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Support Staff Pay Policy

#HR11

Last updated: 30 July 2024

Review Date: 31 August 2027

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**Statement of intent**

Three Counties Academy Trust (TCAT) understands that a fair and transparent policy is needed to establish the pay structure of support staff who work at TCAT schools.

As a result, TCAT has developed this policy to ensure that all members of support staff are aware of the basis on which TCAT determines pay for support staff, the process for annual pay reviews and progression, and the process for addressing any grievances support staff may have concerning their pay.

This policy aims to:

* Provide transparency and clarity on pay for support staff
* Ensure that all staff are suitably rewarded for their contributions
* Ensure that all staff are highly motivated, well-supported and likely to remain with TCAT
* Support recruitment and retention, and reward support staff appropriately
* Ensure accountability, transparency, objectivity and equality of opportunity

Use of the term **“support staff”** within this policy adheres to that defined in The School Staffing (England) Regulations 2009 as any member of TCAT’s staff other than a teacher. Pay policy and procedures for teaching staff are determined under the Teachers’ Pay Policy.

# Legal framework

This policy has due regard to all relevant legislation and 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 School Staffing (England) Regulations 2009
* Equality Act 2010
* The Education (Independent School Standards) Regulations 2014
* The Flexible Working Regulations 2014
* DfE (2021) ‘Staffing and employment advice for schools’

This policy operates in conjunction with the following TCAT and school policies:

* Staff Attendance and Absence Policy
* Support Staff Performance Management Policy
* Staff Equality, Equity, Diversity and Inclusion Policy
* Maternity, Paternity, Adoption, Parental and Parental Bereavement Leave Policy
* CPD and Training Policy
* Job Evaluation Policy Support Staff
* Grievance Policy

The Trust Board will consider advice on support staff pay offered by the following bodies:

* Recognised trade unions
* HR provider

TCAT has adopted the provisions outlined within the National Joint Council (NJC) for Local Government Services National Agreement on Pay and Conditions of Service, also known as ‘The Green Book’.

# Equality

TCAT is committed to promoting equality of opportunity for all staff and aims to create a working environment in which all individuals are able to make best use of their skills, free from discrimination or harassment, and in which all decisions are based on merit.

TCAT will ensure that support staff are afforded equal opportunities in employment, and protect staff from discrimination, harassment and victimisation related to their protected characteristics.

TCAT will ensure that our activities operate in accordance with the provisions laid out in the Equality Act 2010, and in line with TCAT’s Staff Equality, Equity, Diversity and Inclusion Policy.

# Roles and responsibilities

The Trust Board will:

* Hold the Executive Leadership Team to account for the effective and efficient performance management of support staff
* Oversee the financial performance of TCAT and make sure that its money is well spent
* Delegate all its functions relating to the employment of support staff to the Executive Leadership Team
* Have effective oversight of the performance of all employees at TCAT and the framework for their pay and conditions of service
* Establish procedures by which staff may seek redress for any grievance relating to their work at TCAT
* Where necessary, access appropriate professional advice and support from reliable and accredited individuals or organisations, including legal advice
* Monitor the outcomes of this policy and review any changes as necessary

The Executive Leadership Team will:

* Assume responsibility for the general control and management of support staff within TCAT, operating within the autonomy, powers and functions delegated to them by the Trust Board
* Know, understand, and act within the statutory frameworks which set out their professional duties and responsibilities
* Make any pay recommendations for support staff at TCAT and submit these to the Trust Board for approval
* Ensure that the Trust Board has sufficient evidence upon which to make decisions regarding pay
* Ensure that effective appraisal systems are in place, and that members of staff have the knowledge and skills necessary to apply these procedures fairly
* Keep support staff well informed of any decisions made regarding pay progression
* Maintain records of decisions and recommendations made, and evidence that all decisions have been made fairly
* Develop, implement and evaluate TCAT’s policies, practices and procedures, and submit updates to the Trust Board for approval
* Communicate any approved changes to this policy to all support staff
* Access appropriate professional advice and support from reliable and accredited individuals or organisations, including legal advice, where necessary

Specifically, the Chief Finance Officer (CFO) will:

* Control, monitor and evaluate TCAT’s finances, ensuring compliance with financial requirements and regulations
* Work with and maintain administrative systems, ensuring that maximum efficiency is achieved
* Use payroll software to ensure that:
  + Support staff are paid in full on the agreed date each month
  + Automatic pay scale increases are communicated to payroll
  + All other changes to salaries are agreed with the Executive Headteacher/CEO and communicated to payroll
* Contribute to ensuring equality and confidentiality for all staff in line with TCAT’s policies and procedures
* Handle sensitive and/or confidential data in adherence with relevant data protection regulations
* Be a point of contact for the Executive Headteacher/CEO, School Leadership Teams and the Trust Board in regard to employment law and associated matters, including updates to policies and procedures

Support staff will be responsible for:

* Maintaining conduct of the highest standard such that public confidence in their integrity is sustained
* Engaging with their appraisal – this includes working alongside their appraiser to ensure that, where applicable, there is a suitable amount of evidence available in order for an annual pay review determination to be made
* Keeping records of their objectives and reviewing them throughout the appraisal process
* Submitting a job evaluation request if they believe it is appropriate to do so
* Submitting all complaints in line with the provisions of this policy and TCAT’s Grievance Policy

# Contractual matters

TCAT will appoint staff in accordance with employment law, and follow the requirements set out in the funding agreement and the Education (Independent School Standards) Regulations 2014.

**[Please note: within academies and free schools, the Trust Board has greater freedoms with regard to the appointment of their support staff; however, in accordance with the terms of the TUC Model Recognition Agreement for Academies, or in the absence of a formal agreement, and in line with custom and practice, the vast majority of academies and all MATs apply ‘The Green Book’ and the NJC pay arrangements for all support staff, including post conversion entrants. Schools will need to choose the scenario below which applies to their school and amend the policy accordingly.]**

TCAT with our HR partners Hoople HR will take responsibility to establish appropriate policies and procedures in the appointment and management of support staff, and in the making of any decisions regarding the pay and grading of support staff, in line with employment legislation.

TCAT has adopted the provisions of ‘The Green Book’ and NJC pay arrangements for support staff employed at TCAT. The provisions of this agreement will therefore have a contractual bearing on all support staff contracts.

TCAT will provide staff with a written statement of particulars, covering certain minimum requirements, including the following:

* Scale of pay
* Intervals of pay
* Hours of work
* Holidays
* Sickness benefit
* Pensions
* Notice period
* Title of job
* Whether contracts are fixed or permanent
* Place of work, including any details of portability

**Job descriptions and person specifications**

The CFO and Academy Business Manager (ABM) will provide job descriptions and person specifications for all staff members, on behalf of the Executive Headteacher/CEO and the Trust Board.

Job descriptions will contain the following information:

* The role and responsibilities
* Key areas of responsibility and reporting structures
* The pay range and any additional payments or allowances pertaining to the role
* The reason for any additional allowances or payments, and whether the payments and/or allowances are permanent or temporary

Job descriptions and person specifications will be in place prior to appointing the staff member in question. Job descriptions for new posts will be evaluated prior to advertisement to determine the correct pay grade and scale point.

Whenever a job description is amended or a new job description is created, the pay grade for the role in question will be reviewed in consultation with the staff member and TCAT’s HR provider.

Job descriptions will be reviewed regularly as part of the performance management/appraisal process. Any changes to job descriptions will be made in consultation with the staff member and any recognised unions. Where significant changes are made to a role, a new job description will be created.

Where large-scale changes to staffing structures are required, resulting in significant changes to roles and responsibilities, all changes will be made in consultation with staff and recognised trade unions, with a view to seeking an agreement before job descriptions are issued.

**Transfer of Undertakings (Protection of Employment) (TUPE)**

TCAT is aware that individuals’ terms and conditions of employment are protected by regulations when they transfer to a new employer.

TCAT will access appropriate professional advice, including legal advice, where this is the case.

# Working time

The standard working week for full-time support staff is 37 hours per week. Exact working hours are determined on appointment.

Term-time only (TTO) weeks are 38 per annum plus up to five INSET days/staff training days.

Additional weeks may be worked where agreed by the Executive Headteacher/CEO and the CFO.

# Pay and grading

TCAT will ensure that pay and grading of jobs is fair and non-discriminatory, complying with equal pay legislation and associated codes of practice.

TCAT has adopted the provisions detailed within ‘The Green Book’ and NJC pay arrangements will pay support staff in line with the pay and grading structures outlined therein.

The Executive Headteacher/CEO in consultation with the CFO and our HR providers will determine the pay range for all new roles prior to advertising the role, except in relation to new high-level roles. All pay decisions for new high-level roles introduced into the staffing structure will be determined by the Trust Board following a case proposal from the Executive Headteacher/CEO and the CFO.

When a new staff member is appointed, the Executive Headteacher/CEO in consultation with the CFO will determine the starting scale point for the role from within the advertised pay range.

Any staff member who is dissatisfied with the grading of their job is entitled to appeal for a reconsideration of the grading.

**Part-time staff**

Part-time staff will have applied to them the pay and conditions of service pro-rata to comparable full-time employees.

In regard to training and development activities, part-time employees will have access equal to that of full-time employees. When on training courses outside their contracted daily hours, staff will be paid on the same basis as full time employees.

**Temporary employees**

Temporary employees will receive pay and conditions of service equivalent to that of permanent employees.

**Pay structure and awards**

The pay award for 2023/2024 will be backdated to April 2023, and backdated pay will be paid as soon as is practicable. TCAT will consider the implications of this backpay for staff on universal credit.

TCAT will take advice from Hoople HR on the grading of all support staff posts. Incremental pay progression will be awarded annually on 1 April each year until the highest scale within the grade is reached. If a staff member has less than six months’ service in the grade by 1April, they will receive their first incremental increase six months after their appointment, promotion or regrading.

Automatic progression will not apply once the highest scale point of the grade has been reached. Movement to a higher grade will only be granted in the following circumstances:

* The staff member’s roles and responsibilities have changed significantly, and the role is regraded following a job evaluation
* The staff member is appointed to a new post within a higher grade
* The post is part of a career graded framework

Newly appointed employees will be appointed at the minimum scale point within the relevant grade, except where deviation is authorised by the Executive Headteacher/CEO following advice from the CFO.

Following the completion of 5 and 10 years’ continuous service, (TTO) employees’ salaries will be adjusted to take account of their entitlement to additional leave.

**Pay dates**

Support staff will be paid on the 28th of each month.

# Statutory leave and time off

**Public Holidays**

Irrespective of length of service, staff will be entitled to a holiday with a normal day’s pay for each of the statutory, general and public holidays as they occur – this amounts to eight days per year pro-rata for part-time and term-time employees.

**Annual leave**

Entitlement to annual leave for support staff will be specified in their individual contracts of employment.

Support staff will be entitled to one additional day of annual leave per year, coming into effect on 1 April 2023.

Employees with less than 5 years’ service are entitled to 25 days’ annual leave.

Employees with greater than 5 years’ service are entitled to 28 days’ annual leave.

Employees with greater than 10 years’ service are entitled to 30 days’ annual leave.

For TTO employees, a pro-rata annual leave entitlement is included within the pay calculation as set out in the contract of employment. The statutory entitlement to annual leave coincides with periods of school closures and is, therefore, considered to be taken during this time.

Year-round employees will be expected to request to take leave two weeks in advance of the requested start date.

Annual leave will be expected to be taken during school holidays unless agreed in advance with the Executive Headteacher/CEO or the CFO. There is no entitlement to take leave during term time.

Annual leave allocation runs from 1 April to 31 March. Year-round employees will be expected to use their leave within these dates.

In exceptional circumstances, where leave could not be used in full for legitimate reasons, the Executive Headteacher/CEO may agree to carry over a maximum of 5 days leave.

# Leave of absence

TCAT recognises that there may be times when staff will need to take additional time away from work. TCAT will comply with any statutory regulations regarding allowance of time off for employees.

The following are examples of leave of absence which may be requested (this is not an exhaustive list):

* Bereavement leave
* Time off to care for dependants
* Urgent domestic reasons
* Jury service and/or witness summons
* Justice of the Peace (Magistrate) duties
* Other public duties
* Personal health and welfare
* Examination and revision leave
* Religious observance
* Service in non-regular armed forces or volunteer reserve services

Paid leave of absence will be granted for staff undertaking jury service or serving on public bodies or undertaking public duties. Where an allowance is claimable for loss of earnings the employee should claim and pay the allowance to TCAT.

TCAT will provide the recognised trade unions with facilities necessary to carry out their functions, including paid leave of absence to attend meetings concerned with the work of the NJC and Regional / Provincial Councils and the operation of a check off system whereby, with the consent of the individual, trade union dues are deducted from pay.

Necessary paid time off will be granted for the purpose of medical screening for cancer.

Provisions for leave and pay for maternity, paternity, adoption, parental and parental bereavement leave will be arranged in line with the Employment Rights Act 1996, the ‘Green Book’ and TCAT’s Maternity, Paternity, Adoption Parental and Parental Bereavement Leave Policy.

Full policy and procedures for leave are outlined in TCAT’s Staff Attendance and Absence Policy.

**Sickness absence**

Sick pay is based on continuous service within any public authority to which the Redundancy Payments Modification Order 1985 applies. TCAT will apply the service thresholds, payments, and terms and conditions provided for within ‘The Green Book’.

Staff who are absent from work on sickness absence must not participate in any other form of work, paid or unpaid, during or outside of their normal working hours without the prior written authorisation of TCAT.

Full policy and procedures for leave are outlined in the TCAT’s Staff Attendance and Absence Policy.

# Reimbursement of expenditure

Staff necessarily incurring additional expense in the course of their work in respect of travel, meals or overnight accommodation will be reimbursed approved expenses, subject to appropriate evidence of expenditure being produced.

# Training and development

Staff attending or undertaking required training will be entitled to the payment of normal earnings, all prescribed fees and other relevant expenses arising.

When attending training courses outside contracted daily hours, part-time employees will be paid on the same basis as full-time employees.

Staff will be entitled to paid leave for the purpose of sitting for required examinations.

Full policy and procedures for training and development are outlined in the TCAT’s CPD and Training Policy.

# Pay on leaving the role

TTO employees are paid until the end of their last working week. For example, if the staff member leaves on a Friday, they will be paid up to and including the Sunday. The staff member may be asked to confirm the new establishment, post and start date.

If the staff member works until the end of a term, having worked the whole term, to preserve their continuity of employment, they will be paid until the notional end of the following holiday period.

If a TTO staff member is starting a new role before the notional end of the holiday period, or if they are leaving education, normal notice provisions and pay will apply as outlined in the staff member’s contract of employment.

If a year-round staff member is due to leave employment on a Friday, they will be paid up to and including the Sunday but will not be paid until the notional holiday end date.

# Probationary periods

When appointed, staff will be required to satisfactorily complete a six-month probationary period.

A pay increment may be withheld if an extension to the probationary period is required at the end of the six-month probationary period.

# Working additional hours

Additional hours worked will be agreed by the Executive Headteacher/CEO or the CFO. Additional hours can be requested of staff by the Headteacher/Head of School where they have received prior authorisation by either the Executive Headteacher/CEO or the CFO. Additional hours not agreed in advance may not be honoured.

Additional payment or time off in lieu is provided for all agreed additional hours worked. Additional hours will be submitted to the CFO and ABM using a form that details the additional hours worked. Payments will be made in accordance with the terms and conditions of ‘The Green Book’.

Time off in lieu will be used within the academic year it was granted and cannot be carried forwards.

# Temporary responsibilities

From time to time, employees may be asked to take on the duties of a higher-grade role – this is sometimes known as ‘acting up’.

If a staff member takes on the full duties of a higher-grade role, a temporary responsibility payment will be payable after the role has been undertaken for four weeks, backdated to the date the duties were first undertaken.

Temporary responsibility payments represent the difference between the staff member’s current salary and the lowest grade of the higher-grade role, or one increment if the salary falls within the range of the grade for the role they are covering.

If the additional duties are undertaken for a full term, the temporary responsibility payment will continue to be paid during the holiday period immediately following the term.

Employees will not be paid temporary responsibility payments during periods of sick leave.

Payments for temporary responsibilities do not apply to TAs undertaking cover supervision.

Agreed temporary responsibility payments will be recorded on the staff member’s file, including the date of agreement, the amount and the reasons for the payment, and TCAT’s payroll provider is notified to arrange the payment.

# Honorarium payments

Where employees take on some of the duties of a higher-grade role, but not all the duties, a temporary responsibilities payment will not be applicable.

For employees taking on some of the duties of a higher-grade role or taking on a substantial body of work in addition to their main role, an honorarium may be paid.

Honorarium values are determined in the same manner as temporary responsibility payments, but only a percentage of the amount will be payable, dependent on the proportion of the duties undertaken.

Honorarium payments will be agreed in advance with the Executive Headteacher/CEO or the CFO. Agreed honorarium payments will be recorded on the staff member’s file, including the date of agreement, the amount and the reasons for the payment, and TCAT’s payroll provider is notified to arrange the payment.

# Call-out payments

Call-out payments will be made when support staff are required to attend out-of-hours callouts.

Call-out payments will be subject to a minimum payment of two hours’ standard rate.

Call-out payments will only be made when callouts are required outside of the staff member’s standard working hours.

# Pensions

Staff will be auto enrolled into the Local Government Pension Scheme (LGPS) providing they:

* Are not already in a qualifying pension scheme at work
* Are aged between 22 and state pension age
* Ordinarily work in the UK
* Pay income tax and National Insurance contributions from their wages
* Earn £10,000 or more in a year in that employment

Any staff that decide to opt out of the LGPS will be re-enrolled every three years unless they instruct TCAT otherwise.

Staff that do not fulfil the above criteria may still qualify for a workplace pension as a non-eligible jobholder or entitled worker. They should discuss this with the CFO.

# Job evaluation

Newly created or vacant posts, or posts which change significantly during a restructuring exercise, may be subject to job evaluation. Job evaluations are used to determine the appropriate level of remuneration for a role – they help to ensure a fair and transparent pay structure across the school.

The policy and procedure for Job Evaluation can be found in TCAT’s Job Evaluation Policy Support Staff.

# Monitoring and review

This policy will be reviewed in line with the published schedule at the front of this document and at any point material changes require it by the Executive Headteacher/CEO in conjunction with the Chief Finance Officer and the Trust Board. Any changes made to the policy will be amended by the Executive Headteacher/CEO and will be communicated to all members of staff.

The next scheduled review date for this policy is 31st August 2027.

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| Signed by: | | | |
|  | Executive Headteacher/CEO | Date: |  |
|  | Chair of the Trust Board | Date: |  |