes on responsibility for extended services the relevant body has discretion to take account of the additional responsibility and accountability associated with the provision of extended services on their site when determining the Deputy or Assistant Head's remuneration. An increase in remuneration should only be agreed where the post accrues extra responsibilities as a result of the Head Teacher's enlarged role, it is not automatic.

6.3 Advanced Skills Teachers (AST's) (STPCD, Section 2, para 27)

In accordance with the STPCD (section 2 para 27), the Committee will determine the pay range for the AST when a new appointment is to be made, or at any time if it is considered necessary to adjust the range of a serving AST to reflect a significant increase in responsibility.

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When determining an appropriate five point range for an AST, the Committee will give regard to the pay ranges determined for leadership posts at the school.

The Committee have determined that the pay range for the serving AST(s) is set at points L11 to L15 (5 point range inclusive).

The Committee shall determine the salary of a newly appointed AST, or the salary of a serving AST where the Committee has raised pay range, in accordance with the STPCD (section 2 paras 27.4 and 27.8 respectively).

6.4 Excellent Teachers (STPCD, Section 2, para 33)

Should the Governing Body make a decision to employ Excellent Teachers, the Committee will determine the salary of each individual so employed in accordance with the STPCD (section 2 para 33).

6.5 Classroom Teachers (main scale) (STPCD, Section 2, para 18)

- **Mandatory Points**

The Committee will determine the starting salary for individual teachers (including NQT's) upon appointment, or promotion, in accordance with the STPCD (section 2 paras 17 and 18.1).

For mandatory points purposes Teachers will be awarded 1 point for each academic year in which they have completed at least 26 weeks successful teaching service, up to the maximum of the scale (unless the Teacher has been notified in writing that their service has not been satisfactory for any year).

In the case of an Unqualified Teacher who becomes qualified, the Committee will adhere to the STPCD (section 2 para 37).

- **Discretionary Points**

When placing a classroom teacher on the main scale, the Committee will award an extra point or points on the scale in recognition of the individual's relevant experience that would not attract mandatory experience points in the following circumstances:

One point on the main scale for each year of service as a qualified teacher in an Academy, a City Technology College, a City College for the Technology of Arts or an Independent School.

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One point on the main scale for each period of one year of service as a qualified teacher in an overseas school outside the European Economic Area or Switzerland in the maintained sector of the country concerned.

One point on the main scale for each period of one year of service teaching in further education, including sixth form colleges.

One point on the main scale for each period of one year of service teaching in higher education.

The Committee will also consider awarding on a case by case basis:
One point for each period of three years spent outside of teaching, but working in a relevant area. This might include 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.

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6.6 Post Threshold Teachers (upper pay scale) (STPCD, Section 2, para 19)

When a Teacher first becomes entitled to be paid as a Post Threshold Teacher the Committee will determine that the individual is to be paid on scale point U1 with effect from 1st September in the following school year.

Upon appointment to the school of a serving Post Threshold Teacher the Committee will place the individual on their existing point on the pay scale unless the individual meets the criteria set out in the STPCD (section 2 para 19) for pay progression.

A Teacher who was previously employed as Head Teacher, Deputy Head Teacher, Assistant Head Teacher or Advanced Skills Teacher for an aggregate period of one year or more on or after 1st September 2000 (or who meets the criteria specified in the STPCD section 2 para 19.4.7) will be placed on the point of the pay scale for Post Threshold Teachers as deemed appropriate by the Committee.

6.7 Short notice/Supply Teachers (STPCD, Section 2, para 47)

In accordance with the STPCD (section 2 para 47), Teachers who work on a day-to-day or other short notice basis will have their pay determined in line with the statutory pay arrangements 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 and multiplied by the number of days worked.

Teachers who work less than a full day will be hourly paid and will also have their salary calculated as an annual amount which will then be divided by 195 then divided again by 6.48 to arrive at the hourly rate.

The factor used for the hourly calculation is 6.48, which calculated from 1265 divided by 195.

For academic year 2011/12 a full working year consists of 194 days due to the Queen's Diamond Jubilee. Therefore teachers paid on a daily basis will have their salary assessed as an annual amount, divided by 194 and multiplied by the number of days worked. The hourly rate calculation will also be affected by the 194 days.

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6.8 Unqualified Teachers (STPCD, Section 2, para 35 – 37)

The Committee will determine the starting salary for a newly appointed Unqualified Teacher in accordance with the STPCD (section 2 paras 35 to 37).

Where a teacher is paid on point 1, 2 or 3 of the unqualified pay scale they will receive a sum of £250 payable in 12 monthly instalments with their salary for the academic year 2011/12. Payments must be made to part-time teachers on a pro-rata basis.

The Governing Body will pay an unqualified teacher on one of the employment based routes into teaching on the unqualified teachers' scale.

In reaching this determination, the Committee will exercise its discretion in the following circumstances by awarding an extra point or points above the minimum on the scale in recognition of any relevant experience and/or qualifications the individual may have which is considered to be of value in the performance of the Unqualified Teacher's duties.

- **Qualifications**

One point for a recognised overseas teaching qualification, or
One point for a recognised post 16 teaching qualification, and/or
One point for a recognised qualification relevant to their subject area (e.g. good honours degree).

- **Experience**

One point for each period of one year of service as an overseas-trained teacher.
One point for each period of one year of service teaching in further education, including sixth form colleges.
One point for each period of one year of service teaching in higher education.

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The Committee will also consider awarding on a case by case basis:

One point for each period of three years spent outside teaching but working in a relevant area. This might include industrial or commercial training, time spent working in an occupation relevant to the unqualified teacher's work at the school, and experience with children/young people.

- **Unqualified Teachers Allowance**

The Committee may award an additional allowance to an Unqualified Teacher where the teacher has:

- (a) taken on a sustained additional responsibility which is –
 - i) focussed on teaching and learning
 - ii) requires the exercise of a teachers' professional skills and judgment;

or

- (b) qualifications or experience which bring added value to the role s/he is undertaking.

The value of any such allowance will be determined by the Committee on a case by case basis.

6.9 Part Time Teachers (STPCD, Section 2, para 46)

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

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

The written statement should set out the expectations of the school, and the part-time teacher, regarding the deployment of directed time both within and beyond the school day in accordance with the professional duties as stated in Part 10 of the STPCD (Section 2, paras 61 to 63).

Part-time teachers must be paid the pro rata percentage of the appropriate full-time equivalent salary, in accordance with the "pro rata principle" STPCD (section 2 para 46). The same percentage must be applied to any allowances awarded to a part-time teacher.

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Any additional hours such a teacher may agree to work from time to time at the request of the head teacher (or in the case where the part-time teacher is a head teacher, the relevant body), should also be paid at the same rate.

A calculator is available on the virtual office to assist with this calculation:
Part Time Teachers Proportional Pay Calculator

<http://www.lea.sandwell.gov.uk/members/bulletin/virtual-offices/personnel/schools/policies-procedures-guidance.htm>

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7 Pay Progression

The Governing Body agrees the school budget and will ensure that appropriate funding is allocated for performance pay progression at all levels. In all cases performance pay progression will be in line with the school's Performance Management Policy and The Education (School Teacher Performance Management) (England) Regulations 2006.

7.1 Leadership (STPCD, Section 2, para 7 for Head Teachers, para 13 for Deputy Head Teachers and para 15 for Assistant Head Teachers)

Annual pay progression within the range for the leadership group is not automatic. All individuals in the group will be subject to an annual review of performance against performance objectives.

All individuals must demonstrate sustained high quality of performance, with particular regard to leadership, management and pupil progress at the school and will be subject to a review of performance against performance objectives before any performance points will be awarded.

The Governing Body will consider whether to award one or two pay progression points based on a successful performance review. Progression points may only be awarded within the appropriate leadership range confirmed in 6.1 and 6.2 of this document.

The Governing Body has chosen to exercise its discretion to award two pay progression points at this stage.

Examples:

The circumstances for this will be highly exceptional performance.

The Committee will comply in full with the STPCD document (section 3 para 55).

7.2 Advanced Skills Teachers (AST's) (STPCD, Section 2, para 27)

AST's must demonstrate sustained high quality of performance in the light of their agreed performance criteria and will be subject to a review of performance before any performance points will be awarded. Any work undertaken at other schools, in higher education facilities, at facilities of the Local Authority and elsewhere will be taken into account. The clarification of the application of the criteria for AST progression will be taken fully into account.

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Annual pay progression within the range for these posts is not automatic. Any progression will normally be by one point, but the Governing Body has the discretion to move an AST by two points where performance objectives have been fully met and there has been a sustained high quality of overall performance and having regard to the results of the most recent appraisal/review.

The Governing Body has chosen to exercise its discretion to award two pay progression points at this stage.

Examples:

The circumstances for this will be highly exceptional performance.

The Committee will comply in full with the STPCD document (section 3 paras 114 to 120).

7.3 Post Threshold Teachers (STPCD, Section 2, para 19)

Pay progression on UPS will be based on two successful consecutive performance management reviews. Progression will not be more than one scale point in the course of a single annual pay determination.

Where a teacher is absent from work because of maternity, adoption, paternity, para 1.8 of the STPCD provides that the period of absence counts towards the period of service of at least 26 weeks. The two year period of performance management reviews is reduced by the length of any such absence. In these circumstances teachers are only required to submit performance management reviews covering the reduced period of time rather than the full two year period.

Where the absence means that the teacher does not have results from their performance management reviews to allow them to be fairly assessed they can cite evidence drawn from the shorter timescale rather than depending solely on whatever performance management reviews might be available. The STPCD provides that a teacher can present evidence which aggregates to two years drawn from a period of the previous five years.

The Committee will consider the recommendations in respect of all Post Threshold Teachers who are eligible to progress on 1st September each year. This consideration will be against a review of the performance of the Post Threshold Teacher against previously agreed targets in the teacher's standards framework, which form part of the School's Performance Management Policy. The Committee will comply in full with the STPCD (section 2 para 19 and the criteria clarification in section 3 para 58).

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7.4 Threshold Assessment (STPCD, Section 2, para 20)

The school should, as part of the performance management process, inform teachers of their eligibility to apply for threshold assessment two years ahead of their becoming eligible and of the mandatory deadline for applications.

To be eligible to apply for assessment against the post-threshold standards the teacher must be placed on M6 of the pay scale in the school year 2011/12 or an earlier school year. Eligible teachers in England who wish to be assessed in Round 12 must submit their request between 1 September 2011 and 31 October 2012 (section 3 para 62).

The Committee will rely on the outcomes of the two most recent performance reviews as evidence for threshold assessment.

Where a teacher makes an application for assessment in Round 12 (in school year 2011/12, or on or before 31 October 2012), and is assessed as meeting threshold standards, point U1 payment will be with effect from 1 September 2012.

In accordance with the Education (School Teacher Performance Management) (England) Regulations 2006, no teacher may progress through threshold levels without the support of their Performance Management reviewer.

The Committee will comply in full with the STPCD (section 2 paras 19 and 20) and the guidance contained in section 3 paras 57 to 93.

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7.5 Classroom Teachers (main scale) (STPCD, Section 2, para 17 + 18)

- **Mandatory**

Main scale teachers will receive one extra point for each year of satisfactory performance, up to the maximum of M6.

- **Discretionary**

A classroom teacher may, in addition, be awarded one further point on the main scale, up to the maximum of M6, for excellent performance over the previous academic year, having regard to all aspects of their professional duties, but in particular classroom teaching.

At this school the Governing Body has chosen to exercise its discretion to award two pay progression points at this stage.

Examples:

The circumstances for this will be highly exceptional performance.

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8 Additional Allowances and Payments

8.1 Teaching & Learning Responsibility Payments (TLRs) (STPCD, Section 2, Para 21 – 24)

The Committee will award a TLR payment to a classroom teacher undertaking a sustained additional responsibility in the context of their staffing structure for the purpose of ensuring the continued delivery of high-quality teaching and learning and for which they are made accountable. The award may be while a teacher remains in the same post or occupies another post in the temporary absence of the post-holder.

The Committee will apply the following factors for awarding TLR Payments: They 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.

Before awarding a TLR 1, the relevant body must be satisfied that the significant responsibility referred to in the previous paragraph includes in addition line management responsibility for a significant number of people.

A teacher may not hold more than one TLR of any value, but a TLR could be based on a job description that itemises several different areas of significant responsibility.

A TLR is a payment integral to a post in the school's staffing structure and therefore may only be held by two or more people when job sharing that post.

TLRs awarded to part-time teachers must be paid pro-rata at the same proportion as the teacher's part-time contract.

If the relevant body awards TLRs of different values to two or more teachers,

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the minimum difference in value between each award of a TLR1 is £1,500; and between each award of a TLR2 is £1,500.

TLRs are awarded to the holders of the posts indicated in the school's staffing structure, which is attached to this policy ([Annex 1](#)).

The values of the TLRs to be awarded are set out below:
(The general values used in SIMS are shown in ([Appendix 5](#)))

TLR 2s will be awarded to the following values:

£ 2535	to the holder(s) of TLR2a
£ 4225	to the holder(s) of TLR2b
£ 6195	to the holder(s) of TLR2c

TLR1s will be awarded to the following values:

£ 7323	to the holder(s) of TLR1a
£ 9013	to the holder(s) of TLR1b
£10703	to the holder(s) of TLR1c
£12393	to the holder(s) of TLR1d

8.2 Safeguarding Payments and Allowances (STPCD, Section 2, para 24.1 – 24.7)

The Committee will ensure that payments and allowances will be safeguarded strictly in accordance with the STPCD (Section 2, para 24.1 to 24.7).

8.3 Special Educational Needs Allowances (STPCD, Section 2, para 25)

It has been deemed at Holly Lodge that the SEN Allowance no longer forms part of the structure from September 2011. Those members of staff that were receiving an SEN allowance will be safeguarded in line with STPCD up until August 2014.

8.4 Additional Payments (STPCD, Section 2, para 49)

The Committee will only award additional payments which are strictly in accordance with the STPCD (section 2 para 49) and in the guidance contained in section 3 paras 175 to 185. The relevant body may make such payments as they so determine to a Teacher (including the Head Teacher subject to the

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overall limit on discretionary payments) who undertake voluntary activities in respect of:

- **Payment for continuing professional development (CPD) undertaken outside of the school day.**

Teachers (including the Head Teacher) who undertake voluntary continuing professional development outside of the school day will be entitled to additional payment.

Payments so awarded will be calculated on a daily rate of 1/195th of the Teacher's actual salary.

- **Activities relating to the provision of initial teacher training (ITT) as part of the ordinary conduct of the school.**

The Committee will not exercise its discretion to pay any teaching staff for providing ITT except where sufficient funding for ITT is available. In these circumstances the Committee will award teachers (including the Head Teacher), who undertake voluntarily school-based initial teacher training activities, payments calculated on a daily rate of 1/195th of the teacher's actual salary.

- **Participation in out-of-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 Committee.**

Teachers who voluntarily agree to provide learning activities outside of the normal school hours (not part of the 1265 hours of directed time), and whose salary range does not take account of such activity will be entitled to this payment.

Some possible activities that attract this payment include: revision/booster sessions, breakfast clubs, homework clubs; summer schools (study support, literacy and gifted and talented), sporting activities, other outdoor activities and clubs linked to curricular, arts and hobby interest areas

Where the activity requires the professional responsibilities and duties of a teacher (i.e. development of the curriculum, assessment, monitoring or delivering classes) the activity will be paid at the teacher's hourly rate calculated with reference to the teacher's actual spine point on the pay scale. Where the activity requires the professional responsibilities and duties of a teacher and in addition requires the teacher to undertake duties and responsibilities for which they have a TLR payment (such as the management of timetabling, co-ordination and evaluation), the activity will be paid at the teacher's hourly rate calculated with reference to the teacher's actual spine point on the pay scale and the TLR element.

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Where the activity does not require a qualified teacher, such as it is not part of the teacher's substantive contractual duties, and could be undertaken by an instructor or support member of staff, the activity will be paid at the correct rate of pay for the role and will be evaluated through the normal job evaluation process.

For example;

- a teacher undertaking an activity which could be led by a dance instructor will be paid at the appropriate dance instructor rate.
- a teacher working in a breakfast club undertaking the same duties as other non-teaching staff will be paid at the appropriate rate for an out of school club worker.

The rate of payment will be determined before the activity takes place, and the Teacher notified of the rate.

- **One to One Tuition Programme (out-of-hours learning activity)**

Full or part time teachers who undertake one to one tuition outside of the normal school day are paid at the flat rate of £30 per hour for a maximum of ten hours tuition. This hourly rate already includes the two additional hours for planning and teacher liaison time per pupil.

- **Service Provision**

The Committee has discretion to make payments to Head teachers who provide an external service to one or more additional schools, and also to any of the school's teachers whose post accrues additional responsibility as a result of the head's activities. Payments are not automatic.

An example is where a head teacher is providing a service to another school, e.g. as a National Leader of Education, they are not ultimately accountable for the outcomes in the school, but for the quality of service being provided (see STPCD, Section 3, paras 182 to 185).

N.B. There is no provision within the STPCD for payment of bonuses or honoraria (section 3 para 9). Any such award to a teacher for their teaching work would be unlawful. Therefore under no circumstances will the Committee award such payment to any member of the teaching staff for carrying out their professional duties as a teacher.

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8.5 Recruitment and Retention Incentives and Benefits (STPCD, Section 2, para 50)

The Committee will consider the award of recruitment and retention payments against the background of any national guidance or advice, teacher supply and demand, curriculum areas and the retention of experienced staff, in particular where:

- Awarding a recruitment and retention allowance enables the school to recruit and retain teachers of the quality required to ensure school improvement

Payments may only be made for recruitment and retention purposes, not for carrying out specific responsibilities or to supplement pay for other reasons. Any award made to the Head Teacher is subject to the overall limit on discretionary payments.

The Committee will pay recruitment awards for a maximum of three years in the following circumstances:

These awards will be given in exceptional circumstances and in areas of severe shortage subjects/specialism.

OR

Where after one advertisement has failed to produce a suitable candidate to appoint.

The Committee will pay retention awards for a maximum of three years in the following circumstances:

Where teachers have specific skills and experience that the school needs to retain/recruit.

Retention awards may be extended in "exceptional circumstances".

The Committee will award such payments in accordance with the STPCD (section 2 para 50) and the guidance contained in section 3 (paras 186 to 189).

Please note, for those schools participating in the Golden Handcuffs Scheme the Committee will include to whom and how such payments will be made. No new Golden Handcuffs will be offered to teachers starting later 31 March 2011. Further information is available at:

<http://www.education.gov.uk/schools/careers/careeropportunities/a0012772/golden-handcuff>

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8.6 Acting Allowances (STPCD, Section 2, para 38)

The Committee will award acting allowances in accordance with the STPCD (section 2 para 38).

8.7 Salary Sacrifice Arrangements (STPCD, Section 2, para 52)

For the purposes of this paragraph "salary sacrifice schemes" means any arrangement under which the employee gives up the right to receive part of his/her gross salary in return for the employer's agreement to provide him/her with a benefit in kind, which is exempt from income tax.

Teachers who voluntarily participate in any such arrangement have their gross salary reduced accordingly for the duration of the arrangement. The salary sacrifice arrangement shall have no effect upon the determination of any safeguarded sum to which the teacher may be entitled under any provision of the STPCD.

From the salary sacrifice arrangements permitted under paragraph 52 of the STPCD the school currently operates a child care voucher scheme.

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Section 2: Non Teaching Staff

9 Pay and Grading

The Committee will determine the pay and grading of non-teaching employees in line with:

- Local Authority Single Status approved pay bands ([Appendix 6](#)) and rates of pay (from 1 January 2010)
- Local Authority agreed standard job descriptions where available i.e. for Learning Support employees.

This model pay policy has been subject to consultation with all recognised trade unions in Sandwell.

10 Single Status – Pay Determination and Standard Hours

With effect from 1 January 2010 The Committee will accept the pay and grading recommendations of the Local Authority on completion of the job evaluation process and ensure future posts, both new and revised, are graded in accordance with the agreed Single Status evaluation process.

Circular 136 (1 May 2009) informs Head Teachers and Governing Bodies of the process for reconciling Single Status, Equal Pay and School Staffing Regulations in Community and Voluntary Controlled Schools where there is disagreement between the Governing Body and the Local Authority on the pay and grade of a post (see [Appendix 7](#)).

The Single Status arrangements will supplement or amend the provisions of the National Joint Council (NJC) for Local Government Services (Green Book) and will override any previous collective and or local agreements in place in relation to pay and conditions of service.

In accordance with the School Staffing (England) Regulations 2009, Governing Bodies have a specific responsibility to ensure that the pay and grading of staff employed in schools complies with equal pay legislation.

Where Governing Bodies have signed up to the Single Status Agreement they are obliged to remain within the pay framework of the Local Authority Single Status Scheme.

10.1 Increments

Each employee will be granted one additional increment from 1 April each year, until the maximum of the pay band is reached.

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Employees with less than six months' service in the pay band by 1 April in any year will not be granted their first increment until six months after their appointment, promotion or move to the pay band. Thereafter increments are applicable from 1 April each year until the employee reaches the maximum pay for their band.

National Terms and Conditions may be applied regarding unsatisfactory performance.

10.2 37 hour week

The standard working week for full-time employees is 37 hours per week and 52 weeks per year. When entering into a contractual relationship with an employee the Governing Body determine the number of hours and when they want staff to work, and whether they wish to make any provisions in a contract to vary when the hours are actually worked.

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11 Upgrading for Non Teaching Staff

Every employee has the right to apply to have their post upgraded.

- 1 - The Employee must complete section 1 of the Personal Application (HR5s) for Grading/Evaluation Review and submit this to their Head Teacher.
- 2 - Within 5 working days of receipt of the application, the Head teacher must arrange a meeting with the Employee.
- 3 - The Head Teacher must discuss the application at the meeting, allowing the employee to make representations about the claims being made. The current job description and personnel specification must be referred to in order to identify any amendments or additions that are agreed. The Head Teacher must indicate whether or not the support the claim made by the Employee on each point raised and why. Where claims are not supported, the employee can choose to accept the decision of the Head Teacher or to take the claim to appeal with the appropriate Committee of Governors (see below).
- 4 - Within 10 working days of the meeting, the Head Teacher must complete a new job description/personnel specification. The new job description/personnel specification must include both duties/responsibilities that remain unchanged and those that were agreed as amendments/additions at the meeting. Completed documents should be emailed to the school's HR Consultant.
- 5 - Once the job evaluation process has been completed the grade relating to the amended job will be established. The Head teacher will be notified on the outcome by the school's HR Consultant. The Head Teacher must notify the Employee of the outcome.
- 6 - In this process, it should be recognised that the grade for the post will be determined by the evaluation points score. This may result in a higher, lower or same grade outcome. The new grade, if any, will apply from the date of the application was submitted by the employee.

Unsupported Applications

Where at the meeting with the Head Teacher they are unable to reach agreement with the employee on all or part of the application made, the Head Teacher must notify the Employee within 5 working days with details of points that are unsupported and the reasons why and inform them of their right to appeal.

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If the Employee wishes to appeal they must write to the Clerk to Governors within 5 working days of notification stating the grounds for their appeal. A meeting with the appropriate Committee of Governors must be arranged within 20 working days of receipt. Support may be obtained from a HR Job Analyst by contacting the HR Service Centre (0121 569 3300).

Within 10 working days of the appeal meeting the Committee will notify the Employee of the result of the appeal, detailing which, if any, of the unsupported points are upheld and are to be included in a revised job description for evaluation.

If the appeal is upheld and points are supported the process follows points 4 to 6 above.

A flowchart for the Personal Application for Grading/Evaluation Review process is available in [Appendix 8](#).

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12 Additional Payments

12.1 Overtime

If additional work is carried out by an individual in accordance with his/her current job description, then normal overtime arrangements will be applied in accordance with the individual's terms and conditions of employment.

- **Overtime Payments – SCP 32 and Above**

Where it is considered that payment is appropriate, the rate on which overtime payments will be calculated for employees on spinal column point 32 or above will be capped at SCP 31.

12.2 Additional Hours

If an individual is part-time and they work an increased number of hours (up to and including 37) on either a temporary or ad hoc basis this is deemed to be additional hours, for which standard hourly rates apply.

12.3 Additional Duties

- **Permanent or Fixed Term**

If additional work is carried out by an individual involving duties outside of the scope of his/her current job description then a separate contract of employment specific to the additional duties will be required. If no specific job description exists for these duties, then a new job description will be written and evaluated.

Such additional arrangements may be permanent or fixed term dependent upon individual circumstances. Unless exceptional circumstances apply, such additional work will be advertised and appointments made in accordance with normal recruitment policy and procedures.

- **Occasional or Irregular**

If additional work is required on an ad hoc basis e.g. to cover short term sickness, then a contract of employment is inappropriate and a temporary worker will be engaged. The School will source such requirements from Employment Agencies e.g. Templink, the Local Authority's in house Agency.

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12.4 Merit Increments and Ex –Gratia Payments

Following the implementation of Single Status the Merit Increments Scheme has been put on hold.

Following the implementation of Single Status Ex-Gratia payments have ceased.

12.5 Honoraria Payments

Following the implementation of Single Status Honoraria payments have ceased.

12.6 Lettings

The payment of Lettings will be based on the hourly rate for spinal column point 9.

12.7 Recall to work/ call-out payments

Call out payments will be made at the appropriate overtime rate. If an individual is recalled to work this will be subject to a minimum payment of 2 hours.

Payment is only paid when the callout falls outside their normal working hours. There is no enhancement after 8pm or shift allowance.

12.8 Non-Standard Working

No additional payments will be made for split shifts.

Enhancement of a third will be paid for working hours worked between 8pm-6am weekdays where they form part of the normal contracted hours.

Enhancement of a half will be paid for working hours worked on a Saturday and/or Sunday where they form part of the normal contracted hours.

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12.9 Bonus Payments and Attendance Allowances

There is no provision within Single Status for the payment of bonuses or attendance allowances.

12.10 Telephone Allowance

There is no provision within Single Status for the payment of telephone allowances.

12.11 First Aid Allowance

The First Aid Allowance is £130 per year for a full time employee (paid as monthly amount). A pro-rata payment will be made to part-time/term-time employees.

The allowance will be paid to individuals who are named first aiders, who undertake first aid duties as required by the school.

To receive the allowance an individual must have undertaken training and obtained a first-aid qualification approved by the Health & Safety Executive.

They must have a current first aid at work certificate to receive the allowance. Recertification will be required at three years. A refresher course must be started before certificates expire, If a certificate lapses it will be necessary for the individual to complete the full initial first-aid course before reinstatement of the allowance,

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Schools Pay Policy – Appendix.

<u>Appendix</u>	<u>Heading</u>
1	Formal Hearings
2	Appeals
3	Pay Hearings & Appeals Process for Teaching Staff Including the Head Teacher.
4	Leadership Pay Ranges
5	SIMS TLR values
6	Single Status Pay Bands
7	Circular 136: Friday 1 May 2009.
8	Process for Non-Teaching School Employees - Personal Application for Grading / Evaluation Review

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Appendix 1: Formal Hearings

At any formal hearing the teacher will be entitled to be represented by a colleague or union representative.

If the teacher cannot informally resolve their grievance, this procedure provides a right of a personal hearing if they continue to be dissatisfied with his/her salary assessment/review and defines the manner in which this right is to be exercised.

To exercise this right the teacher must set down in writing the grounds for questioning the pay decision and send it to the Clerk of Governors, within 10 working days of the informal discussion or decision.

Upon written notification that a teacher wishes to exercise his/her right, the Clerk to the Governors shall acknowledge receipt of this notification.

The employee should state when lodging the request for a personal hearing the grounds on which this is being made.

In normal circumstances the formal hearing shall be heard not later than 10 working days after receipt of the written notification of dissatisfaction.

The formal hearing will be heard by the appropriate committee.

Both parties (Head teacher and Teacher) will explain their case; they must have the opportunity to make representation in person.

Records

In order that comprehensive records are maintained, copies of all notes/minutes and correspondence arising out of the operation of this procedure shall be retained on the employee's personal file.

Notes and minutes of all proceedings to be kept together with the outcome of all decisions.

The Committee shall hear the case in accordance with the following procedure:

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Procedure for the Formal Hearing:

- i. The Head Teacher shall put the case in the presence of the teacher and his/her representative*.
- ii. The teacher (or his/her representative) shall have the opportunity to ask questions of the Head Teacher.
- iii. The Committee shall have the opportunity to ask questions of the Head Teacher.
- iv. The teacher (or his/her representative) shall put his/her case in the presence of the Head Teacher.
- v. The Head Teacher shall have the opportunity to ask questions of the teacher (or representative).
- vi. The Committee shall have the opportunity to ask questions of the teacher (or representative).
- vii. The Head Teacher and the teacher (or his/her representative) shall have the opportunity to sum their cases if they so wish.
- viii. The Head Teacher and the teacher and his/her representative shall withdraw.
- ix. The Committee, with the Clerk to the Governors present, shall deliberate in private only recalling the Head Teacher and the teacher (and his/her representative) to clear points of uncertainty on evidence already given. If recall is necessary both parties shall return notwithstanding only one is concerned with the point giving rise to doubt.
- x. The Chair of the Committee shall announce the decision to the Head Teacher and the teacher (and his/her representative) personally.
- xi. The decision of the Committee shall be notified in writing to the teacher by the Clerk to the Governors and a copy of the letter shall be retained on the appropriate employee's personal file. The teacher will be informed of the right of appeal.
- xii. Written notification of the teacher's intention to appeal must be made within 3 days of receiving the Staffing Committee's decision.

**If the appellant is the Head Teacher then where it refers to Head Teacher above it will be the relevant Governor responsible for the Head Teacher's performance management, and the teacher becomes the Head Teacher.*

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Appendix 2: Appeals

No person involved in making the decision against which the appeal is made shall be involved in the appeal process.

Records

In order that comprehensive records are maintained, copies of all notes/minutes and correspondence arising out of the operation of this procedure shall be retained on the employee's personal file.

Notes and minutes of all proceedings to be kept together with the outcome of all decisions.

Procedure for the Appeals Panel

The purpose of the Appeals Panel is not to reconsider the whole case, only the aspects which are identified as the reason for the appeal.

The employee and his/her representative shall be given not less than five working days notice of the date, time and place of the meeting of the Appeals Panel at which the appeal is to be heard. This would normally take place within 20 working days of the written appeal notification.

The Appeals Committee shall hear the case in accordance with the following procedure:

- i. The teacher (or his/her representative) shall put his/her case in the presence of the Chair of the Committee*.
- ii. The Chair of the Committee, which heard the formal hearing, shall have the opportunity to ask questions of the teacher (or representative).
- iii. The Appeal Panel shall have the opportunity to ask questions of the teacher (or representative).
- iv. The Chair of the Committee which heard the formal hearing shall put the case in the presence of the teacher and his/her representative.
- v. The teacher (or his/her representative) shall have the opportunity to ask questions of the Chair of the Committee.
- vi. The Appeals Panel shall have the opportunity to ask questions of the Chair of the Committee.

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- vii. The Chair of the Committee and the teacher (or his/her representative) shall have the opportunity to sum their cases if they so wish.
- viii. The Chair of the Committee and the teacher and his/her representative shall withdraw.
- ix. The Appeals Panel, with the Clerk to the Governors present, shall deliberate in private only recalling the Head Teacher and the teacher (and his/her representative) to clear points of uncertainty on evidence already given. If recall is necessary both parties shall return notwithstanding only one is concerned with the point giving rise to doubt.
- x. The Appeals Panel shall announce the decision to the Head Teacher and the teacher (and his/her representative) personally.
- xi. The decision of the Appeal Committee shall be notified in writing to the teacher by the Clerk to the Governors and a copy of the letter shall be retained on the teacher's personal file. If the Appeal is rejected reasons for this decision must be included in the letter. There shall be no further right of appeal under this procedure.

**If the appellant is the Head Teacher then where it refers to teacher above it will be the Head Teacher.*

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Appendix 3: Pay Hearings and Appeals Process for Teaching Staff including the Head Teacher

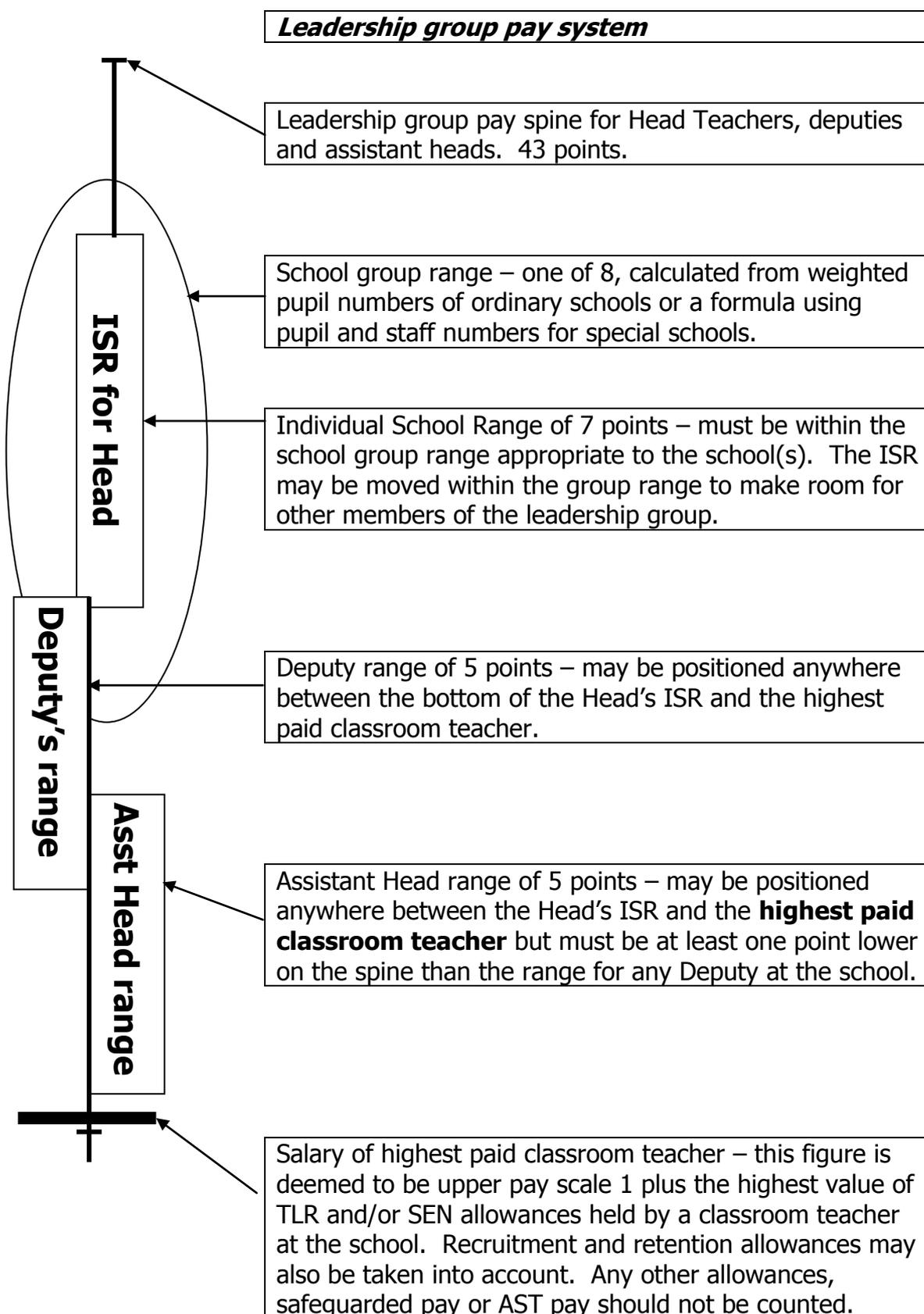


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**If the appellant is the Head Teacher then where it refers to Head Teacher above it will be the relevant Governor responsible for the Head Teacher's performance management, and the teacher becomes the Head Teacher.*

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Appendix 4: Leadership Pay Ranges



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Appendix 5: SIMS TLR values

Teaching & Learning Responsibility	Annual Payment (£)
TLR2a	2535
TLR2b	4225
TLR2c	6195
TLR1a	7323
TLR1b	9013
TLR1c	10703
TLR1d	12393

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Appendix 6: Single Status Pay Bands

Pay Band	Spinal Column Point
A	4
	5
	6
	7
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B	9
	10
	11
	12
	13
C	14
	15
	16
	17
	18
D	19
	20
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	22
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E	24
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F	29
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G	34
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	38
H	39
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	41
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I	44
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J	49
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Appendix 7: Circular 136: Friday, 1 May 2009

A Process for Reconciling Single Status, Equal Pay and School Staffing Regulations in Community and Voluntary Controlled Schools

This process will be used in the **very small number of cases** where there is a disagreement between a Governing Body (**Community and Voluntary Controlled Schools**) and the LA on the pay and grade of non-teaching posts – it will apply to the grading of vacant posts to be advertised and to regradings for existing postholders.

Background: The Issue

- The Single Status process is essentially a review of pay and grading structures to identify and address pay inequalities. Groups of jobs deemed to be of 'equal value' are given comparable pay and grades. This provides a fair and transparent pay and grade structure. It also protects the employer against equal pay claims, particularly when inequalities between job groups of equal value are related to gender.
- However, there are potential tensions between the Single Status concept and process, and the flexibilities given to individual school governing bodies under the 2003 School Staffing Regulations.
- Under these regulations, in relation to determining the pay and grade for a post: "Governors must consider the representations made by the LA, and in particular the risks and implications of any legal action which might arise if they [the governors] do not change their recommendation. If they conclude that their recommendation should stand, they must provide in writing to the LA an explanation confirming the reasons why they considering the recommendation to be appropriate. This explanation should be provided before the candidate is appointed to the post. On receipt of either such an explanation or a revised recommendation, the LA must appoint the recommended person - on the terms proposed unless he or she does not meet the staff qualifications for the post" (5.11)
- Rejection of the LA's advice as it applies to the individual school clearly has the potential to generate equal pay claims from Council employees in other Community and Voluntary Controlled schools, and the wider Council.

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Appendix 7: Circular 136: Friday, 1 May 2009..... continued The Process for Reconciling these Tensions

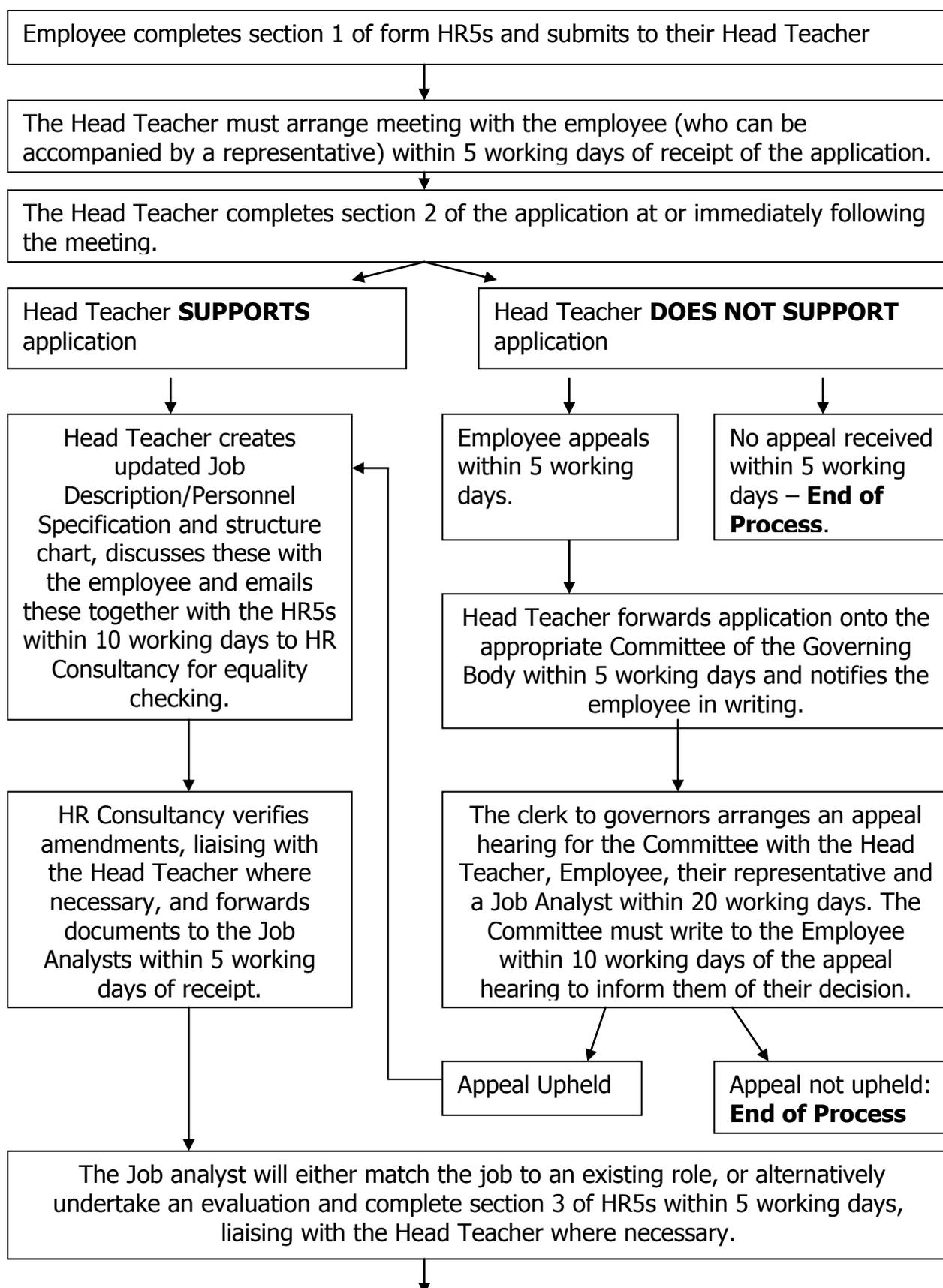
A range of escalating measures are proposed, in this sequence. It must be stressed again that at each stage the emphasis is on **consensus** and **avoiding escalation**. It is incumbent on HR to produce clear evidence and a rigorous risk assessment to justify not implementing a Governing Body's decision. Such instances will be rare.

1. If the Governing Body of a Community or VC school is challenging the LA's advice on the pay and grade of a post, the LA will ensure that its written and verbal advice clearly spells out the equal pay implications for other schools and the Council.
2. The LA will propose a meeting between HR, workforce development and school representatives with the objective of reaching a consensus view on aligning the job description and the grade.
3. If the Governing Body continues to reject the LA's advice, it must set out its reasons in writing, including its response to the wider equal pay implications for other schools and the Council.
4. The LA will respond to this, ensuring there is close liaison between its HR and Legal services.
5. At this point, the exchange of correspondence (see 1-4 above) will be brought to the attention of the Schools' Forum, along with an assessment of the risks to other schools and Council services. On a case-by-case basis, the Forum will then consider whether it wishes to make representations to the Governing Body.
6. If the Governing Body rejects the final representations of the LA and/or Schools' Forum, the LA will confirm whether it still had good grounds to believe that implementing the Governing Body's decision could generate equalities based claims in other schools or the wider Council.
7. If that were the case, the LA would not implement the Governing Body's decision. Its grounds would be two-fold:
 - (a) Implementation would create unlawful inequalities.
 - (b) Other schools and the wider Council would become vulnerable to significant financial consequences.
8. In the unlikely event that the process reached stage 7, it should be noted that the Council would vigorously defend its action by all means at its disposal.

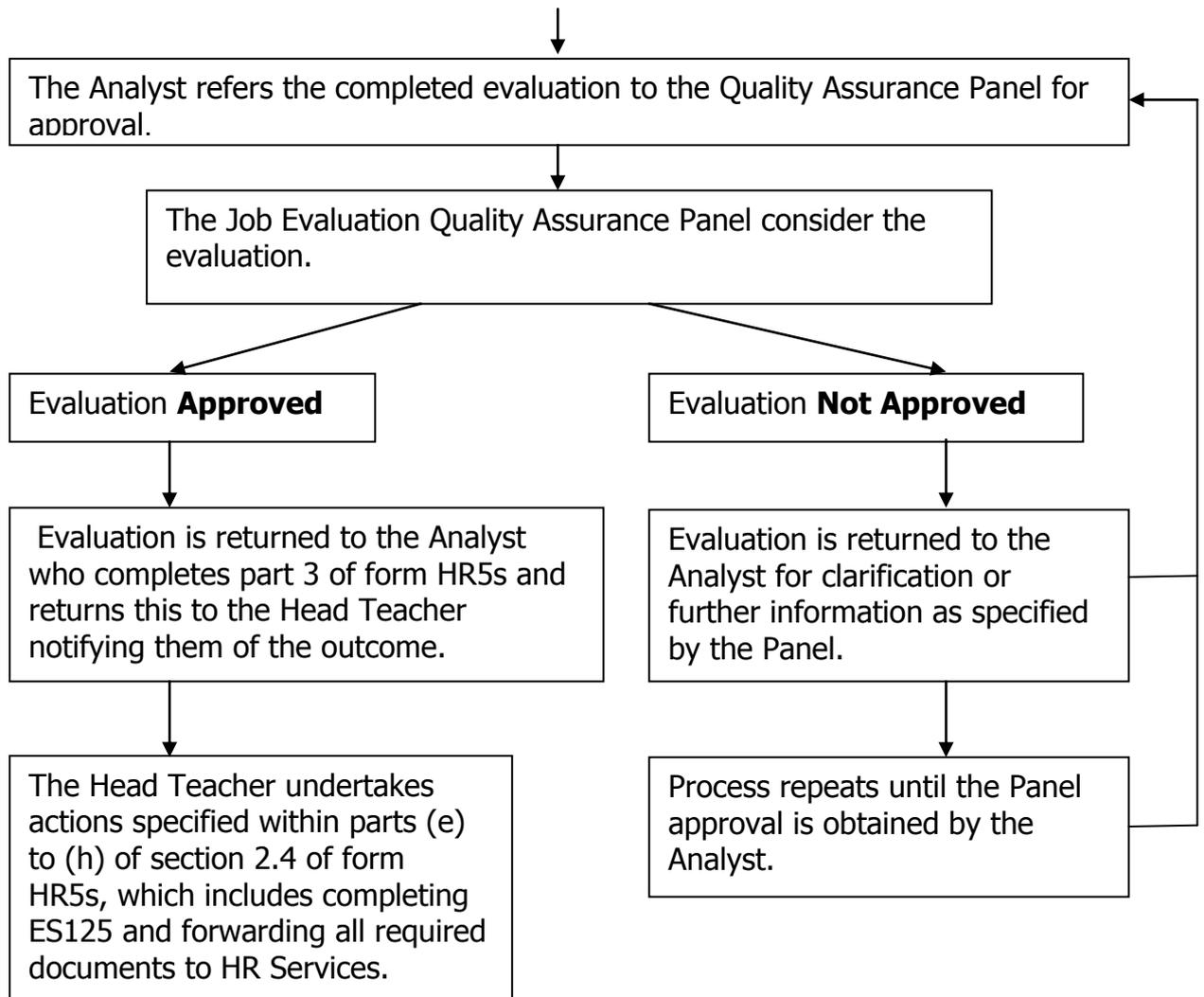
Paul Cox
Head of Planning, Performance and Business Services

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Appendix 8: Process for Non-Teaching School Employees - Personal Application for Grading/Evaluation Review



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Annex 1 - Teaching Staff Structure

