

The Enquire Learning Trust

Pay Policy

1st September 2015

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1. Introduction

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 recognised trade unions. Teachers will be employed on the terms and conditions listed under the Burgundy Book.

In adopting this pay policy the aim is to:

- Raise standards of achievement and progression for all children;
- Maximise the quality of teaching and learning across all of our academies;
- Support the recruitment and retention of a high quality teacher workforce;
- Enable us to recognise and reward teachers appropriately for their contribution to an academy and the Trust as a whole; and
- Ensure that decisions on pay and performance management are made in a fair, just and transparent way.

Pay decisions are made by the Local Governing Body on the recommendation of the Principal in accordance with the Trust Scheme of Delegation and approved by the Trust Board.

2. Pay Reviews

The Local Governing Body of [insert name] Academy ensures that each teachers' salary is reviewed annually, with effect from 1 September and no later than 31 October each year, and that all teachers receive 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 descriptions 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 Local Governing Body will give the required notification as soon as possible and no later than one month after the date of the determination.

3. Basic Pay Determination on Appointment

The Local Governing Body will determine the pay range for a vacancy prior to advertising it. On appointment it will determine the starting salary within that range to be offered to the successful candidate. In making such determinations, the Local Governing Body may take into account a range of factors including:

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

The Governing Body will normally match the salary point of any teacher joining the academy. Any exception to this must be clearly explained at the advertising stage and be capable of objective justification.

4. Pay Progression Based on Performance

Across the Trust 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. This is designed to be helpful, challenging and supportive.

Decisions regarding pay progression are made with reference to the teachers' appraisal reports and the pay recommendations they contain. It is possible for a 'no progression' determination to be made without recourse to the capability procedure but a 'no progression' determination will normally result in a performance improvement plan being implemented in conjunction with the employee. Any issues with performance that are considered serious enough to warrant capability proceedings will be addressed with the employee outside of the appraisal process. This means that an employee should never be advised of the intention to progress through capability proceedings at their appraisal if no such issues have been raised previously.

In the case of NQTs, whose appraisal arrangements are different, pay decisions will be made by means of the statutory induction process. To be fair and transparent, assessments of performance will be properly rooted in evidence. Upon successful completion of the induction year, where the NQTs contractual arrangement is continuing, the governing body will increase the salary of the NQT. The salary will normally be by one reference point.

The Local Governing Body considers annually whether or not to increase the salary of unqualified teachers and if so, by how much within the pay range for unqualified teachers.

A recommendation on pay must be made in writing as part of the appraisal report, and the governing body must have regard to this recommendation in making their decision.

Across the Trust we will ensure fairness by applying the Teachers' Standards in line with the appraisal policy.

The evidence we use includes; self-assessment, tracking pupil progress, lesson observations, work scrutiny and enquiry. Evidence is properly documented and individual teachers have access to their own record and are encouraged to supplement this with additional evidence where required but this should not be an onerous task.

Teachers' appraisal reports will contain pay recommendations. Final decisions about whether or not to accept a pay recommendation will be made by the Local Governing Body, having regard to the appraisal report and taking into account advice from the Principal as well as the recommendations made by the Pay and Performance Review Committee. Pay recommendations for members of the leadership group are made to the Trust Board. The Local Governing Body will ensure that appropriate funding is allocated for pay progression at all levels.

Across the Trust judgements of performance will be made against appraisal objectives which will take in to account the Teachers' Standards. Teachers will either meet, exceed or not meet the standards. The Teachers Standards, Academy Development Plans and other relevant documents are used as a backdrop in determining the objectives.

Progression will be differentiated in the following way:

Level of Standards/Objectives:	Progression Attained:
A teacher <i>exceeds</i> the teachers standards and their appraisal objectives.	Progression is <i>enhanced</i> .
A teacher <i>meets</i> the standards and their objectives.	Progression is <i>standard</i> .
The performance of a teacher falls <i>some way short</i> of standards and/or objectives.	No pay progression.
The performance of a teacher <i>falls short of acceptable professional standards</i> for the appropriate point or the salary scale and objectives are not met.	No pay progression and capability procedures will be initiated.

The Trust will use the Pay Scales currently in force M1 – M6.

Level of Progression:	Points on the Pay Scale:
Exceptional Progression	Up to 4 points on the pay scale
Enhanced Progression	Up to 2 points on the pay scale
Standard Progression	1 point on the pay scale
Falls Short of Acceptable Progression	No movement

5. Movement to the Upper Pay Range

Applications and Evidence

Any qualified teacher may apply to be paid on the upper pay range and any such application must be assessed in line with this policy. It is the responsibility of the teacher to decide whether to apply to progress through the threshold.

Teachers will be eligible for progression to the upper pay range having reached M6 on the Main Pay Range. Applications may be made once a year on 1st September. Where teachers wish to be assessed, they should notify their appraiser in writing using the application form at Appendix 3 which should be submitted to the appraiser at their appraisal and the application will then be appended to their appraisal planning statement.

All applications should include the results of reviews or appraisals from a two full cycles and/or appraisals from the previous two years, including any recommendation on pay (or where that information is not applicable or available, a statement and summary of evidence designed to demonstrate that the applicant has met the assessment criteria).

If a teacher is simultaneously employed at another academy or school, they may submit separate applications if they wish to apply to be paid on the upper pay range in that academy or school. An academy is not bound by any pay decision made by another establishment.

Assessment

An application from a qualified teacher will be successful where the Local 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 Academy are substantial and sustained.

For the purposes of this pay policy:

- '*highly competent*' means performance which meets or goes beyond their career stage expectations; is not only good but also good enough provide support to other teachers, give advice to them and demonstrate and take a lead in effective teaching practice and how to make a wider contribution to the work of the Academy, in order to help them meet the relevant standards and develop their teaching practice.
- '*substantial*' means of real importance, validity or value to the Academy and a development of it's ethos; play a critical role in the life of the Academy; provide a role model for teaching and learning; make a distinctive contribution to the raising of pupil standards; actively seek appropriate opportunities for professional development and use the outcomes effectively to improve pupils' learning; take a lead in implementing the priorities set out in the School Improvement Plan.
- '*sustained*' means maintained continuously over a period of at least two academic years.

The application will be assessed initially by the respective Academy Principal who makes recommendations to the Pay Committee of the Local Governing Body for final determination. The Trust board will then consider approval.

Processes and procedures

The applicant will receive a response following the meeting of the Pay Committee which will be held during the first Autumn Half Term.

If successful, applicants will move to the upper pay range from 1st September of the current academic year. The position on the upper pay range will be decided in a fair and consistent way based on considerations including:

- the level of qualifications, skills, experience and performance of the teacher.

If unsuccessful, written feedback is provided by the Principal within 10 working days of the decision and will cover the reasons for the decision and the appeal 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 appeals arrangements set out in Appendix 1.

6. Trust Pay Structure – Allowances and Payments

Leaders of Learning Payments (TLRs)

Before awarding any TLR 1 or 2 payments, 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, the award of TLR1 will only be given where the governing body is satisfied that significant responsibility includes line management responsibility for a significant number of people.

The Governing Body pays TLR1 and TLR2 payments to teachers as indicated in the staffing structure, in accordance with the 2015 STPCD as updated from time to time and the following values will apply:

The annual value of a TLR2 will be no less than £2,613 and no greater than £6,386.

The annual value of a TLR1 will be no less than £7,546 and no greater than £12,770.

The Governing Body will award TLR3 for clearly time limited school improvement projects or one-off externally driven responsibilities; and these responsibilities are not a permanent or structural requirement. TLR3s will not be used to replace or otherwise limit teachers' pay progression on the main, upper or leading practitioner pay ranges.

The annual value of a TLR3 will be no less than £517 and no greater than £2,577.

Special Educational Needs (SEN) Allowance

The Governing Body will award a SEN allowance to a classroom teacher in accordance with the criteria and provisions set out in the STPCD. The spot value of the allowance will take into account the structure of the school's SEN provision and the following:

- (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

The annual value of any SEN Allowance will be no less than £2,064 and no greater than £4,075.

Recruitment and Retention Incentives and Benefits

Where the Governing Body awards a recruitment or retention payment, the level, duration, review date, the nature of the award, how it will be paid and the criteria used will be clearly set out and reviewed annually.

7. The Leadership Group

This includes the Principal, Vice Principal or Head of School.

The Local Governing Body is required to set an Individual School Range (ISR) for all Principals and Vice Principals and may award 1 or 2 points each year on that ISR for

“sustained high quality performance”, taking account of agreed objectives for that year. The ISR for Principals is a 7 point range which is determined by the group into which the academy falls and for Vice Principals it is a 5 point range. The Local Governing Body must review the ISR when it appoints a new Principal / Head of School and must take account of the size and circumstances of the academy.

8. Leadership Group Performance Pay Progression

Where Local Governing Bodies determine to make changes to the ISR, the consent of the Trust Board is required.

The performance of Leadership Group Teachers is reviewed annually by the end of October, for the previous school year, (except for Principals/Head of School where the date is end of December in relation to previously set or agreed performance objectives). The Local Governing Body can award 1 or 2 points for 'sustained high quality performance'. In this respect performance objectives relating to school leadership and management, arising from the School Improvement Plan and contributing to the improvement of pupil achievement should be agreed with all Leadership Group members each year.

Nominated Performance Management governors together with an external adviser appointed by the Local Governing Body and agreed by the Trust Board determine performance objectives with the Principal. The Principal will agree performance objectives for the Vice Principal.

It is good practice for objectives to become progressively more challenging as Leadership Group teachers gain experience and move up their ISR.

The Trust have the discretion to award additional payments to Principals/Executive Principals providing that the total sum of all payments made in any school year does not exceed 25% of the Principals' point on the leadership pay spine and will be reviewed annually. Any such payment will be directed by or agreed by the Trust.

9. Discretionary Payments

Classroom teachers on the lower (pre-threshold) or upper (post-threshold) pay scales may be awarded additional allowances by the Local Governing Body for teaching and learning responsibilities, teaching children with Special Educational Needs, or leading the school's SEND provision as SENCo and for Recruitment and Retention.

10. Leaders of Learning Payments

The Local Governing Body may award a Leaders of Learning payment to a classroom teacher for undertaking sustained additional responsibility in the context of the school's staffing structure (these may differ from year to year). Leaders of Learning payments are awarded for the purpose of ensuring the continued delivery of high quality teaching and learning, and the holder is accountable.

All Leaders of learning posts will 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 teachers' professional skills and judgment
- 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 education and progress of pupils other than the teachers' assigned classes or groups of pupils and;
- e) involves leading, developing and enhancing the teaching practice of other staff.

Leaders of Learning are permanent whilst the post holder remains in the same post in the staffing structure. A teacher may not be awarded more than one Leader of Learning payment; however it is appropriate that the Principal Leader of Learning is paid at a higher level than the highest paid Leader of Learning. Temporary Leaders of Learning will be awarded where the teacher is appointed to cover a post in the staffing structure to which a Leader of Learning payment is attached (such as in case of cover for secondments, maternity or sick leave or vacancies pending permanent appointment) and for the duration of that responsibility. A teacher who is awarded a temporary Leaders of Learning payment will not receive a safeguarded sum when it comes to an end.

The date on which the temporary award will end or the circumstances in which it will end must be included in the teachers' notice of a revised pay determination. When a senior post in the structure is unfilled (on a temporary basis for any reason), the school may share the responsibilities around more than one member of staff as an alternative to one person acting in the full role. In these circumstances each staff member should be allocated sufficient extra responsibility to justify the award of a temporary and partial Leader of Learning payment.

Any changes to academy staffing structures that increase the number - or potential number of Leader of Learning awards must be completed in accordance with the Trust Financial Policy.

11. Executive Principals

Executive Principals include those leaders who have been invited by the Trust to enact an enhanced role beyond their own establishment. This includes:

- Acting as Principal in another Enquire Learning Trust academy (either temporarily or substantively)
- Providing agreed and commissioned monitoring, support and challenge to Enquire Learning Trust academies
- Leading an aspect of the Trust's provision such as SEN, Safeguarding or a Teaching School
- Earning additional income for the Trust by acting as a National or Local Leader of Education.

Executive Principals are rewarded for this additional workload and responsibility in accordance with the schedule outlines in Appendix 4.

Where Executive Principals have made a significant contribution to the improvements in other specified academies this is reflected in performance review and any potential pay awards.

12. Part Time 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 Local 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 Academy's timetabled teaching week for a full time teacher in an equivalent post.

Part time teachers will not be treated any less favourably to full time teachers in any respect.

13. Short Notice/Supply Teachers

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; periods of employment for less than a day being calculated pro-rata.

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

14. Roles and Responsibilities

The role of the Academies Trust is to:

- Approve the Policy and recommend to Local Governing Bodies
- Monitor and review the implementation of the Pay Policy
- Consult with trade unions
- Approve changes to academies ISR

The role of the Local Governing Body is to:

- Agree the amount within the academy's budget for discretionary pay awards
- Consider recommendations from the Head Teacher, and other teachers filling the role of reviewer on pay and related budget issues.
- Appoint a Pay Policy Committee to assess and review salaries on an annual basis
- Appoint nominated Performance Management Governors to review the performance of the Principal
- Ensure salary decisions are made without discrimination.

The role of the Principal is to:

- Formulate a Policy for discussion with staff and agreement by the Local Governing Body
- Review Performance of teachers with the assistance of other senior staff who hold the role of Reviewer and forward recommendations to the Pay and Performance Committee of the Local Governing Body.

The role of teachers is to:

- Engage with pay and performance management procedures and professional development requirements.

15. Monitoring the Equality Impact of the Policy on Pay Progression

The Trust will monitor the outcomes and impact of this policy on an annual basis including trends in progression across specific groups of teachers to assess its effect and the Trust's continued compliance with equalities legislation.

Data surrounding pay progression will be collated and monitored by the Trust. This will include a breakdown of those who have and haven't been awarded pay progression under the headings of each of the protected characteristics. This is to ensure that no one in the Trust is being treated unfairly and that pay progression is not negatively impacting on a particular group of employees. This information will be collated in line with the DfE published document 'Equalities considerations as part of the appraisal and pay determination process'. Once collated, this data will be shared with the board of trustees and with trade unions through the JCC meetings. No personal information that would identify individuals will be shared.

This Policy will be reviewed annually and be subject to the Trusts register of organisational risk.

Appendix 1: Pay appeals procedure

Teachers may appeal against any determinations in relation to their pay or any other decision taken by the Local Governing Body that affects their pay. At any point in the appeals process the teacher may be accompanied by a representative of their choice.

The grounds for appeal are that the person or committee making the decision:

- a)** incorrectly applied any provision of the STPCD;
- 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 teacher.

The order of proceedings is as follows:

- 1)** The teacher receives written confirmation of the pay determination and where applicable the basis on which the decision was made.
- 2)** If the teacher is not satisfied, he/she should try seek to resolve this by discussing the matter informally with the Principal within ten working days of the decision. It is good practice for this discussion is held before a formal appeal is lodged.
- 3)** Where this is not possible or where the teacher continues to be dissatisfied, he/she may follow a formal appeal process.
- 4)** The teacher should set down in writing the grounds for questioning the pay decision, which must relate to the grounds as set out above, and send it to the Principal within ten working days of the notification of the decision being appealed against or of the outcome of the discussion referred to above.
- 5)** The Principal will provide a hearing within ten working days of receipt of the written grounds for questioning the pay decision to consider this and give the teacher an opportunity to make representations in person. Following the hearing the teacher should be informed in writing of the hearing's decision and the right to appeal. If a hearing cannot be arranged within the 10 day period this should be communicated to the Teacher and be arranged as soon as possible.
- 6)** 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. Opportunity will be given to the teacher to make representations in person. Governors from academies across the Trust may be drawn into this process where required. The decision of the appeal panel will be given in writing and where the appeal is rejected, will include a note of the evidence considered and the reasons for the decision. The decision is final and there is no recourse to the staff grievance procedure.

Any increase in pay that is decided at an appeal hearing, will be backdated to the 1st September of that year.

Appendix 2:

The procedure for the conduct of formal pay appeal meetings shall be as follows:

- Introductions
- Employee will state their case
- Chair asks questions of the employee/representative
- Chair invites panel to ask questions (if applicable)
- Management will state their case
- Chair asks questions of the management
- Chair invites panel to ask question (if applicable)
- Chair to sum up both sides
- Chair to adjourn hearing to deliberate
- Chair ends the hearing and advises employee that they will let him/her have the panels decision in writing within timescale.

Appendix 3: Upper Pay Range Application Form

Teachers Details:

Name: _____

Post: _____

PM/Appraisal Details:

Years covered by planning/review statements

Schools covered by planning/review statements

Declaration:

I confirm that at the date of this request for assessment to cross the threshold I meet the eligibility criteria and I submit performance management/appraisal planning and review statements covering the relevant period.

Applicants Signature: _____

Date: _____

Appendix 4: Leadership Pay

Principal role	IRS	Additional Payments should IRS be exceeded	Arrangements
Formal principalship of more than one academy	Group 3 18 - 25	+10 LPs	<p>Both establishment a contribute to costs. Proportions based upon pupil numbers in each academy. In certain circumstances - for example where an academy is in need of rapid improvement - the Trust may make a contribution.</p> <p>If this is a temporary arrangement a variation to contract will apply.</p>
Commissioned challenge and support within The Enquire Learning Trust	Actual	<p>Intensive support: + 3 LPs</p> <p>Light touch support + 1 LP</p>	Contribution from Trust up to an agreed entitlement. Where support is required beyond this threshold, the recipient academy will contribute at LLE rates.
Enactment of additional roles within The Enquire Learning Trust	Actual	+ 3 LPs	<p>Where the role has been commissioned by the Trust, additional payments are met centrally.</p> <p>Where payments arise from additional income into an academy a local arrangement applies.</p>
National and local leader of education deployment or equivalent	Actual	£300/day	A rate of £450/day is applicable to all deployments. This income is shared between academy and executive principal (1/3, 2/3 basis). Invoices for deployments should be raised through each academy. Where deployments are in excess of 10 days/year colleagues should seek the written approval of the Directors.