

Please read this Model Pay Policy alongside the accompanying 'Policy Adoption Information Sheet – Model Pay Policy 2022' which explains the changes, provides options and guidance on individual policy development and outlines the consultation that has taken place with the teacher unions and Brighton & Hove headteachers. See also the Model Teacher Appraisal Policy.  
*All additional information can be found on BEEM.*

## MODEL PAY POLICY FOR TEACHERS IN BRIGHTON & HOVE SCHOOLS adopted by Downs Infant School



**SEPTEMBER 2022 – AUGUST 2023**

Note: This model policy reflects the changes in the [2022 School Teachers Pay & Conditions Document](#) and updates the previous 2021-22 model pay policy for B&H schools. Once agreed it will be applicable from 1 September 2022 – 31 August 2023.

Formal Consultation:

- Late publication of the 2022 STPCD on 13 October 2022 delayed local consultation on this local model policy. Consultation has taken place with the headteacher chairs for each phase group and with teacher unions via the Education & Skills consultative group.

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## 2022-23 Model Pay Policy

### Background and Introduction

The School Teachers' Pay and Conditions Document ("The Document") requires schools and local authorities to have a pay policy which sets out the basis on which they determine teachers' pay; the date by which they will determine the teachers' annual pay review; and the procedures for determining appeals. Schools and local authorities must stay within the legal framework set out in the Document and within other relevant legislation that affects all employers, for example, legislation on equality, employment protection and data protection including the Employment Relations Act 1999, the Equality Act 2010, the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000, the Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002) and Flexible Working Regulations 2014. All procedures for determining pay should be consistent with the principles of public life - objectivity, openness and accountability.

The 2022 STP&CD confirms the changes made originally in the 2013 Document linking all teacher pay progression to performance from September 2014. This model policy also takes account of the current DfE *Departmental Advice – implementing your school's approach to pay* found on the [GOV.UK website](https://www.gov.uk).

The pay policy covers the key areas of pay discretion that schools need to consider. It includes text which governing bodies could adopt for their own pay policies from the DfE and (in **green italics**) from the B&H working group, however schools are free to use their own text if they choose. In so doing schools are reminded that they must, in line with the STPCD, first consult with the accredited trade union representatives at the appropriate level.

Text shown in **orange italics** provides advice to governing bodies and can be included/altered at the discretion of the governing body.

The governing body will exercise its discretionary powers using fair, transparent and objective criteria in order to secure consistency and fairness in pay decisions and to comply with the school's commitment to equal opportunities.

Consultation with headteachers and the school staff unions has taken place on the development of this year's model pay policy/updates (although late consultation by the DfE has resulted in late local consultation on the model policy). This policy should be read alongside the *Pay Policy Adoption Information Sheet – Model Pay Policy 2022* (sent with the School Bulletin notification) which explains the changes and provides alternative options and guidance on individual policy development, sharing the varying perspectives of the DfE, teacher and heads' unions and Brighton & Hove headteachers.

It is advised that governing bodies consult with teachers and local union representatives to explain the detail of your policy. Further consultation on the policy may not be necessary and governing bodies may adopt in its entirety (with the usual local additions), in accordance with the guidance which is sent out alongside the

document, following the completion of Authority wide consultation.

This model pay policy covers teaching staff only. As school support staff pay is determined by the NJC for local government and Brighton & Hove City Council policies, schools are referred to the council's guidance on the intranet (Wave) / council website in respect of these staff. The governing body will ensure that the salaries/payments made to support staff are in accordance with nationally or locally agreed conditions of service. Reference will be made to Brighton & Hove policies and procedures regarding grading, job evaluation, incrementation, payments for additional duties, honoraria, pay protection and pay disputes. See the council website/ intranet and refer to HR for further advice as appropriate.

## **Summary of changes to national teachers' pay and conditions**

The STPCD 2022 was published and became statutory from 13 October 2022 (with an additional 3 weeks 'praying' period in parliament until the formal end of the pay process on 3 November 2022). The provisions of the Document have retrospective effect from 1 September 2022.

The main national changes to the Document since 2021 make provision for the September 2022 pay award uplifts as follows:

- 5% uplift to point 6 (the maxima) of the main scale, with tapering increases for points below this i.e. an 8.9% uplift to point 1 (the minima) of the main pay range; 8% uplift to point 2; 7% uplift to point 3; 6.5% uplift to point 4; and 5.5 % uplift to point 5
- 5% uplifts to the whole of the upper pay range (U1, U2 & U3), all points on the unqualified teacher and leading practitioner pay range and all TLR and SEN allowances.
- 5% uplifts to all points on the leadership pay range.

All uplifts will be back-dated to 1 September 2022.

The Document also:

- reflects a change in the number of days that teachers must be available to work as a result of the additional Bank Holiday on Monday 19 September 2022 to mark HM Queen Elizabeth 11's state funeral.

The STPCD states that all decisions relating to incremental pay progression up existing teacher pay ranges must continue to be based on performance (i.e. this is separate to the pay award uplifts).

## **Local Pay Policies (BHCC LA model pay policy)**

The B&H Model Pay Policy for 2022-23 has incorporated the national changes set out above into the body of the report, with guidance to schools on how these national changes can be incorporated into updated school policies for 2022. It maintains the existing incremental pay scales for all teachers and applies the statutory pay uplift to all teacher pay ranges. See Para 8 and Appendix 3 for more details.

# Model policy for determining teachers' pay

The governing body of \_\_\_Downs Infant School\_\_\_\_\_ School adopted this policy on\_\_\_\_\_8 November 2022.

## 1. INTRODUCTION AND AIMS

This policy sets out the framework for making decisions on teachers' pay. It has been developed to comply with current legislation and the requirements of the School Teachers' Pay and Conditions Document (STPCD) and has been consulted on with staff and the recognised trade unions.

*It should be noted that a variation of the Brighton & Hove Model wording will require the School, in line with the STPCD, to first consult with trades union representatives and where the school has no accredited rep with local union officers prior to making any changes to pay policy.*

In adopting this pay policy the aim is to:

- maximise the quality of teaching and learning at the school*
- support the recruitment and retention of a high quality teacher workforce*
- enable the school to recognise and reward teachers appropriately for their contribution to the school*
- help to ensure that decisions on pay are managed in a fair, just and transparent way.*

Pay decisions at this school are made by the governing body.

*Pay decisions at this school are made by the 'governing body' which has delegated certain responsibilities and decision making powers to the 'pay committee' as set out in Appendix 1. The pay committee shall be responsible for the establishment and review of the pay policy, subject to the approval of the governing body, and shall have full authority to take pay decisions on behalf of the governing body in accordance with this policy. The head teacher/principal shall be responsible for advising the pay committee on its decisions.*

## 2. PAY REVIEWS

The governing body will ensure that each teacher's salary is reviewed annually, with effect from 1 September and no later than 31 October each year (heads by 31 December), and that all teachers are given a written statement setting out their salary and any other financial benefits to which they are entitled.

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

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

Where a pay determination leads or may lead to the start of a period of safeguarding, the governing body will give the required notification as soon as possible and no later than one month after the date of the determination (see also The Document Para 33). The Appeals Procedure is available at Appendix 2.

### **3. BASIC PAY DETERMINATION ON APPOINTMENT**

The governing body will determine the pay range for a vacancy prior to advertising it. The school will not restrict the pay available for appointees to vacant classroom posts, other than the lower limit of the Main Pay Range and the upper limit of the Upper Pay Range. See Section 8 for Leadership Pay determination.

On appointment it will determine the starting salary within that range to be offered to the successful candidate.

In making such determinations, the governing body may take into account a range of factors, including:

- the nature of the post
- the level of qualifications, skills and experience required
- market conditions
- the wider school context

*– these options are for guidance only, are not intended to provide an exhaustive list, and may not apply to all appointments.*

#### **IMPORTANT NOTE**

*Following detailed consultations with the teacher unions, B&H headteachers and the Local Authority, this model pay policy recommends that B&H schools comply with the principle of pay portability. This means that when determining the salary for a newly appointed classroom teacher, the governing body will pay the teacher at a scale point which at least maintains the teacher's previous pay entitlement. This is dependent on the teacher producing evidence from the previous school/s to support this decision.*

Appendix 3 & 4 detail the different pay ranges for the following groups of teachers as follows:

- Main Pay Range
- Upper Pay Range
- Leading Practitioner Pay Range
- Leadership Pay Range
- Unqualified Pay Range

## **4. PAY PROGRESSION BASED ON PERFORMANCE**

*(Since September 2014 there has been no system of 'automatic annual increments' for teachers as pay progression is linked to assessment of performance in the appraisal process)*

### **4a) Link to School's Appraisal policy and decision making**

In this school all teachers can expect to receive regular, constructive feedback on their performance and are subject to annual appraisal that recognises their strengths, informs plans for their future development, and helps to enhance their professional practice. The arrangements for teacher appraisal are set out in the school's Appraisal Policy.

Decisions regarding pay progression will be made with reference to the teachers' appraisal reports and the pay recommendations they contain. In the case of ECTs (Early Career Teachers), whose appraisal arrangements are different, pay decisions will be made taking note of the statutory induction process (please note: ECTs who now have a two-year induction will be eligible for progression up the teacher pay range after their first year as well as after their second year). It will be possible for a 'no progression' determination to be made without recourse to the capability procedure.

Teachers' appraisal reports will contain pay recommendations. Final decisions about whether or not to accept a pay recommendation will be made by the governing body, having regard to the appraisal report and taking into account advice from the senior leadership team. The governing body will consider its approach in the light of the school's budget and ensure that appropriate funding is allocated for pay progression at all levels. The governing body will make pay decisions according to the criteria set out below.

### **4b) Evidence, consistency and fairness of assessment of performance**

*Downs Infant School will ensure fairness and consistency by the following:*

- Having very clear performance criteria that link to pay progression. These are very well understood by both teachers and their appraisers. Criteria will be such that teachers will be able to tell their appraiser, how they have performed.*
- The information used for appraisal will be objective and evidence-based*
- Core objectives will be agreed by the school's leadership team in consultation with teachers to ensure they are at a consistent and comparable level*
- There will normally be no more than 3 objectives. Any more will be agreed with the individual teacher.*

- *Where objectives are differentiated in scope or complexity to reflect different levels of experience and seniority, these will be agreed with the teacher*
- *Teachers will have the opportunity to identify the support they may need to achieve the objective. This will be reviewed and amended accordingly to minimise the likelihood that objectives are not met.*
- *Appraisers have all received relevant up to date training on the new regulations.*
- *The monitoring of teaching over time using a range of evidence will ensure robust and consistent judgements on the quality of teaching are made by appraisers.*
- *We have a clear appeals process. Governors on the pay appeals panel have all received appropriate training in the new system.*

*The evidence we will use in assessing performance will be:*

- *Meeting all the teacher standards (many would be covered by the above). Schools may decide to provide clarity and description within each standard to exemplify what is being looked for to demonstrate that the teacher is meeting it.*
- *Quality first teaching taking account of a range of evidence across the year.*
- *The achievement of objectives linked to the school's development plan (these may be generic for all teachers or differentiated in terms of demand/complexity to take account of experience/seniority). Any objective must have very clear success criteria that are evidence-based*

*It is acknowledged that teaching is a highly complex and dynamic process. There are situations and factors beyond a teacher's control that make exact assessment difficult and can adversely affect the achievement of appraisal objectives. Appraisers should refer to the 'Supplementary Guidance for the Assessment of Teachers' for further information on factors that may affect a teacher's performance.*

#### **4c) Eligibility for Pay Progression – Classroom Teachers**

In this school, judgements of performance will be made against the Teacher Standards and Appraisal Objectives using evidence shown above under 4b).

*It should be noted that whilst the Ofsted criteria and framework are important documents in reviewing the performance of a school and formulating objectives these should not be used exclusively to measure individual performance directly.*

Teachers will be eligible for pay progression on the Main Pay Range following a successful performance management/appraisal review. *Teachers will normally be expected to have been alerted in writing during the course of the year if there are*



*concerns about performance which may impact on their progression in order that they have an opportunity to address such issues and secure pay progression.*

*Further information on specific criteria in the context of the above is included in the supplementary guidance notes to this policy.*

*Teacher performance will be judged according to the criteria set. If overall performance falls short of the standards required, pay progression may be withheld. In exceptional cases, an accelerated increment may be considered (although only where this would not lead to budgetary decisions to deny other teachers progression\*).*

*See the Supplementary Guidance for Appraisers of Teachers in BHCC Document for the Teaching Standards Framework Exemplar within the same document.*

### **Classroom teachers - ECTs**

Early Careers Teachers (newly qualified) classroom teachers will be awarded pay progression following successful performance management assessment (using induction records). Also See page 3 of the *Supplementary Guidance for Appraisers of Teachers in Brighton & Hove* for further information on ECTs.

In the case of early career teachers (ECTs), the relevant body must determine the teacher's performance and any pay recommendation by means of the statutory induction process set out in the Education (Induction Arrangements for School Teachers) (England) Regulations 2012(8). The relevant body must also ensure that ECTs are not negatively affected by the extension of the induction period from one to two years. This change does not prevent a school from awarding pay progression to ECTs at the end of the first year.

### **Classroom teachers on the Upper Pay Range**

Classroom teachers will be awarded pay progression on the Upper Pay Range if they meet the required performance standards and following two successful appraisal reviews (see Section 5 for assessment standards for UPR teachers). In exceptional circumstances enhanced progression (by 2 increments) may be considered (or annual progression through the range).

### **Leading Practitioner teachers**

Leading Practitioner teachers will be awarded pay progression on their pay scales if they meet the required performance standards and following each successful appraisal review (see the STPCD para. 16 and Section 3 Guidance paras 33 -37).

### **Unqualified classroom teachers**

Unqualified classroom teachers will be awarded pay progression on their pay scales if they meet the required performance standards and following each successful appraisal review.

## 5. MOVEMENT TO THE UPPER PAY RANGE

### 5a) Applications and Evidence

*Teachers who apply to move to the Upper Pay Range (usually from Point 6 of the Main Pay Range) must be assessed in line with this policy. It is the responsibility of the teacher to decide whether or not they wish to apply to be paid on the upper pay range.*

*For consideration to move to the Upper Pay Range, teachers require evidence of eligibility from two successful appraisals. **Teachers will normally be expected to have been alerted in writing if there are concerns about performance which may impact on their progression** in order that they have an opportunity to address such issues and secure pay progression.*

*Teachers should usually indicate their intention to progress two years before they are eligible, although this is not a requirement. This allows objectives to be set that enable the teacher to demonstrate eligibility. In this way, there would be no need for any other documentary evidence other than that included in the appraisal paperwork.*

It should be noted that application by the teacher is not required for post-threshold progression and that schools must ensure that they review eligible teachers at the correct time.

*The Supplementary Guidance document provides outline examples to ensure that teachers who have had breaks in service are treated equitably.*

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

### 5b) The Assessment

An application from a qualified teacher will be successful where the governing body is satisfied that:

- (a) the teacher is highly competent in all elements of the relevant standards; and
- (b) the teacher's achievements and contribution to the school are substantial and sustained.

For the purposes of this pay policy:

*Eligibility information will be drawn from the teacher's previous appraisal documentation from the last two years. Teachers will need to demonstrate that they are highly competent practitioners and have made a sustained and substantial*

*contribution.*

## **5c) Processes and procedures**

The assessment will be made within ten working days of the receipt of a written request, at an administrative date agreed within the school before 31 August\* for teachers leaving the school at the end of the Academic year or the conclusion of the performance management/appraisal process, whichever is later.

If successful, applicants will move to the Upper Pay Range from 1 September of the academic year following the application and will be placed on point 1 of that pay scale.

If unsuccessful, feedback will be provided by the headteacher \*(or appraiser) as soon as possible and at least within 10 working days of the decision; and will cover the reasons for the decision and the appeals arrangements available to the teacher.

Any appeal against a decision not to move the teacher to the Upper Pay Range will be heard under the school's general pay appeals arrangements (see Appendix 2).

## **6. PART-TIME AND SHORT NOTICE/SUPPLY TEACHERS**

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 and working time arrangements and by comparison with the school's timetabled teaching week for a full-time teacher in an equivalent post. Further guidance on the Timetabled Teaching Week can be found under the STPCD Section 3 Guidance paras 39 – 46. STPCD Section 2 para 41 states – the salary and any allowances, except for TLR3s, of a part-time teacher must be determined in accordance with the 'pro rata' principle. Any additional hours worked by agreement from time to time will be paid at the same rate.

Teachers employed on a day-to-day or other short notice basis will be paid on a daily basis calculated on the assumption that a full working year consists of 195 days (194 days in 2022); periods of employment for less than a day being calculated pro-rata.

## **7. PAY INCREASES ARISING FROM CHANGES TO THE DOCUMENT**

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

The 2022 STPCD introduces a 5% increase to most of the minima and maxima of all the teaching pay scales (including the Leadership scale) except there is additional tapering percentage pay increase on the first 5 points of the main teacher scale (as below).

The Local Authority following consultation with headteachers and the teacher trade unions has recommended the following:

- implementation of the STPCD Advisory pay points as laid out in the STPCD and uplifts as recommended by the advisory pay points to the main pay range and upper pay range. This includes an 8.9% increase to the minima of the main pay range; 8% to point 2; 7% to point 3; 6.5% to point 4; 5.5 % to point 5; and 5% to point 6 on the main pay scale
- 5% uplifts to the whole of the upper pay range (U1, U2 & U3), all points on the unqualified teacher and leading practitioner pay range and all TLR and SEN allowances.
- 5% uplifts to all points on the leadership pay range.

The STPCD says that it is for the individual school to determine what pay increase should be applied to points (outside the minimum and maximum statutory pay increases), but in B&H headteachers have previously stated their wish to adopt a cross city approach, whereby all B&H schools agree a model policy, including shared scales, which all schools sign up to.

See Appendix 3 for more details on pay scales and uplifts.

All pay uplifts will be back dated to 1 September 2022

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

The award should be paid to all eligible teachers, whether located on a published pay point or not and should be independent of any progression considerations.

Relevant bodies should ensure that implementation of the pay award complies with the National Living Wage policy.

## **8. LEADERSHIP PAY**

### **Headteacher/Deputy & Assistant's Pay range and Performance pay**

*The pay of teachers on the leadership scale need only be reviewed when there are significant changes to responsibilities\* (see Appendix 4 for further explanation on school group sizes/ head pay ranges etc.).*

#### **8a) Determination of the Leadership Pay Range**

**New Appointments** (or \*re-determination of post resulting from significant changes in responsibilities)

### **Stage 1 - Defining the role and identifying the broad pay range**

The governing body must assign its school to a headteacher group which will determine the appropriate broad pay range. This should be done by calculating the total unit score for the school in accordance with the STPCD paras 5 – 8 (information on group sizes for B&H schools may also be obtained from the Schools' Finance team). The total unit score should include, where appropriate, permanent responsibility for additional schools.

For other leadership group posts the governing body should consider how the role fits with the leadership structure. The pay range for a deputy or assistant head should only overlap the HT pay range in exceptional circumstances.

See leadership scale and reference points in Appendix 3 and further guidance in Appendix 4.

### **Stage 2 – Setting the indicative pay range**

At this stage the governing body should consider whether the indicative pay range starts at the bottom of the headteacher group or further up due to the level of challenge. Consideration of the complexity and challenge of the role in the particular context of the school should be made at this point. Discretionary payments such as allowances for recruitment and retention, permanent additional responsibilities (e.g. the provisions of initial teacher training and long term provision to other schools) should be included in the consideration dictating where within the group the pay range should be set.

*N.B. BHCC is retaining the existing 7 point scales for headteachers within the headteacher groups, along with the deputy/assistant head 5 point ranges as recommended pay ranges for schools in BHCC (see Appendix 4).*

Normally, all of the above will be included in the consideration of the total unit score (group score), however there may be circumstances in which additional factors suggest the indicative pay range should be higher than the basic calculation in stage one. These include the context and challenge from pupil needs; a high degree of complexity and challenge e.g. accountability for multiple schools; additional accountability not reflected in stage 1 e.g. leading a teaching school alliance; or additional factors (see STPCD Section 3 Guidance paras 8 - 28 for further information).

If exceptional circumstances apply the governing body may pay up to a maximum of 25% above the top of the headteacher group range. *In these exceptional circumstances it is recommended that external BHCC HR advice is taken on this and a business case should be made.* There should be a clear audit trail and a full and accurate record of all decisions made and the reasoning behind them. There is no facility within this flexibility to use this freedom to uplift salaries which have been frozen under the document (unless there is a genuine significant change to

responsibilities).

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

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

The starting salary for the preferred candidate will be determined in the light of candidate specific factors, such as the extent to which the candidate meets the specific requirements of the post. However there must be scope for performance related progression over time within the range.

The maximum of the deputy or assistant headteacher's pay range must not exceed the maximum of the headteacher group for the school. The pay range for a deputy or assistant headteacher should only overlap the headteacher's pay range in exceptional circumstances.

*See Appendix 4 for more details on leadership pay. The DfE Guidance also provides further guidance and examples.*

### **8b) Determination of temporary payments to headteachers**

The expectation is that the new approach to setting pay for headteachers will make additional payment by means of allowances largely unnecessary. Exceptions are time-limited temporary responsibilities and time limited housing/relocation costs (the STPCD Para 10.1-4).

The governing body may determine that additional payments be made to a headteacher for clearly temporary responsibilities or duties that are in addition to the post for which their salary has been determined. In each case, the relevant body must not have previously taken such reason or circumstance into account when determining the headteacher's pay range.

Temporary payments made to a headteacher in accordance with the above must be included in the maximum salary payable to a head teacher in any one year within the headteacher pay range (i.e. they must not exceed 25% above the maximum of the headteacher group for their school).

The temporary discretionary pay above does not apply to additional payments made:

- where those residential duties are a requirement of the post (para 25); or
- to the extent that the payment is in respect of relocation expenses which relate solely to the personal circumstances of that headteacher (para 27).

Further details on determining pay for a headteacher responsible for more than one school on a temporary basis or where there is accountability for extended services are given under the STPCD Section 3 Guidance Paras. 11 - 28.

Prior to agreeing to any provision of services by the headteacher in any other schools the governing body should refer to the STPCD Section 3 Guidance (Paras. 65-68) which provides details on the 'Operating Principles' for headteachers providing services to other schools. The governing body *should take advice from the Schools' HR service in these cases.*

### **8c Fixed term contracts and pay**

The governing body may appoint a headteacher on a fixed-term contract where it determines that the circumstances of the school require it. In establishing such a contract the governing body will wish to consider how reward should be structured and whether achievement of objectives should be assessed over a shorter or longer timescale than would normally be the case.

### **8d Pay progression for leadership group members**

The governing body must consider annually whether or not to increase the salary of members of the leadership group (namely headteachers, deputy headteachers and assistant headteachers) who have completed a year of employment since the previous pay determination and, if so, to what salary within the relevant pay range (STPCD Section 2 Para 11)

The governing body must decide how pay progression will be determined, subject to the following:

- (a) the decision whether or not to award pay progression must be related to the individual's performance, as assessed through the school's appraisal arrangements in accordance with the 2012 regulations in England (or the 2011 regulations in Wales);
- (b) a recommendation on pay must be made in writing as part of the individual's appraisal report, and the governing body must have regard to this recommendation;
- (c) where the individual is not subject to either the 2012 or the 2011 regulations, in order to reach a decision whether or not to award pay progression the relevant body must seek to agree objectives with the individual relating to school leadership and management and pupil progress and, in the absence of such agreement, must set such objectives, and must appraise the performance of the individual taking account of those objectives;
- (d) pay decisions must be clearly attributable to the performance of the individual;
- (e) sustained high quality of performance having regard to the results of the most recent appraisal carried out in accordance with the 2012 or the 2011 regulations or the objectives agreed or set under paragraph 11.2(c) (as the case may be)

should give the individual an expectation of progression up the pay range;

- (f) where in accordance with the provisions of an earlier Document the governing body has determined a pay range the maximum of which exceeds the highest salary payable under this Document it must continue to pay any salary determined by reference to that pay range until such time as it reassesses the pay range for its leadership posts under the provisions of this Document.
- g) The governing body agrees the school budget and *will ensure that appropriate funding is allocated for performance pay progression at all levels. The governing body recognises that funding cannot be used as a criterion to determine progression.*

Annual pay progression within the range for this post is not automatic. *In normal circumstances the governing body will consider whether to award one or two pay progression points and will make the circumstances clear when either one or two points might be awarded at the start of the appraisal process.*

*The governing body has the power to award further increments but it is suggested that this would happen only in exceptional circumstances. External advice and a full audit trail of the reasoning should be maintained in these circumstances.*

## **8e) Requirement to publish school salary information**

Please note that maintained schools must publish on their websites the salaries of school employees (if any) paid over £100,000 gross salary. This is a requirement under the School Information (England) Regulations 2020 which took effect in January 2021.

Schools are recommended to publish information in a table showing the number of school employees (if any) whose gross annual salary is £100,000 or more in £10,000 bands, however the guidance says that schools may display this information however they wish.

Schools are also required to publish a link to the specific page on the [Schools Financial Benchmarking](#) dedicated to their school using the unique reference number allocated to the school by the Department for Education.

Further guidance relating to the information that schools must publish online is [available on GOV.UK](#).

## **9. ALLOWANCES**

### **a. Teaching and Learning Responsibility Payments (TLRs)**

The governing body may award a TLR1 or TLR2 to a classroom teacher for 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 the teacher is made accountable. The award may be while a teacher remains in the same post or occupies another post in the absence of a post-holder. Where a TLR1/2 is awarded to a part-time teacher it must be paid on a pro-rata basis.

The governing body (from 2013) may award a fixed-term third **TLR (TLR3)** to a classroom teacher for clearly time-limited school improvement projects, or one-off externally driven responsibilities. The duration of the fixed term must be established at the outset and payment should be made on a monthly basis for the duration of the fixed term.

*The 2022 STPCD states that TLR 3s may also be awarded where teachers are undertaking planning, preparation, coordination of, or delivery of tutoring to provide catch-up support to pupils on learning lost to the pandemic, and where that tutoring work is taking place outside of normal directed hours but during the school day.*

*The relevant body should not award consecutive TLR3s for the same responsibility unless that responsibility relates to tutoring, as set out above.*

Where a TLR3 is awarded to a part-time teacher it need not be paid on a pro-rata basis. TLR3s are not subject to safeguarding. Although a teacher cannot hold a TLR1 and TLR2 concurrently, a teacher in receipt of either a TLR1 or TLR2 may also hold a concurrent TLR3.

The governing body pays TLR 1 and 2 payments to teachers as indicated in the attached staffing structure, in accordance with the pay ranges specified in the 2014 STPCD as updated from time to time and the following levels and values will apply:

- a) the annual value of a TLR1 is £8,706 - £14,732
- b) the annual value of a TLR2 is £3,017 - £7,368
- c) the annual value of a TLR3 must be no less than £600 and no greater than £2,975

The relevant body should ensure there are sensible differentials between TLR payments in order to reflect differences in job weight between different TLR roles.

*Although it is no longer a requirement (since 2014), BHCC recommends that governing bodies maintain the minimum differential of £1500 between each award of a TLR 1 or TLR2.*

The criteria for the award of TLR 1 and 2 payments are as follows:

Before awarding any TLR 1 or 2 payment, the governing body must be satisfied that the teacher's duties include a significant responsibility that is not required of all classroom teachers and that:

- a. is focused on teaching and learning;
- b. requires the exercise of a teacher's professional skills and judgement;
- c. requires the teacher to lead, manage and develop a subject or curriculum area; or to lead and manage pupil development across the curriculum;

- d. has an impact on the educational progress of pupils other than the teacher's assigned classes or groups of pupils; and
- e. involves leading, developing and enhancing the teaching practice of other staff.

In addition, before awarding a TLR1 payment, the governing body must be satisfied that the significant responsibility referred to above includes line management responsibility for a significant number of people.

Teachers will not be required to undertake permanent additional responsibilities without payment of an appropriate permanent TLR1 or TLR2 payment.

Before making any TLR3 payment, the governing body must be satisfied that the responsibilities meet a, b and d of the above criteria; that they are being awarded for clearly time limited school improvement projects or externally driven responsibilities (or for specific tutoring responsibilities outlined above); and that the responsibilities are not a permanent or structural requirement which should instead be rewarded by means of a permanent TLR payment.

Where the governing body wishes to make TLR3 payments, the proposed responsibilities, level of payment and the duration of payment will be set out clearly and subject to consultation with union representatives.

The governing body will ensure that the use of TLR3 applies only in relation to the circumstances outlined above. TLR3 payments will not be used to replace or otherwise limit teachers' pay progression on the Main, Upper or Leading Practitioner Pay Ranges.

## **9b. Special Educational Needs Allowances**

### **Introduction**

*The STP&CD 2010 replaced the previous system of two separate and defined SEN allowances, SEN1 and SEN2, with a new SEN pay range allowing spot value allowances. Governing bodies have the facility to set up between one and three additional points between the minimum and maximum point if needed (subject to discussion/agreement with HR). These would be spot ranges so incremental progression does not apply.*

### **9bi) Value**

A SEN allowance of no less than £2,384 and no more than £4,703 per annum is payable to a classroom teacher in accordance with paragraph 21 of the Document and summarised below in this Pay Policy under this section 9b).

### **9bii) Eligibility**

The governing body must award a SEN allowance to a classroom teacher

- (a) in any SEN post that requires a mandatory SEN qualification;

- (b) in a special school;
- (c) who teaches pupils in one or more designated special classes or units in a school (or, in the case of an unattached teacher, in a local authority unit or service);
- (d) in any non-designated setting (including any PRU) that is analogous to a designated special class or unit, where the post –

- (i) involves a substantial element of working directly with children with special educational needs;
- (ii) requires the exercise of a teacher's professional skills and judgement in the teaching of children with special educational needs; and
- (iii) has a greater level of involvement in the teaching of children with special educational needs than is the normal requirement of teachers throughout the school or unit within the school or, in the case of an unattached teacher, the unit or service.

### **9biii) Allocation of spot value**

Where a SEN allowance is to be paid, the relevant body must determine the spot value of the allowance, taking into account the structure of the school's SEN provision and the following factors-

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

### **9biv) Objective justification for ranges used in school**

SEN allowances may be held at the same time as TLRs. However, governing bodies, when reviewing their staffing structures/keeping them under review, should:

- ensure that, holders of discretionary SEN allowances are not carrying out tasks that would be more appropriately undertaken by support staff;
- consider whether, if teachers have responsibilities that meet the principles for the award of TLR payments it would not be more appropriate to award a TLR payment instead of a discretionary SEN allowance of a lower value;
- not continue to award new SEN payments solely for the purposes of recruitment and retention; and
- ensure that any SEN responsibilities are clearly specified in individual teachers' job descriptions.
- Where the criteria for the payment of an SEN allowance are met, the relevant body must award an allowance and the teacher's written notification given at the time of the award should specify the amount and the reason for the award.

### **Assessment of appropriate allowance values**

The pay policy should set out the basis for rational, transparent and fair decisions on levels of payment for SEN allowances. This will reflect the school's organisation of or provision for SEN (or, for unattached teachers employed in the local authority's central services, the organisation of provision in the particular service).

In establishing appropriate values for their SEN allowances, schools should ensure that they have considered the full range of payments available and that the values chosen are properly positioned between the minimum and maximum established in the national framework. For example, a teacher who is teaching a special class for which a mandatory qualification is required and who has considerable relevant experience (and who is therefore seen as one of the school's leading professionals in this area) would be more likely to be paid towards the top end of the national range. Differential values relating to SEN roles in the school should be established to properly reflect significant differences in the nature and challenge of the work entailed so that the different payment levels can be objectively justified.

Schools should take account of the way in which SEN provision is organised and delivered locally and may want to consult the local authority for advice on establishing appropriate payments.

### **9c) Acting Allowance**

Where any teacher is required to act as head teacher, deputy head teacher or assistant head teacher for a period in excess of four weeks, s/he will receive an additional allowance in order that the total pay received is not lower than the minimum of the range of the substantive post holder. Payments will be backdated to the day on which the teacher assumed those duties.

Performance Payments are paid to Seconded Teachers where:

- (a) a teacher is temporarily seconded to a post as headteacher in a school causing concern which is not the teacher's normal place of work; and
- (b) the governing body of that school considers that the teacher merits additional payment to reflect the sustained high quality of performance throughout the secondment, the relevant body may pay the teacher a lump sum accordingly. The total value of the additional payment and any annual salary paid to the teacher during the secondment must not exceed 25% above the maximum of the headteacher group for the school to which the teacher is seconded.
- c) See STPCD Section 3 Guidance paras 65 – 68 for information on payment recognition for services to other schools and the type of agreement that should be set up prior to undertaking this work.

See also Para 8b) of this policy above.

*You may obtain further advice on acting up arrangements in specific circumstances from HR.*

## 10. ADDITIONAL PAYMENTS

The governing body may make such additional payments as they see fit to a teacher, in respect of the below.. *Any CPD, ITT and Out-of-School Learning Activity and associated payments (see below) should be discussed and agreed between the teacher and the headteacher before the activity takes place.*

### 10a. Continuing Professional Development

Teachers (excluding headteachers) who undertake voluntary continuing professional development outside the school day, in addition to the **1258.5\* hours of directed time for the school year beginning in 2022**) - or pro rata for part-time staff - of directed time) will be entitled to an additional payment of –

*An hourly rate as below or time off in lieu.*

#### **Guidance/notes**

*One possibility would be to determine an hourly rate as per short notice/supply teachers then multiply by a factor, e.g. x1.5, x2 etc. to compensate for out of hours work. Another possibility would be a flat rate payment in line with the teacher's level of responsibility and size of the commitment.*

### 10b. Initial Teacher Training (ITT) activities

Teachers who undertake activities relating to the provision of initial teacher training as part of the ordinary conduct of the school on a voluntary basis will be not be entitled to any additional payment.

Teachers (excluding headteachers) who undertake initial teacher training activities which are not seen as part of the ordinary running of the school will be given separate non-teaching contracts of employment to cover areas of work that are not part of their substantive teaching job or contract of employment.

### 10c. Out-of-School Learning Activities

Teachers (excluding headteachers) who participate in out-of-school hours learning activity agreed between the teacher and the headteacher and whose salary range does not take account of such activity, will be entitled to a payment of – *an hourly payment as detailed below or time off in lieu.*

Activities that will attract payment include – *Currently there are no activities of this type staffed by teachers at Downs Infant School.*

#### **Guidance/notes**

*It is for the relevant body to determine such payments, but one possibility would be to determine an hourly rate as per short notice/supply teachers then multiply by a factor, e.g. x1.5, x2 etc. to compensate for out of hours work. Another possibility would be a*

*flat rate payment in line with the teacher's level of responsibility and the size of the commitment.*

*Some possibilities include 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 and Catch Up or One to One Tuition taking place outside the school day. See also the B&H guidance on recommended arrangements for the use and payment of one-to-one tutors.*

*Please note that adequate H&S Risk Assessment should be applied to planning for these activities.*

*With the advent of remodelling the school workforce and the need to ensure downward pressure on teachers' working hours many schools are using support staff and other adults to undertake these activities.*

### **10d Recruitment and retention incentives and benefits**

The governing body will review the level of payment/benefits for retention and recruitment annually. At present there is no retention or recruitment benefit payable.

N.B. Para 27.3 of the STPCD states that headteachers, deputy headteachers and assistant headteachers may not be awarded recruitment and retention payments other than as reimbursement of reasonably incurred housing or relocation costs. All other recruitment and retention considerations in relation to a headteacher, deputy headteacher or assistant headteacher – including non-monetary benefits – must be taken into account when determining the pay range.

#### **Guidance/notes**

*The governing body should specify clearly the basis on which such incentives may be paid (e.g. to all teachers; to those in shortage subjects as defined by the school; or after one/two advertisements have failed to produce a suitable candidate for appointment) and for how long.*

*Payments may only be made for recruitment and/or retention purposes, not for carrying out specific responsibilities or to supplement pay for other reasons.*

*Incentives may, for example, include a cash sum, a percentage up-rating of salary, or defined benefits such as childcare costs or health care provision.*

*A review of rates will be necessary if the governing body intends to increase the level of these awards in line with general increases to salaries, or in other circumstances which the governing body may determine.*

*Schools should consider making use of existing pay flexibilities within the STPCD - particularly to help with the recruitment of teachers of shortage subjects such as mathematics, physics and chemistry (and may check for any current DfE funding schemes).*

*Schools will be expected to meet the costs of any payments from within the budgets they have available.*

### **10e) Salary Sacrifice**

Salary sacrifice means any arrangement under which the teacher gives up the right to receive part of the teacher's gross salary in return for the employer's agreement to provide a benefit-in-kind under any of the following schemes:

- (a) a childcare voucher or other childcare benefit scheme;
- (b) a cycle or cyclist's safety equipment scheme; or
- (c) a mobile telephone scheme entered into before 5 April 2017; and
- d) that benefit-in-kind is exempt from income tax<sup>(1)</sup>.

Where the employer operates a salary sacrifice arrangement, the teacher may choose to participate in any such arrangement and the teacher's gross salary may be reduced accordingly for the duration of such participation.

Participation in any salary sacrifice arrangement has no effect upon the determination of any safeguarded sum to which the teacher may be entitled under any provision of this Document.

\*N.B. any payments to headteachers are subject to the overall limit on discretionary payments at STPCD para 10.2.

### **10f). Honoraria**

The governing body **will not pay any** honoraria to any member of the teaching staff for carrying out their professional duties as a teacher, recognising that there is no provision within the STPCD for the payment of bonuses or honoraria in any circumstances. Any such award to a teacher for their teaching work would be unlawful.

## **11. SAFEGUARDING**

The governing body will operate salary safeguarding arrangements in line with the provisions of the STPCD Section 2 Part 5 Paras 29 – 37.

This covers:

- General circumstances in which safeguarding applies

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<sup>(1)</sup> *The Income Tax (Earning and Pensions) Act 2003 (2003 c.1) provides that no liability to income tax arises in respect of the provision for an employee of any of these benefits-in-kind, where the specified conditions are met.*

- Entitlement to a safeguarded sum
- Notification of safeguarding
- The safeguarding period
- Calculating relevant dates
- Suspension and partial reduction of the safeguarding sum
- Additional duties
- Miscellaneous
- 'Other' safeguarding.

## **12. UNQUALIFIED TEACHERS**

### **i) Unqualified Scale**

The governing body will, when determining on which point to place unqualified teachers on the unqualified teachers' pay scale (see Appendix 3) when they are appointed, taking account of any relevant qualifications and experience. Unqualified teachers will normally be appointed to the minimum point unless the relevant body determines that they have other relevant experience in which a discretionary point or points may be awarded.

### **ii) An unqualified teacher who becomes qualified**

Upon obtaining qualified teacher status (QTS) under regulations made under section 132 of the Act<sup>(2)</sup> an unqualified teacher must be transferred to a salary within the main pay range for teachers. Where the teacher continues to be employed by the same school within which they were employed before they obtained QTS the teacher must be paid a salary which is the same as or higher than the unqualified teacher pay range and any unqualified teacher allowance (including any safeguarded sum), as the relevant body considers to be appropriate.

A teacher who obtains QTS retrospectively under those regulations must be paid a lump sum by the relevant body responsible for the payment of remuneration at the time when QTS was effectively obtained.

The lump sum payable as above must be the difference (if any) between the remuneration the teacher was actually paid as an unqualified teacher and the salary (not including any allowances) the teacher would have been paid as a qualified teacher, from the date QTS was effectively obtained to the date when the lump sum is paid.

### **iii) Unqualified teachers' allowance**

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<sup>(2)</sup> S.I. 2003/1662 in relation to England and S.I. 2012/724 in relation to Wales.



The governing body may determine that such additional allowance as it considers appropriate is to be paid to an unqualified teacher where it considers, in the context of its staffing structure and pay policy that the teacher has:

Taken on a sustained additional responsibility which:-

- Is focused on teaching and learning and requires the exercise of a teacher's professional skills and judgement or;
- Qualifications or experience which bring added value to the role being undertaken.

The school will *need to insert details here of circumstances that will normally trigger payment, how the value of the allowance will be determined and the £ [ ] to the holder of [posts]<sup>3</sup> CURRENTLY THERE ARE NO UNQUALIFIED TEACHERS WITHIN THE STAFFING STRUCTURE AT DOWNS INFANT SCHOOL.*

The governing body will pay an unqualified teacher on one of the employment-based routes into teaching on the qualified/unqualified teachers' scale *[school to delete as applicable and insert circumstances]*

#### **Guidance/notes**

*The relevant body's pay policy should set out the way in which decisions are taken on allowances for unqualified teachers, so that there is transparency.*

*Please note that when employing unqualified, overseas teachers further advice should be taken from the Authority in relation to time limits that may be applicable to continuing employment.*

## **13. APPEALS**

The arrangements for considering appeals on pay determination are set out in Appendix 2 of this policy.

## **14. MONITORING THE IMPACT OF THE POLICY**

The governing body will monitor the outcomes and impact of this policy on a regular (*annual*) basis including trends in progression across specific groups of teachers to assess its effect and the school's continued compliance with equalities legislation. *This will be shared with union representatives.*

End.

*Downs Infants Pay Policy adapted from the Model Teacher Pay Policy for B&H Schools - 1 Sept 2022 To 31 Aug 2023*

*See also the Model School Appraisal Policy available on BEEM.*

## **APPENDIX 1**

### **REMIT FOR THE PAY COMMITTEE OF THE GOVERNING BODY**

The Pay Committee will comprise at least three governors. All governors, including those employed at the school, will be eligible for membership of the Pay Committee and will be eligible to take part in any discussions where their interest is no greater than that of the generality of employees at the school. However, a staff governor (other than the headteacher) cannot be party to decisions relating to another individual's pay or performance.

#### **Establishment of the policy**

The Pay Committee is responsible for:

- establishing the policy, in consultation with the head teacher, staff and trade union representatives, and submitting it to the Governing Body for approval.

The Governing Body is responsible for:

- formal approval of the policy.

#### **Monitoring and review of the policy**

The Pay Committee is responsible for:

- reviewing the policy annually, in consultation with the head teacher, staff and trade union representatives; and submitting it to the Governing Body for approval.

The Governing Body is responsible for:

- considering an annual report, including statistical information, on decisions taken in accordance with the terms of the policy;

#### **Application of the policy**

The head teacher is responsible for:

- ensuring that pay recommendations for the deputy and assistant head teacher(s), classroom teachers and support staff are made and submitted to the Pay Committee in accordance with the terms of the policy;
- advising the Pay Committee on its decisions; and
- ensuring that staff are informed of the outcome of decisions of the Pay Committee and of the right of appeal.

The Pay Committee is responsible for:

- taking decisions regarding the pay of the deputy and assistant head teacher(s), classroom teachers and support staff following consideration of the recommendations of pay reviewers and the advice of the head teacher;
- taking decisions regarding the pay of the head teacher following consideration of the recommendations of the governors responsible for the head teacher's performance review;
- submitting reports of these decisions to the Governing Body; and
- ensuring that the head teacher is informed of the outcome of the decision of the Pay Committee and of the right of appeal.

The Appeals Committee of the Governing Body is responsible for:

- taking decisions on appeals against the decisions of the Pay Committee in accordance with the terms of the appeals procedure of the policy.

## APPENDIX 2

### APPEALS AGAINST PAY DECISIONS (for teaching staff)

It is for the governing body of a school/college to determine the duties to be carried out by each post holder. For teachers this will be subject to the provisions of the School Teachers Pay and Conditions document.

The arrangements for considering appeals are as follows:

A member of staff may seek a review of any determination in relation to his/her pay or any other decision taken by the governing body (or a committee or individual acting with delegated authority) that affects his/her pay.

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

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

- a) Incorrectly applied any provision of the School Teachers Pay and Conditions Document;
- b) Failed to have proper regard for statutory guidance;
- c) Failed to take proper account of relevant evidence;
- d) Took account of irrelevant or inaccurate evidence;
- e) Was biased; or
- f) Otherwise unlawfully discriminated against the member of staff.

The order of proceedings is as follows:

The member of staff receives written confirmation of the pay determination and where applicable the basis on which the decision was made including their right of appeal.

### STAGE ONE

If the member of staff is not satisfied with their written notification of pay determination he/she should seek to resolve this by discussing the matter informally with the decision-maker within ten working days of the decision. This is the informal stage for the purposes of this procedure known as **Stage One**.

N.B. In relation to the appraisal/performance management process for teaching staff, if a teacher feels their pay progression has been unfairly affected and/or discussions have already taken place with the 'appraisal/performance management reviewer' regarding any pay determination decision they should move to Stage Two of this procedure.

Where the member of staff continues to be dissatisfied, he/she may follow a formal appeal process (see Stage Two and Three of this procedure).

## **STAGE TWO**

The member of staff should set down in writing the grounds for questioning the pay decision and send it to the person (or committee) who made the determination, within ten working days of the notification of the decision being appealed against or of the outcome of the discussion referred to above.

The committee or person (most often the headteacher) who made the determination should provide a hearing within ten working days of receipt of the written grounds for questioning the pay decision to consider this and give the member of staff an opportunity to make representations in person. This is known as **Stage Two** of the Procedure. If it is possible to use an alternative decision-maker/committee to that providing the original decision this would be best practice (see footnote below\* under 'General Principles').

The formal hearing should allow both parties to state their case. Following the hearing, where circumstances allow the employee should be informed of the decision orally (after an adjournment) and the decision and right to appeal should be confirmed in writing within three days. Any appeal must be made in writing to the Clerk to Governors within ten days of the written decision.

Please note that for any formal hearing or appeal the member of staff is entitled to be accompanied by a colleague or union representative (both the hearing and the appeal in stages two and three apply). The headteacher (or other person/committee hearing the appeal) may be advised at the meeting by a senior colleague in the school/college or by an officer of the LA.

## **STAGE THREE**

Any appeal should be heard by a panel of three governors who were not involved in the original determination normally within 20 working days of the receipt of the written appeal notification. This is **Stage Three** of the procedure. The employee and the headteacher/principal shall exchange statements to be considered at the appeal hearing seven working days before the notified date of the appeal hearing. Neither party shall be entitled to see a copy of the written statement by the other party before the preparation of their own. The statements prepared by both parties shall be sent to the members of the panel of governors authorised to hear appeals at least five working days prior to the hearing. The headteacher/principal may arrange for a representative to present the case on his/her behalf and the headteacher/principal (or representative) may be assisted in the presentation.

The procedure to be followed by the panel during the appeal hearing shall be as follows:

- i) The employee (or his/her representative) to put his/her case in the presence of the headteacher and to call such witnesses as he/she wishes.
- ii) The headteacher to have the opportunity to ask questions of the employee (or his/her representative) on the evidence given by him/her and any witnesses.

- iii) The appeals committee to have the opportunity to ask questions of the employee (or his/her representative) and his/her witnesses.
- iv) The headteacher to present the case in response to the employee's representations calling such witnesses as he/she wishes.
- iii) The employee (or his/her representative) to have the opportunity to ask questions of the headteacher on the evidence given by him/her and any witnesses.
- vi) The appeals committee to have the opportunity to ask questions of the headteacher and witnesses.
- vii) The headteacher/principal to have the opportunity to sum up his/her case.
- viii) The employee (or his/her representative) then to have the opportunity of summing up his/her case if they so wish.
- ix) The employee and head teacher and any witnesses to withdraw.
- x) The appeals panel (with any adviser) to deliberate in private only recalling the parties where there are particular points of uncertainty on the evidence already given. If recall is necessary, both parties are to return not withstanding only one is concerned with the point giving rise to doubt.

**The appeals panel is authorised to:**

- a) Reject the appeal and confirm that the pay determination is correct  
OR  
Ask the headteacher/principal to implement the pay progression originally denied  
OR
- b) Agree that the overall range of duties and level of responsibility undertaken by the postholder is above that which could reasonably be expected of an employee at his/her salary level;
  - i) In the case of teaching staff, upgrade the post to the level (within the job range) they consider appropriate where it is determined that the work undertaken will continue to be expected of the postholder
  - ii) Alternatively, ask the headteacher/principal in consultation with the employee concerned to make minor adjustments to the job description ensuring that the overall range of duties and level of responsibilities is consistent with the existing grade for the post.

The decision of the appeals panel will be notified to the employee and his/her representative at the meeting and confirmed in writing within five working days of the meeting. Where the appeal is rejected will include a note of the evidence considered and the reasons for the decision.

The decision of the appeals panel shall be final. There is no further right of appeal within the school or the LA but the employee's right to any statutory recourse would remain.

### **General principles:**

- Each step and action of this process must be taken without unreasonable delay. The timing and location of the formal meeting must be reasonable. The time limits referred to in this procedure may be modified by mutual agreement. The time limits referred to are working days; i.e. Monday to Friday and do not include Saturdays, Sundays or school/college holidays.
- These arrangements are separate from other grievances and are not to be dealt with under the grievance procedure.

### **\* Footnote from Stage Two:**

*As an example, a Performance Management/Appraisal Reviewer in a secondary school may have made the decision not to recommend moving through the threshold and a discussion may have taken place at the informal stage 1. In this case it would be likely that the head hears the formal hearing and the panel of governors hears the appeal. In a Primary school the headteacher may have been the reviewer so may wish to use one panel of governors to undertake the first hearing (Stage 2) and a second to hear the appeal (Stage 3).*

### **Guidance/notes**

*Take advice from HR on the process to be followed in each case (also making reference to the School Appraisal Policy).*

## APPENDIX 3

### 2022 SALARY RATES

#### Teacher Pay Ranges 2022

##### Brighton & Hove Teacher Main Pay Range 2022

Spine Point		
M1	£28,000	Minimum
M2	£29,800	
M3	£31,750	
M4	£33,850	
M5	£35,990	
M6	£38,810	Maximum

##### Upper Pay Range 2022

UPR 1 (min)	£40,625
UPR 2	£42,131
UPR3 (max)	£43,685

##### Leading Practitioner Range 2022

(Minimum £44,523 and maximum £ 67,685).

##### Unqualified Teachers Pay Range 2022

UT 1 * Minimum	£19,340	UTPR Minimum
UT 2 *	£21,559	
UT 3 *	£23,777	
UT 4	£25,733	
UT 5	£27,954	
UT 6 Maximum	£30,172	UTPR Maximum

#### Allowances

##### TLR

- the annual value of a TLR1 is £8,706 - £14,732
- the annual value of a TLR2 is £3,017 - £7,368
- the annual value of a TLR3 must be no less than £600 and no greater than £2,975

##### SEN

Min £2,384 per annum  
Max £4,703 per annum



## APPENDIX 4 Leadership Teacher Pay Ranges 2022

Leadership minimum (minimum for deputy/assistant heads only) – L1 = £44,305

### Broad Bands for Head Teachers

1	£50,122	-	£66,684	6 – 18*
2	£52,659	-	£71,765	8 – 21*
3	£56,796	-	£77,237	11 – 24*
4	£61,042	-	£83,126	14-27*
5	£67,351	-	£91,679	18-31*
6	£72,483	-	£101,126	21-35*
7	£78,010	-	£111,485	24-39*
8	£86,040	-	£123,057	28-43

### Explanation of Leadership Pay Changes, Group Sizes & Pay Ranges

**Group sizes** are based on the numbers/ages of pupils (total unit score) in the school (see STPCD Section 2 Part 2 para 5.) e.g. a small infant school might be a Group 1 school and a large secondary may be a Group 6 school. The number of points in a group varies and the pay ranges within the group overlap. Group sizes are re-assessed annually by BHCC Schools' Finance dependent on school/pupil numbers.

**Headteacher pay ranges** (formally known as 'ISR's or individual school ranges) are 7 point salary pay ranges within the group for the school, normally with smaller schools being set near the bottom and larger schools being set nearer the top of ranges.

**Deputy/Assistant Heads pay ranges** – these are 5 point ranges set within the leadership pay spine but relate to the head's pay range and not directly with the school group size.

	Old Leadership spine points	B&H Headteacher 7 point 'ISR' ranges (including a and b references on top of range in bold)
Group 1	6 – 18	6-12, 7-13, 8-14, 9-15, 10-16, 11-17, <b>12 - 18a*</b>
Group 2	8 – 21	8-14, 9-15, 10-16, 11-17, 12-18, 13-19, 14-20, <b>15-21a*</b>
Group 3	11 – 24	11-17, 12-18, 13-19, 14-20, 15-21, 16-22,17-23, <b>18-24a*</b>
Group 4	14-27	14-20, 15-21, 16-22, 17-23, 18-24, 19-25, 20-26, <b>21-27a*</b>
Group 5	18-31	18--24, 19-25, 20-26, 21-27, 22-28, 23-29, 24-30, <b>25 – 31a*</b>
Group 6	21-35	21-27, 22-28, 23-29, 24-30, 25-31, 26-32, 27-33, 28-34, <b>29-35a*</b>
Group 7	24-39	24-30, 25-31, 26-32, 27-33, 28-34, 29-35, 30-36, 31-37, 32-38, <b>33-39a*</b>
Group 8	28-43	28-34, 29-35, 30-36, 31-37, 32-38, 33-39, 34-40, 35-41, 36-42, <b>37-43.</b> (only one point on 43)

The STPCD 2015 introduced frozen salary points on the top of the headteacher ranges and did not apply a 1% uplift to those points that year i.e. LSP 18, 21, 24, 27, 31, 35, 39 or 43. However, it did allow a 1% uplift to these points on the leadership range, where heads were just moving through those points or in the case of assistant/deputy head pay ranges. Hence the need

*Downs Infants Pay Policy adapted from the Model Teacher Pay Policy for B&H Schools - 1 Sept 2022 To 31 Aug 2023*

for schools/LAs to differentiate these points into 2 different payroll values – known here as: ‘a\*’ reflecting the STPCD limits to heads group size ranges (frozen in 2015); and ‘b’ where the 1% uplift was applied to the overall leadership scale. The 2015 STPCD change has left the legacy of two different salary values for those points – see below.

**Leadership Pay** - table showing 2022 rates and dual values for LSP which also happen to be the top of group ranges (reflecting limits to pay on top of ranges)

L1	<b>£44,305</b>	Minimum
L2	<b>£45,414</b>	
L3	<b>£46,548</b>	
L4	<b>£47,706</b>	
L5	<b>£48,895</b>	
L6	<b>£50,122</b>	<i>Start of group one for heads</i>
L7	<b>£51,470</b>	
L8	<b>£52,659</b>	
L9	<b>£53,973</b>	
L10	<b>£55,360</b>	
L11	<b>£56,796</b>	
L12	<b>£58,105</b>	
L13	<b>£59,558</b>	
L14	<b>£61,042</b>	
L15	<b>£62,561</b>	
L16	<b>£64,225</b>	
L17	<b>£65,699</b>	
L18a*	<b>£66,684</b>	Maximum of Group 1 LSP 6 - 18 ( <i>a*</i> )used if top of ISR)
L18b	<b>£67,351</b>	( <i>b</i> ) used if starting or passing through this point)
L19	<b>£69,022</b>	
L20	<b>£70,733</b>	
L21a*	<b>£71,765</b>	Maximum of Group 2 LSP 8 - 21
L21b	<b>£72,483</b>	
L22	<b>£74,283</b>	
L23	<b>£76,122</b>	
L24a*	<b>£77,237</b>	Maximum of Group 3 LSP 11 - 24
L24b	<b>£78,010</b>	
L25	<b>£79,949</b>	
L26	<b>£81,927</b>	
L27a*	<b>£83,126</b>	Maximum of Group 4 LSP 14 - 27
L27b	<b>£83,956</b>	
L28	<b>£86,040</b>	
L29	<b>£88,170</b>	
L30	<b>£90,365</b>	
L31a*	<b>£91,679</b>	Maximum of Group 5 LSP 18 - 31
L31b	<b>£92,597</b>	
L32	<b>£94,898</b>	
L33	<b>£97,256</b>	
L34	<b>£99,660</b>	
L35a*	<b>£101,126</b>	Maximum of Group 6 LSP 21 - 35
L35b	<b>£102,137</b>	
L36	<b>£104,666</b>	
L37	<b>£107,267</b>	
L38	<b>£109,922</b>	
L39a*	<b>£111,485</b>	Maximum of Group 7 LSP 24 - 39
L39b	<b>£112,601</b>	
L40	<b>£115,410</b>	

L41	<b>£118,293</b>	
L42	<b>£121,258</b>	
L43	<b>£123,057</b>	Maximum of Group 8 LSP 28 - 43

*The asterixed a) points and point 43 are the maximum salaries for the eight headteacher group ranges. The b) values are to be used in other circumstances (e.g. beginning or progressing through the pay range).*

## **Further sources of information**

The following links provide more detailed information on:

### **Useful resources and external organisations**

[Acas Advice and Guidance: The right to request flexible working](#)

[DfE advice on Flexible Working in Schools](#)

[DfE Workload Reduction Toolkit](#)

## **Relevant legislation and departmental advice**

[The Working Time Regulations 1998](#)

[The Part-time Workers \(Prevention of Less Favourable Treatment\) Regulations 2000](#)

[The Flexible Working Regulations 2014](#)

[The Equality Act 2010](#)

[The Education \(School Teachers' Appraisal\) \(England\) Regulations 2012](#)

[The School Teacher Appraisal \(Wales\) Regulations 2011](#)

[Teacher Appraisal and Capability - Departmental Advice](#)

[Departmental advice – Implementing your school's approach to pay](#)

## **Other departmental resources**

[GOV.UK website](#) contains a range of advice and guidance to support schools and LAs in implementing pay and conditions.