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# Pay Policy

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<b>Policy Name</b>	Pay Policy		
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## SECTION A - Introduction

### 1. Policy Scope

- 1.1 This policy sets out the framework for making decisions on employees' pay. It has been developed to comply with current legislation, the requirements of the School Teachers' Pay and Conditions Document (STPCD), the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service ("Green Book") and in accordance with the principles of public life - objectivity, openness, and accountability.\*
- 1.2 As part of the application of this policy, the Trust will collect, process and store personal data in accordance with the data protection policy. It will also comply with the requirements of Data Protection Legislation (being (i) the General Data Protection Regulation ((EU) 2016/679) (unless and until the GDPR is no longer directly applicable in the UK) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then (ii) any successor legislation to the GDPR or the Data Protection Act 2018), and the Workforce Privacy Notice sets out how the Trust will gather, process and hold personal data of individuals in relation to pay.
- 1.3 In adopting this pay policy, the aim is to:
- achieve excellent outcomes for all pupils
  - support the recruitment and retention of a high-quality workforce
  - support the Trust's appraisal policy
  - complement the delivery of the statutory appraisal process and make robust decisions on teacher and leadership pay
  - enable the Trust to recognise and reward staff appropriately for their contribution
  - help to ensure that decisions on pay are managed in a fair, just and transparent way whilst eliminating unnecessary bureaucracy for all concerned. The use of evidence in this process will be proportionate and clearly rooted in the appraisal process
  - ensure that there is no pay discrimination in decision making and that decisions on pay (where applicable) are based on evidence and can be justified
- 1.4 Pay decisions are made by the Pay Committee of the respective Board based on evidence which will be linked to appraisal outcomes and other indicators.

*\*Including the Employment Relations Act 1999, the Equality Act 2010, the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 and the Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002. 3*

### 2. Legal Framework

- 2.1 This policy has due regard to all relevant legislation, and statutory and advisory guidance, including, but not limited to, the following:
- The Working Time Regulations 1998
  - Employment Relations Act 1999 (as amended)
  - The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 (as amended)
  - The Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002 (as

amended)

- The Flexible Working Regulations 2014
- Equality Act 2010
- The Education (School Teachers' Appraisal) (England) Regulations 2012 (as amended)
- DfE (2021) 'School teachers' pay and conditions document 2021 and guidance on school teachers' pay and conditions' (STPCD)
- DfE (2019) 'Implementing your school's approach to pay'
- ACAS (2015) 'Code of practice on disciplinary and grievance procedures'

2.2 This policy operates in conjunction with the following Learning for Life Trust policies:

- Appraisal Policy
- Career Standards Policy
- Capability Policy & Procedure
- Equality Policy

2.3 The Trust Board will monitor the outcomes and impact of this policy on an annual basis, including trends in progression across specific groups of staff, e.g. gender pay gap, to assess its effect and the Trust's continued compliance with equalities legislation.

2.4 This policy is reviewed annually by the Trust. The Trust will monitor the application and outcomes of this policy to ensure it is working effectively.



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## SECTION B – Determining Teachers’ Pay

### 3. Basic pay determination on appointment

- 3.1 The Academy 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.
- 3.2 In making such determinations, the Academy may consider a range of factors, including:
- the nature of the post
  - the level of qualifications, skills and experience required
  - market conditions
  - the wider Academy/Trust context and strategic priorities
- 3.3 There is no assumption that a teacher will be paid at the same rate as they were being paid in a previous school. The Academy will determine the appropriate rate of pay for a teacher joining the Trust, taking account of previous experience and skills.

### 4. Pay reviews

- 4.1 The Academy will ensure that each teacher’s salary is reviewed annually by no later than 31 October each year. Pay increases will be backdated to 1st September of the same academic year.
- 4.2 Salary will also be reviewed if a teacher takes up a new post with effect from the date the post commenced or in other circumstances as required, with effect from the relevant date. Pay reviews in the Trust will be carried out in a manner that minimises the impact on workload for individual teachers, line managers and Headteachers.
- 4.3 All teachers will be notified in writing within one month of a decision on pay setting out their salary, any payments or other financial benefits awarded, any safeguarding (ie time-limited protection of salary from reduction), where a copy of the staffing structure and pay policy may be inspected and any other information required by the STPCD.

### 5. Assessment of pay progression

- 5.1 The pay policy sets out how the Trust will recognise and reward performance to support continuous improvement. All teachers will receive regular feedback on their performance and are subject to an annual performance appraisal. The arrangements for teachers’ appraisal are set out in the Appraisal Policy.
- 5.2 Decisions regarding pay progression will be made with reference to the appraisal process. A fair and transparent assessment process will be in place where decisions are based on evidence whilst being proportionate to be able to support robust decisions. Evidence should be readily available from day-to-day practice in school and be considered in the context of minimising bureaucracy.
- 5.3 Judgements of performance will be made in relation to how the teacher has met appraisal outcomes, the career stage expectations and the Teachers’ Standards.
- 5.4 The evidence that will be used may include, but not be limited to appraisals, peer review, tracking pupil progress, lesson observations, the views of pupils and parents. Objectives and performance

management discussions will not be based on teacher generated data and predictions, or solely on the assessment data for a particular group of pupils. Metrics will be contextualised and proportionate so that they do not create incoherent or erroneous targets.

- 5.5 Teachers' appraisal records will contain pay recommendations. These recommendations will be made by the Academy Headteacher and will be moderated across the Trust by the Trust Leadership Team.
- 5.6 Final decisions about whether to accept a pay recommendation will be made by the Pay Committee of the Local Governing Body and the CEO, having regard to the appraisal report containing the pay recommendation and the review/moderation exercise by the Trust.
- 5.7 Additional progression may be considered in accordance with the criteria set out in this policy.
- 5.8 It will be possible for a 'no progression' determination to be made without recourse to the capability procedure.
- 5.9 Where teaching, progress, or compliance with the Teachers' Standards (where applicable) is not meeting expectations, the Headteacher will determine support and if necessary, the capability procedure will be used. In such situations there would be no pay progression during that year.
- 5.10 The Trust Board will consider its approach in the light of the Trust's budget and ensure that appropriate funding is allocated for pay progression at all levels.

#### 6. Main pay range (MPR) for teachers & MPR Pay Progression

- 6.1 The main pay range within the Trust is £28,000 - £38, 810, and has 6 pay points in line with the advisory points set out at Annex 3 of the STPCD as follows:

Point	Annual FTE salary
1 (main pay range minimum)	£28,000
2	£29,800
3	£31,750
4	£33,850
5	£35,990
6	£38,810

- 6.2 Eligible main pay range teachers will be automatically considered for progression and no application will be necessary. However annual pay progression within the range is not automatic and decisions regarding pay progression will be clearly attributable to the teacher's performance with reference to the appraisal process and the criteria set out in this pay policy.
- 6.3 In accordance with the Trust's Appraisal Policy, main scale teachers will progress one point each year, until they reach the top of their range, unless there are concerns about achievement of performance management priorities/objectives or wider performance concerns during the appraisal year. Where concerns arise, the appraiser will discuss these with the teacher and a support plan will be put in place in line with the Appraisal Policy. In cases where pay progression is not granted the teacher will receive

confirmation of this, including the reasons and informing them of their right of appeal.

6.4 Pay progression may be refused without recourse to the capability procedure.

6.5 Additional progression of up to two points may be considered for those teachers who in the professional judgement of the Headteacher, can demonstrate that they and the Pay Committee and CEO are satisfied that there is evidence of:

- ALL priorities/objectives being met AND exceeded.
- The quality of teaching throughout the year being considered excellent/exceptional and exceeds expectations.
- Progress targets being exceeded in most groups of pupils.
- Successful leadership of a whole school initiative where impact can be evidenced.

## 7. Upper pay range for teachers

7.1 The upper pay range within the Trust is from £38, 690 – 41, 604 per annum and has 3 pay points, in line with the advisory points set out at Annex 3 of the STPCD as follows:

Point	Annual FTE salary
1 (upper pay range minimum)	£40,625
2	£42,131
3 (upper pay range maximum)	£43,685

7.2 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 they wish to apply to be paid on the upper pay range.

7.3 Applications may be made once a year by email to the Headteacher (See detail in Appendix B). The closing date for applications is normally 30th September each year for consideration in the current appraisal cycle; however, exceptions will be made in certain circumstances, i.e. those teachers who are on maternity leave or who are currently on sick leave. The process for application is:

- Class Teacher informs Headteacher that they wish to be considered for progression to Upper Pay Scale.
- The Headteacher will be the assessor for all threshold applications and will moderate with another Headteacher from within the Trust.
- The assessor will consider the application in line with the criteria set out in the appraisal policy, and will make a recommendation to the Pay Committee and CEO.
- The Pay Committee and CEO will make the final decision, advised by the Headteacher.
- Class Teachers will receive written notification of the outcome of their application within 20 working days following the decision by the Pay Committee. Where the application is unsuccessful, the written notification will include the areas where it was felt that the Class Teacher's performance did not satisfy the relevant criteria set out in the appraisal policy (see 'Assessment' below).
- If requested, oral feedback which will be provided by the assessor. Oral feedback will include advice and support on areas for improvement to meet the relevant criteria.
- Successful applications will be back dated to 1<sup>st</sup> September of that academic year.

7.4 An application from a qualified teacher to progress on to the upper pay range will be successful and

whether they can demonstrate that they meet not only the Teachers' Standards, but are highly competent in all elements of the standards and that their achievements and contribution are substantial and sustained. In this Trust the definition of those requirements is set out as follows:

Within our Trust, 'highly competent' is defined as:

*'Performance which is not only good but also good enough to provide coaching and mentoring to other teachers, give advice to them and demonstrate to them effective teaching practice and how to make a wider contribution to the work of the school, in order to help them meet the relevant standards and develop their teaching practice. It means they must be working within the career stage standards and meeting the teacher standards.'*

'Substantial' means:

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

'Sustained' means:

*'Maintained continuously over a period of at least two school years. They will be able to demonstrate that their teaching expertise has grown over the relevant period and is consistently at least good over time'*

7.5 This means that to achieve progression to this pay range, the Pay Committee must be satisfied that the teacher meets the definition of substantial contribution as set out below and there is evidence that this is sustained performance over a 2-year period:

- All priorities/objectives are met and exceeded.
- Quality of teaching throughout the year is excellent/exceptional and consistently exceeds expectations.
- Evidence of coaching and supporting colleagues to achieve improved pupil outcomes, demonstrating to them effective teaching practice.
- Acting as a role model for Teaching & Learning, playing a critical role in the life of the school.
- Enhanced and demonstrable contribution to raising pupil standards.
- A commitment to personal development and CPD focused on improving outcomes for students.
- Highly competent in all areas of the Teachers' Standards.

7.6 The assessment will usually be made within the appraisal cycle.

7.7 Successful applicants who apply by 30th September will move to the minimum of UPS1 back dated to the 1st September of the academic year relevant to the most recent performance management outcome (i.e., if an application is received by 30th September 2021, and is successful, the applicant will move to UPS1 backdated to 1st September 2021). Where an application is made at later times of the year, successful applicants will move to UPS on 1st September of the following year.

7.8 Ordinarily a successful teacher will be placed on the bottom of the upper pay range. In exceptional circumstances the Headteacher may recommend a higher salary based on:

- The nature of the post and the responsibilities it entails.
- The level of qualifications, skills, and experience of the teacher market forces.

- 7.9 If unsuccessful, feedback will be provided in writing by Headteacher along with confirmation of the process for appeals. Pay progression for teachers within the upper pay range
- 7.10 Once a teacher has moved on to the upper pay range, if eligible they will be automatically considered for further progression no more than once every two years and no application will be necessary. However, pay progression within the range is not automatic and decisions regarding pay progression will be clearly attributable to the teacher's performance with reference to the appraisal process.
- 7.11 Upper pay range teachers will progress by one point, until they reach the top of the range, if they can demonstrate and the Pay Committee is satisfied, that there is evidence from the required period.
- 7.12 Additional progression up to two points up the range may be considered for upper pay range teachers where performance is judged to be exceptional and where all objectives have been exceeded.

## 8. Teaching and Learning Responsibility (TLR) payments

- 8.1 The Trust can award a TLR 2 to a classroom teacher for undertaking a sustained additional responsibility in the context of its 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 is made whilst the teacher remains in the same post or occupies another post in the absence of a post-holder.
- 8.2 Current values with effect from 1st September 2021 are as follows in accordance with the staffing structure:

TLR	Value
2A	£3,017
2B	£4,995
2C	£7,368
3	£600 - £2,975

- 8.3 Before awarding TLR values, the Pay Committee and CEO must be satisfied that the teacher's duties include a significant responsibility that is not required of all teachers and that such responsibility relates to one or more of the following:
- is focused on teaching and learning;
  - requires the exercise of a teacher's professional skills and judgment;
  - requires the teacher to lead, manage and develop a subject or curriculum area; or to lead and manage pupil attainment and pupil progress across the curriculum, or to lead, manage and develop a team of colleagues across the Trust;
  - has an impact on the education progress of pupils other than the teacher's assigned classes or groups of pupils; and
  - involves leading, developing and enhancing the teaching practice of other staff in the Academy/Trust.
- 8.4 In addition, before awarding a TLR2 the Pay Committee and CEO must be satisfied that the significant responsibility referred to above includes line management responsibility for a substantial number of people.



- 8.5 All job descriptions will be regularly reviewed and will make clear, if applicable, the responsibility or package of responsibilities for which a TLR is awarded, considering the above criteria and factors.
- 8.6 The Trust may award a fixed-term TLR 3 to a classroom teacher for time-limited, clearly defined school improvement projects, or one-off externally driven responsibilities. The annual value of a TLR 3 will be no less than £600 and no greater than £2,975. It will be set out in writing to the teacher the duration of the fixed term, and the amount of the award will be paid in monthly instalments. No safeguarding (pay protection) will apply to TLR 3 payment.

## 9. Special Educational Needs (SEN) allowances

- 9.1 A SEN allowance will be paid to classroom teachers who meet the criteria set out in STPCD. Where a SEN allowance is to be paid, the spot value of between £2,384 and £4,703 will be determined based on the structure of the SEN provision, whether mandatory qualifications are required for the post, the qualifications or expertise of the teacher and the relative demands of the post.

## 10. Early Career Teachers (ECTs)

- 10.1 ECT's in the Trust will be supported by the Early Career Framework. At the end of their first year, they will be assessed by Teacher Standards and the criteria with the ECF to determine whether they have made satisfactory progress and this assessment of standards will form part of their appraisal and determination of pay progression, as set out for all other teachers.

## 11. Part time teachers

- 11.1 Teachers who work less than a standard working week (32.4 hours/5 days) are deemed to be part time. Their hours and working time obligations will be set out in their contracts of employment and in line with the provisions of the STPCD. The pay of part time teachers will be determined in the same way as full-time teachers and any increase in pay will be paid pro rata to full time equivalent salary rate

## 12. Unqualified Teachers

- 12.1 Where a staff member is a graduate teacher or is on the employment-based teacher training scheme, the Local Governing Board will determine whether the teacher is to be paid and be eligible for allowances as a qualified teacher or unqualified teacher.

- 12.2 The Trust has established the following six point pay scale for unqualified teacher posts:

Unqualified teacher pay scale (England) Group	Amount (£)
1 (min)	£19,340
2	£21,559
3	£23,777
4	£25,773
5	£27,954
6 (max)	£30,172

- 12.3 A member of staff on the unqualified teacher pay scale will be notified of their position on the pay range and any allowances they may be eligible for. An individual who works as an unqualified teacher,

gains QTS and continues to work as a qualified teacher to the school will be transferred to a salary within the main pay range once they have obtained QTS.

### 13. Supply teachers

13.1 Teachers employed on a day-to-day or other short notice basis will be paid daily 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. They will be paid the agreed rate for the job and are not subject to the appraisal process.

### 14. Safeguarding (Pay protection)

14.1 Pay protection arising from changes to pay and structure will be in line with the provisions of the STPCD.

### 15. Absence and pay progression

15.1 Employees who are absent long term (including but not limited to maternity leave and long-term sick leave) are still eligible to be considered for pay progression.

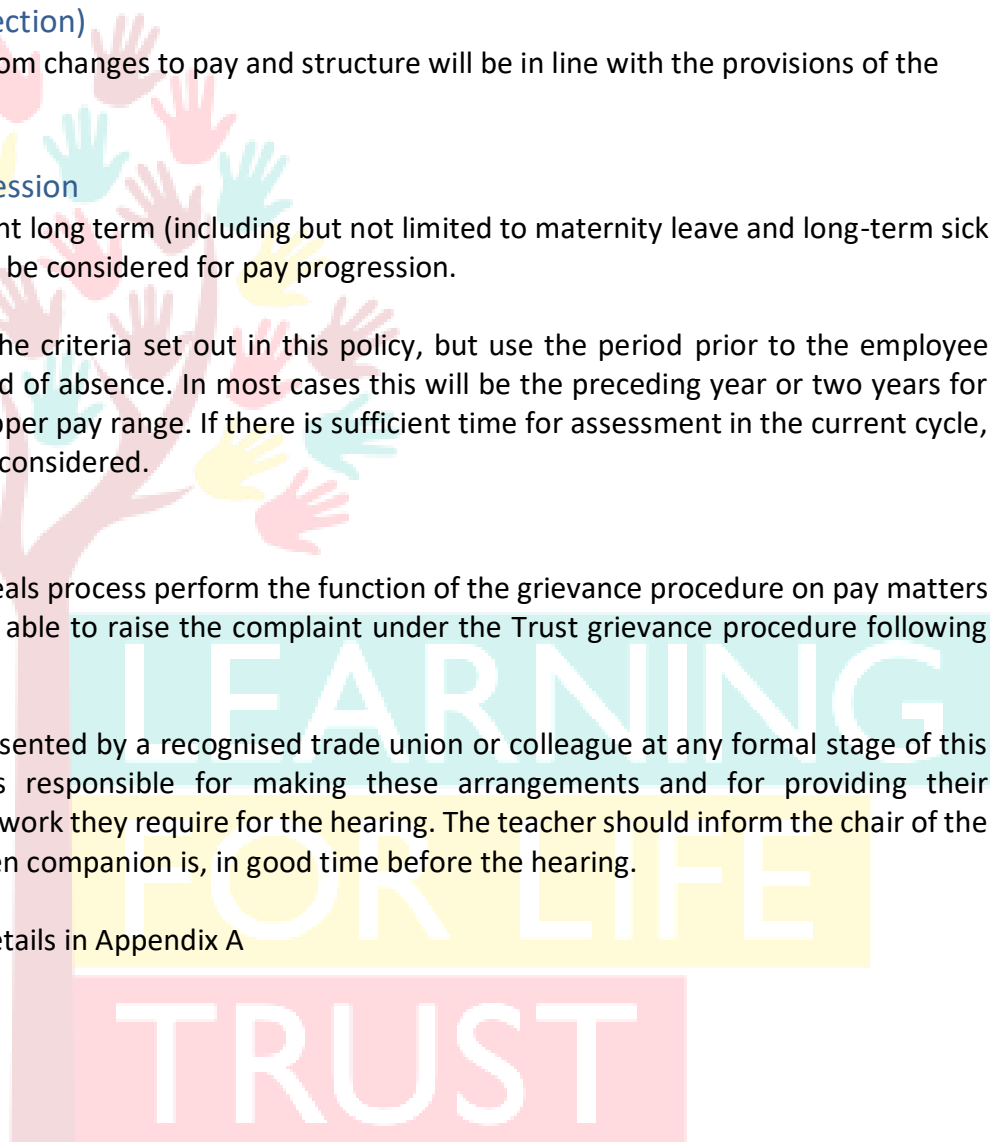
15.2 The Trust will consider the criteria set out in this policy, but use the period prior to the employee commencing their period of absence. In most cases this will be the preceding year or two years for progression on to the upper pay range. If there is sufficient time for assessment in the current cycle, that period may also be considered.

### 16. Appeals

16.1 The steps of the pay appeals process perform the function of the grievance procedure on pay matters and so employees will not be able to raise the complaint under the Trust grievance procedure following conclusion of a pay appeal.

16.2 Employees may be represented by a recognised trade union or colleague at any formal stage of this procedure. The employee is responsible for making these arrangements and for providing their representative with any paperwork they require for the hearing. The teacher should inform the chair of the appeals panel who their chosen companion is, in good time before the hearing.

16.3 The Appeals Process is details in Appendix A



## SECTION C – Determining Support Staff Pay

### 17. Pay reviews

17.1 The Trust Board will ensure that each member of support staff's salary is reviewed annually on the anniversary of their start date, if eligible.

### 18. Salary scales

18.1 The salary scales used will be in accordance with the Green Book pay scales.

### 19. Job descriptions

19.1 The Headteacher, in conjunction with the line manager of the role and the Trust's HR provision, will ensure that an up-to-date job description is available for each post which identifies the appropriate duties.

19.2 The job description will be reviewed as appropriate or when duties or responsibilities have changed and it will be amended to reflect the current role; although it should be recognised that job descriptions are not intended to list all tasks.

19.3 An employee may request changes to their job description if they feel their duties or responsibilities have changed significantly. If appropriate, consideration may be given to whether the grade for the post should be re-determined and if it is, the post holder will be paid the new grade from a date determined by the Headteacher/HR. If the assessment results in a lower grade, the employee may be entitled to salary protection in accordance with their terms and conditions of employment.

### 20. Basic pay determination on appointment

20.1 On appointment the Headteacher/Manager, will determine the appropriate point within the grade to be offered to the successful candidate. However, in making such determinations, this may take in to account a range of factors, including:

- the nature of the post
- the level of qualifications, skills and experience required
- market conditions
- the wider School/Trust context and strategic priorities

20.2 All support staff are appointed on level A of their grade on commencement of their contract.

### 21. Incremental progression

21.1 Progression to level B of the appointed grade is subject to satisfactory service and as such may be withheld where there are concerns about an employee's performance, such as achievement of objectives under the school's appraisal policy or wider performance concerns during the year.

21.2 Where concerns arise, these will be discussed with the employee and a support plan put in place. In cases where incremental progression is withheld, the employee will receive confirmation of this in writing including the reasons and informing them of their right of appeal.

21.3 Progression may be refused without recourse to the capability procedure.

## 22. Honoraria

22.1 An honorarium may be paid on a temporary basis where an employee is offered and agrees to:

- undertake work with additional responsibilities in addition to their normal duties.
- 'act up' for at least four weeks in to a higher graded post which has become temporarily vacant, for example, due to sick leave.

22.2 The Headteacher/Manager, in consultation with the Trust's HR provision, will determine the amount of this payment. Where the employee is undertaking higher level work not equivalent to a higher graded post, a fixed sum will be awarded. Where the employee is acting up and if carrying out the full responsibilities of the role, the payment will usually be the difference between the minimum point of the higher graded role and their current salary.

22.3 The employee will return to their substantive post and salary when they are no longer required to undertake the higher-level work or 'act up.'

22.4 This should usually only be a temporary solution and the Headteacher should consider whether it may be more appropriate to advertise the post or duties on a fixed term basis.

## 23. Appeals

23.1 A member of support staff has the right to appeal against a decision that affects their pay. The principles of the appeals process are set out in in Appendix A.



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## SECTION D - Determining Pay for Leaders

### 24. Pay ranges for members of the leadership group

24.1 Pay ranges for members of the leadership group, including Headteachers and Deputy Headteachers, will be determined by the Trust, in line with STPCD for new appointments, where responsibilities significantly change, or if the Trust chooses to review pay of leadership posts in line with STPCD.

24.2 In determining the pay range, the Trust will consider the Individual School Range (ISR), all permanent responsibilities of the role, any challenges that are specific to the role and all other relevant considerations including the skills and competencies required. Pay ranges will allow appropriate scope for performance related progression over time.

### 25. Deputy Headteachers & Assistant Headteachers

25.1 A pay range will be determined for any Deputy Headteacher or Assistant Headteacher, considering how the role fits within the wider leadership structure of the academy/Trust. The pay range will not exceed the maximum of the Headteacher group for the academy and will not normally overlap with the pay range of the Headteacher, except in exceptional circumstances.

### 26. Headteachers & Executive Headteachers

26.1 The school will be assigned to a Headteacher group calculated using its total unit score, in accordance with STPCD.

26.2 A pay range will be determined for the Headteacher which will not normally exceed the maximum of the Headteacher group, unless the specific exceptional circumstances or candidate warrant it, up to an additional 25%.

26.3 Additional payments may be made to a Headteacher for temporary responsibilities that are in addition to the duties considered for the determination at 8.1-8.3. The total sum of any temporary payments will not normally exceed 25% of the Headteacher's annual salary.

26.4 In addition, the total sum of annual salary combined with any temporary payments (where applicable) will not exceed the maximum of the Headteacher group, by more than 25%. Where this, is being considered by the Pay Committee of the Local Governing Board, there must be exceptional circumstances and that committee must make a business case to the full Trust Board who will seek external independent advice.

26.5 Eligible members of the leadership group will be automatically considered for further progression and no application will be necessary. However annual pay progression within the range is not automatic and decisions regarding pay progression will be clearly attributable to the leadership group member's performance with reference to the appraisal process.

26.6 Leadership group members, will progress by one point until they reach the top of their range if they can demonstrate and the Pay Committee and CEO is satisfied that there is evidence of sustained high quality of performance in school leadership and management and pupil progress, clearly linked to school improvement priorities and outcomes.

26.7 Additional progression, of up to two points, may be considered for members of the leadership group

where performance is judged to be exceptional, and where all objectives have been exceeded. There must be evidence of sustained high quality of performance having regard to the results of the most recent appraisal and any recommendation. Performance must be 'highly competent,' 'substantial' and 'sustained.' Detail of the criteria linked to progression can be found in section 7.5 of this policy and applies to the leadership group.

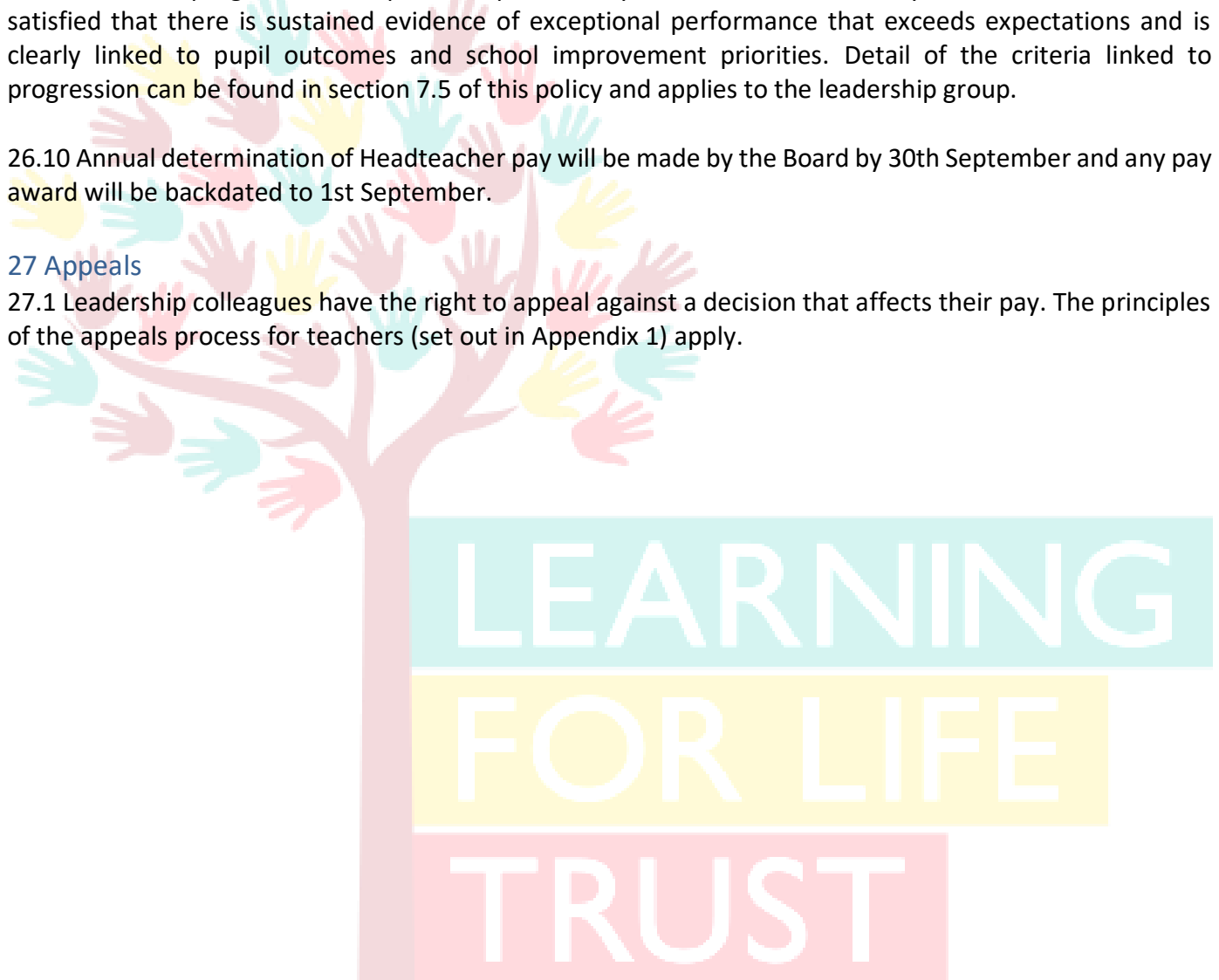
26.8 Pay progression may be refused without recourse to the capability procedure

26.9 Additional progression, of up to two points, may be considered if the Pay Committee and CEO are satisfied that there is sustained evidence of exceptional performance that exceeds expectations and is clearly linked to pupil outcomes and school improvement priorities. Detail of the criteria linked to progression can be found in section 7.5 of this policy and applies to the leadership group.

26.10 Annual determination of Headteacher pay will be made by the Board by 30th September and any pay award will be backdated to 1st September.

## 27 Appeals

27.1 Leadership colleagues have the right to appeal against a decision that affects their pay. The principles of the appeals process for teachers (set out in Appendix 1) apply.



## SECTION E - Determining Executive Pay

### 28. Executive Pay

28.1 The remuneration package for any members of the Executive Team will be determined by the Trust Board, taking in to account all the permanent responsibilities of the roles, any challenges that are specific and all other relevant considerations.

### 29. CEO/Accounting Officer

29.1 The CEO pay range will be assigned by the Trust Board on the advisory Leadership Scale as set out in the STPCD. In setting the pay range for the CEO the Board will adhere to the requirements set out in the current version of the Academies Financial Handbook in relation to setting Executive Pay. Namely; 2.3 The board of trustees must ensure its decisions about levels of executive pay (including salary and other benefits) follow a robust evidence-based process and are reflective of the individual's role and responsibilities. No individual can be involved in deciding their own remuneration." "2.3.1. The board must discharge its responsibilities effectively, ensuring its approach to pay and benefits is transparent, proportionate, and justifiable, including:

- process - that the procedure for determining executive pay is agreed by the board in advance and documented
- independence - decisions about executive pay reflect independent and objective scrutiny by the board and that conflicts of interest are avoided
- decision-making - factors in determining pay are clear, including whether performance considerations, and the degree of challenge in the role, have been considered
- proportionality - pay is defensible relative to the public sector market
- documentation - the rationale behind the decision-making process, including whether the level of pay reflects value for money, is recorded and retained
- a basic presumption that non-teaching pay should not increase at a faster rate than that of teachers, in individual years and over the longer term
- understanding that inappropriate pay can be challenged by ESFA, particularly in any instance of poor financial management of the trust."

29.2 The Board will ensure that all decisions are made based on consideration of relevant evidence which will enable the board to be accountable for each decision made in relation to CEO pay and pay progression. The evidence base that should be considered when making decisions about CEO pay will vary depending on the context of the Trust. The board will use their discretion when determining the most appropriate data to support their decision making.

29.3 The CEO will automatically be considered for pay progression and no application will be necessary. However annual pay progression is not automatic and decisions regarding pay progression will clearly be attributable to the CEO's performance which will be routed in the appraisal process and the criteria set out in this pay policy.

29.4 In accordance with the appraisal policy the CEO will progress by one point each year, until they reach the top of their range, unless there are concerns about achievement of performance management objectives or wider performance concerns, as evidenced in the appraisal process. In cases where pay progression is not granted this will be communicated by the Chair of the Board, including the reasons, and informing the CEO of their right to appeal as set out in Section B. 16.

29.5 Pay progression may be refused without recourse to the capability procedure

29.6 Additional progression of up to two points may be considered if the Pay Committee is satisfied that there is sustained evidence of exceptional performance that exceeds expectations and is clearly linked to pupil outcomes and school improvement priorities.

29.7 Annual determination of CEO pay will be made by the Board by 30th September and any pay award will be backdated to 1st September.





## APPENDIX A – Appeals Process

### Informal discussion

As part of the normal salary review process, the Headteacher will inform the employee of the pay decision. Upon receipt of written notification of the pay decision, if the employee is dissatisfied, they should first discuss the decision with the Headteacher within 5 working days of receipt of the notification.

This discussion gives an opportunity for an employee to discuss the decision on their pay, to gain an understanding of why the pay recommendation and decision were made and to resolve issues quickly and informally. As this discussion is informal at this stage, representation (on either side) is not necessary nor would it be appropriate. At the conclusion of any further discussion, the pay recommendation may be adjusted, or it may remain the same; the appraisal report will be updated to reflect the discussion.

If this does not resolve an issue, an employee may follow the formal procedure set out below.

### Stage One

If, following discussion with the Headteacher, the employee remains dissatisfied, they can make a formal appeal in writing within 5 working days of the discussion with the Headteacher to the committee who made the decision. The possible grounds for appeal are:

- incorrectly applied any provision of the STPCD or Green Book in the case of Support Staff;
- failed to have proper regard for statutory guidance;
- failed to take proper account of relevant evidence;
- took account of irrelevant or inaccurate evidence;
- was biased; or
- unlawfully discriminated against the employee.

Appeals against pay decisions should be made via email to the Chair of the Pay Committee of the Local Governing Body, stating the grounds of their appeal in accordance with the list above.

The panel who made the decision (or a representative from) will convene a meeting to consider the appeal as soon as is practicable. The employee will be invited in writing, giving a minimum of 5 working days' notice and copies of any relevant documents to be considered at the meeting will be enclosed.

The employee will have the opportunity to make representations to the Pay Committee panel of the Local Governing Body (or their representative) and a school representative will also attend to present the management case. A note taker will also be present.

The panel or their representative will review their decision and will confirm the outcome in writing to the employee within 5 working days.

### Stage Two

If an employee wishes to appeal against the decision made at Stage One, they may do within 5 working

days of the written decision on the grounds that the committee who made the decision:

- incorrectly applied any provision of the STPCD or the Green Book in the case of Support Staff; failed to have proper regard for statutory guidance;
- failed to take proper account of relevant evidence;
- took account of irrelevant or inaccurate evidence;
- was biased; or
- unlawfully discriminated against the employee.

Appeals against the decision at Stage One should be made in writing and addressed to the Appeals Committee of the Trust Board stating the grounds of their appeal in accordance with the policy.

Upon receipt, an appeals panel of 2 governors and 1 trustee who have not been involved in the original decision will convene a meeting to consider the appeal as soon as is practicably possible. The employee will be invited in writing, giving a minimum of 5 working days' notice and copies of any relevant documents to be considered at the hearing will be enclosed.

The employee will have the opportunity to make representations to the appeals panel and a representative of the original decision-making panel will also attend. A note taker will also be present.

The decision of the panel will be confirmed in writing to the employee within 5 working days. The appeal panel's decision is final; there is no further right of appeal.



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## APPENDIX B – Applying to the Upper Pay Range

When considering an application to the Upper Pay range, see section 7.1 – 7.12. Please also refer to the Appraisal Policy and the Career Standards document.

When submitting your application via Email to the headteacher, please provide the following information:

- Copies of your last two appraisal reports
- A statement (maximum 1000 words) of how you feel that you meet the criteria for upper pay range (see section 19.4, 19.5 & 24.3).
- Any other information/attachments you feel are relevant.

