



# Teachers' Pay and Conditions Policy

<b>Category:</b>	HR
<b>Authorised By:</b>	Board of Trustees
<b>Signature:</b>	
<b>Signed By:</b>	Barry Nolan
<b>Author:</b>	Susan Douglas
<b>Version:</b>	6
<b>Status:</b>	Ratified by BoT 3 <sup>rd</sup> May 2018
<b>Issue Date:</b>	May 2018
<b>Next Review Date:</b>	Annually

## Contents Page

Section		Page
1.	<b>Scope</b>	<b>3</b>
2.	<b>Introduction</b>	<b>3</b>
3.	<b>Determining Teachers' Pay</b>	<b>4</b>
	3.1 Pay Reviews	5
	3.2 Basic Pay Determination on Appointment	5
	3.3 Pay Progression based on Performance	5
	3.4 Teachers on the Main Pay Range	6
	3.5 Movement to the Upper Pay Range	8
	3.5.1 Applications and Evidence	8
	3.5.2 The Assessment	8
	3.5.3 Processes and Procedures	9
	3.6 Leading Practitioners	10
	3.7 Unqualified Teachers	11
	3.8 Part-time Teachers	11
	3.9 Short Notice/Supply Teachers	11
	3.10 Leadership Teacher Posts (CEO, Cabinet directors, Heads of School, Assistant Heads of School)	12
	3.10.1 CEO, Cabinet Directors	12
	3.10.2 Heads of School and Assistant Heads of School	12
	3.11 Allowances	13
	3.11.1 Teaching and Learning Responsibility (TLR) Payments	13
	3.11.2 Special Educational Needs (SEN) Allowance	14
	3.11.3 Allowances payable to Unqualified Teachers	14
	3.11.4 Acting Allowance	14
	3.12 Recruitment and Retention Incentives and Benefits	15
	3.13 Safeguarding	15
	3.14 Pay increases arising from changes to the Document	15
	3.15 Monitoring the impact of the policy	15
	3.16 Pay Appeals Procedure	16
<b>Appendix 1</b>	<b>Teachers' Annual Salary Review Statement</b>	<b>1</b>

## 1. Scope

This policy applies to all teachers who are employed by the Eden Academy Trust (at Grangewood, Moorcroft, Alexandra or Pentland School or who are employed by Eden but currently deployed at Sunshine House School).

The School Teachers' Pay and Conditions Document (STPCD) requires schools to have a pay policy which sets out the basis on which they determine teachers' annual pay review; and the procedures for determining appeals. Schools must stay within the legal framework set out in the Document and in other relevant legislation that affects all employers (for example, legislation on equality, employment protection and data protection). All procedures for determining pay should be consistent with the principles of public life – objectivity, openness and accountability.

The 2015 School Teachers' Pay and Conditions Document (referred to as 'the 2015 Document' for the purposes of this policy) makes a number of changes to how teachers' pay will be determined from September 2015. It is suggested that schools consider their pay policy alongside their appraisal policy and cross-refer where that is helpful. Both pay and appraisal policies should make clear the school's compliance with equalities legislation.

This policy is based on the Department of Education's model policy which is non-statutory and sets out how the school determines the salary of its teachers and needs to be read in conjunction with the [2015 School Teachers' Pay and Conditions Document](#) and the Eden Academy (Schools HR model) [Performance Related Pay for Teachers](#) guidance. It recommends a framework for schools to follow and covers the key areas of pay discretion that schools need to consider. It includes text (in italics) which the Board of the Trustees could adopt or insert text to reflect the locally agreed arrangements. Once the areas have been completed this document becomes the school's pay policy.

## 2. Introduction

The Board of Trustees is committed to the operation of an appraisal process for teachers, with the objective of supporting the maximum professional development of all staff and progress of pupils. The Eden Academy Trust is a member of a Teaching School Alliance and has appointed a cross Academy lead for professional development. The Board of Trustees, the Director for Schools and the Heads will ensure that all staff in school have access to advice, training and development opportunities appropriate to their needs.

The policy aims to enable pay decisions to be made in compliance with the following employment legislation as amended: the Employment Relations Act 1999, the Equality Act 2010, the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000, the Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002. In the absence of this policy addressing a particular

circumstance or situation the Board of Trustees will make a determination on any action to be taken through reference to this legislation.

The policy aims to be consistent with the principles of public life – objectivity, openness and accountability and the values of the Eden Academy Trust.

In adopting this pay policy the aim is to:

- Maximise the quality of teaching and learning across the Academy
- Support the recruitment and retention of a high quality teaching workforce
- Enable the schools 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

### **3. Determining Teachers' Pay**

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/or recognised trade unions.

4

#### **3.1 Pay Reviews**

The Board of Trustees (in relation to those employed in cross Academy roles) and the Director of Schools and Heads (in relation to those employed in their particular school) will ensure that each teacher's salary is reviewed annually, with effect from 1st September and no later than 31st October each year, and that all teachers are given a written statement setting out their salary and any other financial benefits to which they are entitled.

A remuneration committee will be established from the Board of Trustees for the purpose (and therefore all references to the Board of Trustees in the rest of this document refer to that delegated committee).

Reviews may take place at other times of the year to reflect any changes in circumstances or job description that lead to a change in the basis for calculating an individual's pay. A written statement will be given after any review and where applicable will give information about the basis on which it was made.

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

#### **3.2 Basic Pay Determination on Appointment**

The Board of Trustees (in relation to cross Academy roles) and the Director for Schools and Heads (in relation to those employed within their particular school) will determine the pay range for a vacancy prior to advertising it. They will take into consideration, where applicable, the recommended salary scales for various roles across the Academy detailed in Appendix One and any advice from the Director of the Schools of the Academy. On appointment it will determine the starting salary within that range to be offered to the successful candidate. In making such determinations, a range of factors will be taken into account, including:

- the nature of the post
- the level of qualifications, skills and experience required
- market conditions
- the wider school context
- in exceptional circumstances the Board have the discretion to award outside the advertised scale following interview
- the award of a recruitment incentive benefit to secure an appointment.

There is no assumption that a teacher will be paid at the same rate as they were being paid in a previous school.

### **3.3 Pay Progression based on Performance**

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

Decisions regarding pay progression will be made with reference to the teachers' appraisal reports and the pay recommendations they contain. In the case of NQTs, whose appraisal arrangements are different, pay decisions will be made by means of the statutory induction process.

It will be possible for a 'no progression' determination to be made without recourse to the capability procedure.

To be fair and transparent, assessments of performance will be properly rooted in evidence. At the Eden Academy, we will ensure fairness through consistent assessment which is quality controlled through a system of moderation and recourse to appeal.

The evidence we will use will include (but not be limited to):

- pupil progress and attainment
- appraisal against the Teacher Standards (including lesson observations)
- achievement of objectives.

Moderated teachers' appraisal reports will contain a recommendation on pay progression for the teacher appraised. In each school, the Head of School will

moderate all appraisal reports for their school. The Director of Schools or the Director of Academy Development will moderate all appraisal reports for Service managers

Any disputed decisions will, in the first instance be taken to the Director for Schools for mediation and ultimately escalated to the Board of Trustees' appeals committee.

### 3.4 Teachers on the Main Pay Range

The school's Main Pay Range is as given below (September 2017)

<b>Main Pay Range</b>	£
Minimum	26,662
Maximum	37,275

This school has retained the previous Main Pay Scale points and has created 3 bands of practitioner within this range to aid development, progression and appraisal:

- Band A – New Teacher M1 / M2
- Band B – Developing Teacher M3 / M4
- Band C – Established Teacher M5 / M6

Level of Practice	Band	Pay Point
New Teacher	Band A	MPR 1
		MPR 2
Developing Teacher	Band B	MPR 3
		MPR 4
Established Teacher	Band C	MPR 5
		MPR 6

All teachers at the Eden Academy Trust are expected to progress to the level of Established Teacher as set out in the schools' expectations against the Teacher Standards. The schools' framework of expectations against the Teachers Standards for each level of practitioner is part of the Performance Appraisal Policy and should be read in conjunction with this document.

#### 3.4.1 Main Pay Range Progression

Progression through the pay points and bands will be as follows:

##### Main Pay Range Point 1 (NQT) to Main Pay Range Point 2

On successful completion of their Induction Year NQT's will move to Main Pay Range Point 2 within Band A.

### **Main Pay Range Point 2 (Band A) to Main Pay Range Point 3 (Band B)**

To move to Main Pay Range Point 3 in Band B a teacher will have been assessed as a competent practitioner with evidence of some outstanding practice against the Teachers Standards expectations of a New Teacher. They will have achieved their pupil progress and attainment targets in the context of any mitigating circumstances and will have completed their objectives as set at the beginning of the year.

### **Main Pay Range Point 3 to Main Pay Range Point 4 within Band B**

To move to Main Pay Range Point 4 from Point 3 in Band B a teacher will have been assessed as a competent practitioner against the Teachers Standards expectations of a Developing Teacher. They will have achieved their pupil progress and attainment targets in the context of any mitigating circumstances and will have completed their objectives as set at the beginning of the year.

### **Main Pay Range Point 4 (Band B) to Main Pay Range Point 5 (Band C)**

To move to Main Pay Range Point 5 (Band C) from Point 4 in Band B a teacher will be assessed as a good practitioner with evidence of some outstanding practice against the Teachers Standards expectations of a Developing Teacher. They will have achieved their pupil progress and attainment targets in the context of any mitigating circumstances and will have completed their objectives as set at the beginning of the year.

7

### **Main Pay Range Point 5 to Main Pay Range Point 6 within Band C**

To move to Main Pay Range Point 6 from Point 5 in Band C a teacher will have been assessed as a competent practitioner against the Teachers Standards expectations of an Established Teacher. They will have achieved their pupil progress and attainment targets in the context of any mitigating circumstances and will have completed their objectives as set at the beginning of the year.

*Where the schools' expectations against the Teacher Standards for a particular level of practitioner have caused such concern that one or more of the Teachers Standards are not met and require improvement through specific support, pay progression will be withheld. Any such concerns will be highlighted through performance management reviews throughout the year and support put in place. Withholding pay progression will not necessarily mean that a teacher will move into capability proceedings.*

## **3.5 Upper Pay Range**

Qualified teachers who have been assessed by this school as meeting the standards for payment on the Upper Pay Range will be paid in accordance with the school's upper pay range which has 3 salary points. In September 2017, this ranges between £39,519 and £42,498.

### 3.5.1 Applications and Evidence

Any qualified teacher may apply to be paid on the upper pay range and any such application will be assessed in line with this policy. It is the responsibility of the teacher to decide whether or not they wish to apply to be paid on the upper pay range.

Applications may be made during the summer term of the academic year. Assessment against the Upper Pay Range criteria and Teacher Standards expectations will be made during September of the new academic year and applicants will be advised of the outcome of their application before the end of September.

The School will not be bound by any pay decision regarding the Upper Pay Range made by another school.

Where a teacher is subject to the 2011 regulations or the 2012 regulations the relevant body shall have regard to the assessments and recommendations in the teachers' appraisal reports under these regulations (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 should be submitted).

### 3.5.2 Criteria and Assessment

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

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

For the purposes of this pay policy:

- **'highly competent'** means

An experienced teaching practitioner whose lessons are observed as outstanding in the main and who is able and willing to provide mentoring and coaching to other teachers; to support other teachers to achieve a high level of competence in all of the Teacher Standards; to engage in stretching professional development to support their practice and their role in supporting others.

- **'substantial'** means

To make a significantly wide contribution to the work of the school and to the development and outcomes of the School Development Plan. To be a role model for teaching and learning. To consistently demonstrate exemplary levels of professional conduct.

- **'sustained'** means

To demonstrate over a period of at least 2 years the ability to fulfil the expectations of the Teacher Standards at the Upper Pay Range and the ability to be highly

competent at this level and make a substantial contribution to the school and its pupils as described above.

### **3.5.3 Assessment**

The application will be assessed by a panel reviewing the previous two full year appraisal reports, CPD records maintained by the applicant, an assessment against the criteria as described above and against the Teacher Standards expectations for the Upper Pay Range. The panel will constitute 2 governors and the Head of School.

A teacher demonstrating high levels of competence over 2 years as an Established Practitioner (paid in Band C) is deemed to have fulfilled the schools' criteria for sustained achievement.

If the applicant is successful in being assessed as suitable to be paid on the Upper Pay Range it will be effective from 1<sup>st</sup> September of that year and all teachers will start on the first point of the scale.

Applicants will be notified of the outcome of their application within 1 week of their assessment by the panel.

Unsuccessful applicants will be provided with comprehensive feedback by the Head of School as to why they were not successful and the areas where further professional development are required within 2 weeks of their assessment. Any appeal against a decision not to move the teacher to the upper pay range will be heard under the school's general appeals arrangements.

9

### **3.5.4 Upper Pay Range Progression**

Decisions regarding pay progression for teachers on the Upper Pay Range will be made with reference to the most recent appraisal report and teachers will be eligible to progress to the next point on the school's upper pay range where:

- their appraisal outcome over the previous 2 years confirms that their performance has been assessed as highly competent as defined by the schools' expectations against the Teachers Standards for an Upper Pay Range teacher;
- they have achieved their pupil progress and attainment targets accounting for any relevant mitigation;
- they have achieved the objectives set for them at the beginning of each year.

Any points awarded on the upper pay range are permanent, while the teacher remains in the same post or takes up another post in this school and while they are able to fulfil the wider responsibilities of the role of an Upper Pay Range teacher.

### **3.6 Leading Practitioner Posts**

A lead practitioner in the Eden Academy covers roles such as Heads of Department or Service Managers (someone who is taking a strategic role across all 5 schools that is specifically related to teaching and learning. There are currently three post

holders – a Service Manager for Teaching, Learning and Assessment and 2 Service Managers for Professional Development and support).

There are two further Service Managers who have different pay arrangements – the Service Managers for Therapy (paid on the therapists pay scales) and the Service Manager for Family Services (paid on a Local Government pay scale).

### 3.6.1 Leading Practitioner Range

The Board of Trustees will establish the following pay scale for leading practitioner teaching posts.

Minimum	Maximum
Leadership Point 1 (minimum) £42,498	Leadership Point 11 £53,066

### 3.6.2 Leading Practitioner Pay Progression

The Board of Trustees will consider awarding one pay point on the individual range for the post having regard to evidence provided as part of the Performance Appraisal review, the appraisal report, the relevant teachers' standards and taking into account advice from the Director of Schools/Director for Academy Development.

The evidence should show the leading practitioner:

- has made good progress towards their objectives;
- is highly competent in all aspects of the Teachers' Standards;
- has shown strong leadership in developing, implementing and evaluating policies and practice in their workplace that contribute to school improvement.

10

In addition, evidence will show that the leading practitioner:

- is an exemplar of teaching skills, which should impact significantly on pupil progress across all of the schools in the Academy;  
and/or
- has made a substantial impact on the effectiveness of staff and colleagues, including any specific elements of practice that have been highlighted as in need of improvement.

The definitions of 'highly competent' and 'substantial' are set out under the 'Assessment' section for progression to the Upper Pay Range

The Board of Trustees will be advised by the Director for Schools/Director for Academy Development in making all such decisions.

A Leading Practitioner is not eligible for a teaching and learning responsibility payment.

### 3.7 Unqualified Teachers

An unqualified teacher is either a trainee working towards qualified teacher status, an overseas trained teacher who has not exceeded the four years they are allowed without obtaining qualified teacher status, or an instructor with a particular skill.

### 5.7.1 Unqualified Teachers Scale

The school's pay range for an unqualified teacher is:

Unqualified Teachers Scale	Salary
Minimum	£19,749
Maximum	£29,422

### 3.7.2 Unqualified Teacher Progression

Decisions regarding pay progression will be made annually with reference to the most recent appraisal report. Decisions not to progress up the pay spine will be made in circumstances where concerns about standards of performance have been raised in writing as part of the performance management/appraisal process.

Any pay points awarded to unqualified teachers are permanent, while the teacher remains in the same post or takes up a new one at this school.

Unqualified teachers are not eligible for teaching and learning or special educational needs allowances. The awarding body will not determine a salary for an unqualified teacher outside of the unqualified teacher pay spine.

Upon obtaining qualified teacher status, an unqualified teacher will be transferred to a salary within the Main Pay Range which is the same or higher than the sum of salary paid on the Unqualified Teachers Pay Range.

### 3.8 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 awarding Body will give them a written statement detailing their working time obligations and the standard mechanism used to determine their pay, subject to the provisions of the statutory pay and working time arrangements and by comparison with the school's timetabled teaching week for a full-time teacher in an equivalent post. The salary of any pay allowances for part time staff will be pro-rata.

Pay progression related to performance for the relevant levels of expectation at similar pay grades will apply taking account of their part-time status and responsibilities.

### 3.9 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.

### 3.10 Leadership Posts

#### 3.10.1 CEO and Cabinet members

The salary range for the CEO and the cabinet members will be established by the remuneration committee of the Board of Trustees and will take into consideration the scope and nature of the roles across 5 schools and the nature of accountability that the posts carry. The posts will have a salary range comprising 10 scale points.

The remuneration committee will consist of

- (in relation to the CEO), the Chair of the Board of Trustees and at least two other Trustees
- (in relation to the cabinet members), the CEO, the Chair and at least one other Trustee.

Separately from this, the Board of Trustees will identify a performance management committee comprising

- (in relation to the CEO), the Chair of the Board of Trustees and at least two other Trustees
- (in relation to the cabinet members), the CEO and the Chair

The Trustees who serve on the remuneration committee will be different from the Trustees that serve on the performance management.

12

At the beginning of the year, the performance management committee will meet to set targets for the CEO and cabinet members. These will be reviewed at the end of the year when evidence will be submitted in relation to the successful completion (or otherwise) of the targets. At the end of the process, the committee will draw a conclusion as to whether the targets have not been met, have been met or have been exceeded. The performance management committee will then make a recommendation to the remuneration committee. The CEO and cabinet members must demonstrate sustained high quality of performance in respect of leadership and management before any incremental progression is awarded

#### 3.10.2 Headteacher, Head of School and Assistant Head of School

The above posts will be remunerated as followed:

	<b>Points</b>	<b>Salary</b>
Headteacher	L20 - 28	£65,334 - £79,591
Head of School	L14 - 22	£57,370 - £68,454
Deputy Head	L8 - 16	£49,924 - £59,605
Assistant Head of School	L3 – 10	£44,049 - £51,806

On appointment, the Head or Assistant Head of School will be placed onto a point within this scale according to their experience and expertise.

The Head or Assistant Head of School must demonstrate sustained high quality of performance in respect of school leadership and management and pupil progress at the school, and will be subject to a review of performance against performance objectives before any incremental progression is awarded.

The remuneration committee have discretion to consider movement by more than one reference point within the range. In such circumstances, the case for this will be made by the Director for Schools/Director for Academy Development and supporting evidence will be provided.

### **3.11 Discretionary Allowances and Payments**

#### **3.11.1 Teaching & Learning Responsibility Payments (TLRs)**

The local Governing Body will pay TLR 1 and 2 payments to teachers as indicated in the schools' staffing structure, in accordance with the Eden Academy Trust policy with pay ranges specified in the 2013 STPCD as updated from time to time and the following levels and values will apply:

TLR 1: *no less than £7,622 and no more than £13,027*

TLR 2: *no less than £2,667 and no more than £6,515*

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

13

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

- a) is focused on teaching and learning;
- b) requires the exercise of a teacher's professional skills and judgement;
- c) requires the teacher to lead, manage and develop a subject or curriculum area; or to lead and manage pupil development across the curriculum;
- d) has an impact on the educational progress of pupils other than the teacher's assigned classes or groups of pupils; and
- e) involves leading, developing and enhancing the teaching practice of other staff.

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

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

#### **3.11.2 TLR 3 Payments**

Before making any TLR3 payment, the awarding Body must be satisfied that the responsibilities meet a, b and d of the above criteria; that they are being awarded for

clearly time limited school improvement projects or externally driven responsibilities; and that the responsibilities are not a permanent or structural requirement which should instead be rewarded by means of a permanent TLR payment.

Where the awarding Body wishes to make TLR3 payments, the proposed responsibilities, level of payment (within the published range of £529 and £2,603) and the duration of payment will be set out clearly.

The awarding Body will ensure that the use of TLR3 applies only to clearly time limited school improvement projects or one-off externally driven responsibilities and where there is a genuine development or operational need. TLR3 payments will not be used to replace or otherwise limit teachers' pay progression on the Main, Upper or Leading Practitioner Pay Ranges. A teacher cannot be in receipt of a TLR1 or TLR2 at the same time. However, they can receive a TLR3 in addition to a TLR1 or TLR2.

### **3.11.3 Special Educational Needs (SEN) Allowances**

The Eden Academy Trust awards SEN allowances to all teachers. The value of SEN allowances to be paid at the school will be: no less than £2,106 and no more than £4,158 and will take into account

- the qualifications and expertise of teachers within the Eden Academy
- the relative demands of the post

### **3.11.4 Allowances payable to Unqualified Teachers**

14

The awarding Body may award an additional allowance to an unqualified teacher where it considers that, in the context of its staffing structure, the teacher has:

- a) taken on a sustained additional responsibility which:-
  - i. is focused on teaching and learning; and
  - ii. requires the exercise of a teachers' professional skills and judgement;or
- b) qualifications or experience which bring added value to the role being undertaken

Unqualified teachers may not hold TLRs or SEN allowances.

### **3.11.5 Acting Allowance**

Subject to the provisions set out in the 2015 Document, an acting allowance may be paid to a teacher or senior leader who is assigned and carries out duties of a Director for Schools/Director for Academy Development, head of school or assistant head of school but has not been appointed as an acting Director for Schools/Director for Academy Development, Head of School or assistant head of school.

### **3.11.6 Honorariums**

On some limited occasions, a teacher may be asked to take on an additional role (e.g. mentoring another teacher) for a time-limited period. In such cases, the CEO or cabinet members have the discretion of awarding an honorarium of up to £1000 to the teacher in question. If consideration is being given to an honorarium of a higher amount, this should go to the BOT remuneration committee for ratification.

### **3.12 Recruitment and Retention Incentives and Benefits**

Where the local awarding Body wishes to make recruitment and retention payments to teachers, this will be agreed with the Board of Trustees. The level, duration and criteria for such payments will be set out clearly before awarding such payments and these payments will be reviewed annually.

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

In relation to all Leadership posts the 2015 document states that recruitment and retention incentives should not be awarded other than as reimbursement as reasonably incurred housing or re-location costs. If this discretion has been applied in setting a pay range for recruitment purposes any further payment should not be made.

### **3.13 Safeguarding**

The Board of Trustees will operate salary safeguarding arrangements in line with the provisions of the new 2016 Document which comes into effect from September.

### **3.14 Pay increases arising from changes to the Document**

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

### **3.15 Monitoring the impact of the policy**

The Board of Trustees 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 school's continued compliance with equalities legislation.

### **3.16 Appeals Against Pay Progression Decisions**

The Board of Trustees is committed to ensuring that appeals against pay decisions meet the requirements of the dispute resolution provisions of employment law.

The process set out below is consistent with dispute resolution provisions of employment law and has been adopted by the school as the means by which appeals against pay decisions are considered.

Teachers may seek a review of any determination in relation to their pay or any other decision taken by the Heads or Board of Trustees (or a committee or individual acting with delegated authority) that affects their pay.

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

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

- a) incorrectly applied any provision of the School Teachers' Pay and Conditions Document;
- b) failed to have proper regard for statutory guidance;
- c) failed to take proper account of relevant evidence;
- d) took account of irrelevant or inaccurate evidence;
- e) was biased; or
- f) otherwise unlawfully discriminated against the 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, they should seek to resolve this by discussing the matter informally with the decision-maker within **10 working days** of the decision.
3. Where this is not possible, or where the teacher continues to be dissatisfied, they may follow a formal appeal process.
4. The teacher should set down in writing the grounds for questioning the pay decision and send it to some above the person who made the determination e.g., if the Head of School made the determination, then the matter should be addressed to the Chair of Governors, within **10 working days** of the notification of the decision being appealed against or of the outcome of the informal discussion referred to above.
5. The person should provide a hearing, within **10 working days** of receipt of the written appeal, to consider the appeal and give the teacher an opportunity to make representations in person. At this stage it would be appropriate to invite the person who made the determination and possibly the appraiser who would have made the initial recommendation to provide evidence. Following the hearing

the employee should be informed in writing of the decision and the right to appeal.

6. If the teacher remains dissatisfied they can lodge an appeal within **10 working days** of being notified of the outcome of the hearing.
7. 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. The teacher will be given the opportunity to make representations in person. 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.

For any formal meeting the teacher is entitled to be accompanied by a trade union representative or a colleague. Each step and action of this process must be taken without unreasonable delay. The timing and location of formal meetings must be reasonable. Formal meetings must allow both parties to explain their case.

### **3.16.1 Appeals Procedure for Teachers Leaving the School**

There will be no entitlement to invoke the appeal procedure in relation to a pay decision if the teacher has left the employment of the school.

Where a teacher has, whilst employed at the school, lodged an appeal against a pay decision but has then subsequently left the school's employment before any appeal hearing is held, the following steps will be observed:

- 1) The teacher must have set out details of their appeal in writing;
- 2) The teacher must have sent a copy of their appeal to the Director for Schools.
- 3) The Director for Schools will consult with relevant school personnel and provide the teacher with an appropriate written response on behalf of the school.