

# **The Painsley Catholic Academy**



# **The Painsley Catholic Academy**

Better Together

**Pay Policy**  
**September 2018**

## **The Board of Directors of The Painsley Catholic Academy adopted this policy on TBC**

### **1 Policy for determining teachers' pay**

1.1 The School Teachers' Pay and Conditions Document (STPCD - from September 2017) places a statutory duty on schools to have a pay policy in place which sets out the basis on which they determine teachers' pay linked to the performance management system, and to establish procedures for determining appeals.

1.2 Staff employed at this school will be paid in accordance with the statutory provisions of the STPCD (for teachers) as updated from time to time and Green Book Conditions of Service for Support staff save where there is any conflict or inconsistency between the STPCD/Green Book and this policy in which case this policy will take precedence.

1.3 This Policy sets out the framework for making decisions on pay for teachers' and support staff including the procedures for determining appeals. It has been developed to comply with current legislation and the requirements of the MAC/school. Teachers Pay and Conditions Document (STPCD) 2017 and the locally agreed 'Framework for Support Staff Profiles'. The Pay Policy has been consulted on with the teacher and support staff trade unions.

1.4 In adopting this pay policy the aim is to:

- maximise the quality of teaching and learning across the academy with the aim of good and outstanding teaching for all students
- support the recruitment and retention of a high quality workforce
- enable the MAC/school to recognise and reward employees appropriately for their contribution to the MAC/school
- ensure all staff participate in arrangements for performance management and appraisal.
- ensure all staff have access to advice, training and development opportunities appropriate to their needs
- help to ensure that decisions on pay are managed in a fair, just and transparent way

1.5 Pay decisions at this MAC and school are made by the resources committee following recommendation from the appraisers. The Executive Leader (ie CEO, DCEO and CFO)/Principal can delegate responsibility for conducting appraisals and pay decisions but he/she will moderate the process in order to ensure fairness and transparency. In adopting this Pay Policy the decisions on pay will be managed in a fair, just and transparent way. This policy aims to support the MAC/School

Development Plan by recognising that the school's staff are its most important resource and by providing a system which will enable Directors to recruit, retain and motivate staff of the best quality. It should also be read in conjunction with the Mental Health and Wellbeing Policy.

## **2 Pay Review for Teachers**

2.1 The Resources Committee will ensure that each teacher's salary is reviewed annually, with effect from 1st September and no later than 1st December 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. Cost of living rises approved by the Directors will be awarded to all staff regardless of performance. Any pay decisions as a result of appraisal will be backdated to 1st September. 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. The Chief Financial Officer and Principal will ensure that an employee has received a satisfactory appraisal prior to any incremental change. This will be reported to the CEO.

2.2 Decisions on support staff pay will be made by 28th February each year with employees being notified in writing of the pay decisions. The appeals process also applies to support staff. If applicable, in April of each year, employees will move to the next incremental point plus any standard of living increase. When the employee is due to move to the final incremental point within the grade it will not be an automatic progression. It will be dependent on their satisfactory performance which will be identified within the appraisal process. The Chief Financial Officer and Principal will ensure that an employee who is due to be awarded the final incremental point for their grade has received a satisfactory appraisal before the end of February in that review year. This will be reported to the CEO.

## **3 Determining Salary for New Appointments**

3.1 Classroom Teachers including Unqualified Teachers

3.2 Basic pay determination on appointment

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

- the nature of the post
- market conditions
- the level of knowledge, skills and experience required
- the level of pay that the successful applicant is currently receiving

3.4 Teachers without QTS will be placed on the pay scale for unqualified teachers. This will normally be at the lowest point on the unqualified range(UQ1) unless there is a specific reason why the Directors may choose to appoint an unqualified teacher on a higher scale point as set out in paragraph 7. The CEO will approve such decisions subject to final ratification by the Resources Committee. Teachers joining the school part way through an academic year will receive an appraisal. The focus of this would be the completion of 'form B' only.

3.5 Leadership Group including the Executive Leaders

3.6 The salary of members of the Executive Leadership Team and school Leadership Teams will be decided with reference to the school groupings set out in the STPCD. The directors will ensure that benchmarking exercises are completed when setting the Executive salary ranges with external advice sought (where applicable) including from an external adviser. The Chair of Directors (or Vice Chair in his/her absence) must approve the salaries of the Executive Leadership team with final ratification from the Resources Committee. The CEO will approve the salaries of non-Executive Leaders with final ratification from the Resources Committee.

## **4 Support Staff**

4.1 The salary gradings for posts shall be based on the job description prepared by the CFO and/or Principal/Headteacher or other appropriate person and have regard to the terms and grading applicable for similar roles or work. In determining matters of pay and grading, the Board of Directors will have particular regard to the provisions set out in the DfE's guidance. The CEO will approve such decisions subject to final ratification by the Resources Committee.

4.2 For support staff newly appointed, the appointment will normally be made on the minimum of the advertised salary range (or the salary as advertised). However, the appointment can be made on a salary above the minimum of the range (or the salary as advertised) where the CEO and Directors wish to recognise particular experience and/or qualifications appropriate to the post, the current salary of the appointee where it exceeds the minimum of the range, or any particular recruitment difficulties. In determining the specific starting salary for a successful applicant, the selection panel will base its decision on the evidence collected through the selection process, including references.

4.3 Cost of living rises (as agreed by the Resources Committee) will be awarded regardless of performance.

## **5 Alternative Contract Offers**

5.1 It is possible that, using academy freedoms, teachers including unqualified teachers may be offered a salary with a contract outside of the normal STPCD regulations. Examples may include providing additional holiday intervention sessions or alternative working hours. In these cases, prospective employees will need to consider their employment offer carefully and be comfortable with the proposed conditions of service. This may include consultation with their professional association. Any such offer, will of course, meet other relevant legislation such as the 'Working Time Directive' and possible workload implications.

## **6 Pay Progression Based on Performance**

6.1 All teachers (including unqualified teachers, Leadership Group members and Executive Leadership)

6.2 In this 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 academy's appraisal policy.

6.3 The Board of Directors has determined that normally progression within a range will be by annual increments. See paragraph 7 for unqualified teachers.

6.4 The Board of Directors has agreed the career stage expectations for teachers at this school; these are detailed in the school's Appraisal Policy.

6.5 Progression between pay points will be based on the teacher demonstrating, through their appraisal that they meet the teacher standards and career stage expectations for the new pay point.

6.6 Decisions regarding pay progression will be made with reference to the teachers' appraisal reports and the pay recommendations they contain. It will be possible for a 'no progression' determination to be made without recourse to the capability procedure. In the case of NQTs, whose appraisal arrangements are different, pay decisions will be made by means of the statutory induction process. If an NQT successfully completes the induction year, then he/she will automatically progress to M2.

6.7 To be fair and transparent, assessments of performance will be properly rooted in evidence. In the Painsley Catholic Academy, we will ensure fairness by having clear statements about expected performance against the elements of the teachers' standards (see appraisal policy) and progress made towards appraisal

objectives. The CEO/DCEO and/or Principal of each school within the Painsley Catholic Academy will moderate objectives and review statements (as per the appraisal policy) and ask for changes if necessary.

## **7 Determining Pay Progression (Unqualified Teachers)**

7.1 Each professional performance judgement is made with reference to an individual:

- maintaining their previous high level of performance, and
- performing to an expected level of experience, knowledge, expertise and professional impact commensurate with their position on the unqualified teacher's pay scale.

7.2 This will be informed through appraisal and observations/assessment reviews etc as part of the Appraisal Policy. All incremental rises will be backdated to September.

7.3 Cost of living rises (as determined by the Resources Committee) will be given to all staff regardless of performance.

7.4 The pay scale for unqualified teachers is UQ M1- UQ M6. Salaries may be awarded outside of these pay ranges as outlined in paragraph 5.1. This decision will be made by the CEO and ratified by the Resources Committee.

## **8 Determining Pay Progression (Qualified Teachers)**

8.1 All salary determinations shall be made with regard to guidance in the current STPCD, Appraisal Policy, each teacher's Appraisal report and where applicable, their alternative contract offer. The appraisal report will include an overall assessment for the purpose of determining pay progression (Main Scale and Upper Pay Scale). These performance ratings are subject to moderation in accordance with the arrangements outlined in the Appraisal Policy.

The performance ratings for pay decisions are shown below and will be applied to each individual teaching colleague to indicate an overall judgement of their professional performance.

8.2 Each professional performance judgement is made with reference to an individual:

- maintaining their previous high level of performance, and
- performing to an expected level of experience, knowledge, expertise and professional impact commensurate with their position on the main or upper pay scale. For example, a 'highly effective' teacher currently on M6 will be expected to exhibit a level of experience, knowledge, expertise and professional impact superior to that of a 'highly effective' M5 teacher.

<b>Overall judgement</b>	<b>Descriptor</b>
Unsatisfactory	<p>Not all professional teaching standards are satisfactorily met; teaching is inadequate or requiring improvement (as evidenced through observations, student and parent voice etc); lack of involvement in, and impact of, CPD; 'Key' objectives are only partly achieved; has not met all of the demands of the descriptor for 'Professional Conduct Part 2' of the teachers' Professional Standards. It is likely that there is dissatisfaction from stakeholders such as students and parents. A teacher Support Plan will be initiated, if not already done so, and could lead to more formal Capability/Disciplinary procedures. The Catholic ethos is not respected.</p>
Effective with some further development required	<p>All professional teaching standards are satisfactorily met, with some concerns about matters of general professionalism; most teaching is at least good, with some aspects requiring improvement; evidence of active involvement in, and impact of, CPD; 'Key' objectives are fully met, and/or remaining challenging objectives at least partly achieved with clear evidence of how the teacher has strived to achieve the objectives. The teacher attempts to support the Catholic ethos of the school.</p>
Effective	<p>All professional teaching standards are robustly met; all teaching is at least good, and some is outstanding; strong evidence of regular involvement in, and impact of, CPD; there is clear evidence of contributing to whole school practice; all objectives are challenging. Excellent progress has been made towards achieving challenging objectives. Where challenging objectives have not been met there is suitable evidence to show how the teacher has endeavoured to achieve them.</p>

	The teacher proactively supports the Catholic ethos of the school.
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8.3 Performance ratings for teachers on the Main Pay Scale will be linked to pay recommendations as follows (and subject to there being available headroom within the scale):

<b>Assessment</b>	<b>Award</b>
Unsatisfactory	No pay scale increase.
Effective with some further development required	No automatic increase; the Principal has the discretion to award a temporary monthly increase equivalent to a one point increment, based on the context of each individual case.
Effective	One point increase

## **9 Progression to the Upper Pay Scale (and movement within it)**

### 9.1 Applications and Evidence

9.2 To achieve progression, the School Teachers' Pay and Conditions Document (STPCD) requires that the achievements of post-threshold teachers and their contribution to school(s) should have been substantial and sustained. Therefore, the teacher is expected to be highly competent in all elements of the relevant standards. To be fair and transparent, judgements must be properly rooted in evidence.

9.3 Qualified teachers may apply to be paid on the upper pay scale at least once a year. The deadline date for the application is 1st November following the completion of the M6 year. Successful applicants will have their pay backdated to 1st September. Decisions for movement to the UPS will be in line with all other pay recommendations, ie, by 1st December.

9.4 The Principal shall assess any such application received and make a determination on whether the teacher meets the following criteria:

- Teaching experience of at least 6 years with at least 1 year on salary scale M6
- Two successful and successive appraisals which meet all the expected outcomes ie the teacher is deemed to be 'effective' as outlined in the Appraisal Policy (appraisal conducted at points M4 – M6 on the pay scale)

9.5 The teacher will have achieved objectives (for two successive years at points M4-M6) in the appraisal process or part achieved a stretching objective.

## 10 Assessment

10.1 An application will be successful where the Principal/Executive Leader/Resources Committee is satisfied that:

1. The teacher is highly competent in all elements of the relevant standards.
2. That the teacher's achievements and contribution are substantial and sustained.

10.2 For the purposes of this pay policy:

Upper Pay Scale	Descriptor
<p><b>UPS 1 – ‘sustained’</b></p> <p>The teacher must have had two consecutive successful appraisal reports ie he/she has been judged as ‘effective’ and have made good progress towards their objectives during this period. They will have been expected to have shown that their teaching expertise has grown over the relevant period and is consistently good to outstanding. In addition, the teacher will need to have been paid at point 6 of the main scale for at least one year.</p>	<p><b>Professional Practice:</b> All teaching is good and some outstanding. The teacher contributes at a strategic level to policy initiatives.</p> <p><b>Professional Outcomes:</b> Almost all pupils achieve in line with school (or departmental) expectations. Some pupils exceed them. Interventions are routinely in place. Students make rapid progress as a consequence of intervention.</p> <p><b>Professional Relationships:</b> Plays a proactive role in building working relationships and teams to improve provision and outcomes.</p> <p><b>Professional Development:</b> The teacher continues to drive own professional development needs and responds timely to advice and feedback. The teacher contributes more broadly to the life of the school – this has been maintained over a period of time. Plays a proactive role in leading professional development in teams. This includes sharing good practice through INSET, staff briefings/meetings, mentoring and coaching.</p> <p><b>Catholic ethos:</b> the teacher proactively supports the Catholic ethos of the school.</p>
<p><b>UPS2 - ‘Substantial’</b></p> <p>The teacher's achievements and contribution to the school are significant, not just in raising standards of teaching</p>	<p><b>Professional Practice:</b> All teaching is good and much is outstanding. The teacher contributes at a strategic level to policy initiatives.</p> <p><b>Professional Outcomes:</b> Almost all pupils achieve in line with school (or</p>

<p>and learning in their own classroom, or with their own groups of children, but also in making a significant wider contribution to school improvement, which impacts on pupil progress and the effectiveness of staff and colleagues.</p>	<p>departmental expectations). Many pupils exceed them. The teacher makes a distinctive contribution to the raising of pupil standards. Interventions are routinely in place where there is underperformance. Students make rapid progress as a consequence of intervention.</p> <p><b>Professional Relationships:</b> Plays a proactive role in building teams to improve provision and outcomes. The teacher is skilled in collaborating with others and maximises opportunities for staff to work together, sharing responsibility and good practice.</p> <p><b>Professional Development:</b> The teacher continues to drive own professional development needs and responds timely to advice and feedback.</p> <p>Plays a proactive role in leading the professional development in relevant staff teams. The teacher contributes more broadly to the life of the school. This contribution has been maintained over a period of time.</p> <p>This includes sharing good practice through INSET, staff briefings/meetings, mentoring and coaching.</p> <p><b>Catholic ethos:</b> the teacher proactively supports the Catholic ethos of the school</p>
<p><b>UPS 3</b> – ‘Highly competent in all elements of the relevant standards’</p> <p>The teacher’s performance is assessed as having excellent depth and breadth of knowledge, skill and understanding of the Teachers’ Standards in the particular role they are fulfilling and the context in which they are working.</p>	<p><b>Professional Practice:</b> All teaching is good and much outstanding. The teacher’s practice is secure, well – informed and consistently good or outstanding in all Professional Standards.</p> <p><b>Professional Outcomes:</b> Almost all pupils achieve in line with school (or departmental) expectations. Many pupils exceed them. They are not distracted from the vision of outstanding teaching and learning. Interventions are routinely in place where there is underperformance. Students make rapid progress as a consequence of intervention.</p>

	<p><b>Professional Relationships:</b> Plays a proactive role in building school - wide teams to improve provision and outcomes. There is a relentless focus on standards within the context in which they are working.</p> <p><b>Professional Development:</b> The teacher continues to drive own professional development needs and responds timely to advice and feedback. Plays a proactive role in leading the professional development of colleagues across the school. This includes sharing good practice through INSET, staff briefings, mentoring and coaching. They demonstrate effective practice, providing advice and feedback.</p> <p><b>Catholic ethos:</b> the teacher proactively supports the Catholic ethos of the school</p>
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### 10.3

- “highly competent in all elements of the relevant standards” means that the teacher’s practice is secure, well-informed and consistently good or outstanding in all Professional Standards
- that the teacher is able to contribute to the wider professional development of others through training, coaching and mentoring, demonstrating effective practice, providing advice and feedback.
- “substantial and sustained” achievements and contribution means that the teacher contributes at a strategic level to policy initiatives
- that the teacher makes a distinctive contribution to the raising of pupil standards
- that the teacher is skilled in collaborating with others and maximises opportunities for staff to work together, sharing responsibility and good practice
- that the teacher contributes more broadly to the life of the school
- that such contribution has been maintained over a period of time; this will usually require the Appraiser to be assured that the teacher has had at least two consecutive appraisal reports demonstrating the required ‘effective’ standard has been met.

10.4 All applications to the Upper Pay Scale should be made using the application letter – see appendix B.

10.5 All pay related decisions will be taken in accordance with relevant equalities legislation, Employment Relations Acts and Part-time Workers and Fixed-term Employees' Regulations. Appropriate consideration will be given where staff have been absent for long periods e.g. due to sickness or maternity leave.

10.6 The assessment will be made within 10 working days of the receipt of the application or the conclusion of the appraisal process whichever is later.

10.7 If successful, a teacher will move to the Upper Pay Scale backdated to 1 September and will be placed on point 1 of the range.

10.8 If unsuccessful, feedback will be provided by the Principal as soon as possible and at least within 5 working days of the decision.

10.9 This will include the right of appeal against this pay decision under the appeal arrangements.

10.10 Those staff who are already on the Upper Pay Scale are expected to continue to meet the elements of each standard. Where this is not the case, the appraisal process will be used to support the teacher with the expectation that rapid progress will be made within the appraisal period. A teacher has the right to request to move back to the Main Pay Scale as part of this process.

10.11 Following a period of two years at UPS1 or UPS2 and the continued achievement of the UPS expectations, a post-threshold teacher will move to the next pay point (UPS2 or UPS3 respectively). This decision will be made by the Principal and the appraiser as part of the Appraisal process. Any decision not to authorise a UPS teacher to move up the pay scale should not be unexpected. Therefore, it is crucial that the appraiser would have identified issues throughout the year and brought them to the attention of the teacher, preferably in writing.

## **11 Determining Pay Progression (Executive Leaders and/or Leadership Group)**

11.1 Members of the Leadership Group must demonstrate sustained high quality performance, with particular regard to leadership, management and pupil progress at the MAC/school and will be subject to a review of performance against performance

objectives as part of the appraisal process before any performance points/incremental rises will be awarded.

11.2 The board of Directors will consider movement by more than one point in line with the expectations set out in the Appraisal Policy.

11.3 The salary of members of the Executive Leadership Team and school Leadership Teams will be reviewed annually taking account of the performance objectives set under the school's appraisal system and the progression arrangement set out in the STPCD. The directors will ensure that benchmarking exercises are completed when setting the Executive salary ranges with external advice sought (where applicable) including from an external adviser.

11.4 Cost of living rises will be awarded regardless of performance as agreed by the Resources Committee on an annual basis.

11.5 The Directors will consider movement by more than one point in the following circumstances:

- Successful achievement of the appraisal process
- Significant contribution to the successful achievements of the KPI of the MAC/school (determined by the Principal/Directors/Appraisers and advised by the CEO/external adviser)

## **12 NQT Progression**

12.1 Pay decisions relating to NQTs will be made by means of the statutory induction process.

## **13 Determining Pay Progression (Support Staff)**

13.1 Pay progression for support staff will be determined by the Resources Committee. They are ultimately responsible for determining the nature and value of any support staff pay awards.

Pay progression may be withheld when an employee has performed unsatisfactorily. This will take place only within the context of Painsley Catholic Academy's Appraisal Policy and/or disciplinary/capability procedure.

## **14 Pay Progression Implementation**

14.1 Final decisions about whether or not to accept a pay progression recommendation will be made by the Resources Committee, having regard to the appraisal report and taking into account advice from the Chair/External

Adviser/Executive Leader/Principal. No pay recommendations should be considered final until after ratification by the Resources Committee.

## **15 Review**

15.1 Painsley Catholic Academy's Board will review the operation of the appraisal and pay progression scheme on an annual basis and reserves the right to change the scheme at any time, subject to prior consultation. Staff will be notified of any changes which may affect their future pay progression. The Board will consider its approach in the light of budget pressures and ensure that appropriate funding is allocated to pay for progression at all levels.

## **16 Part – time teachers**

16.1 Teachers employed on an on-going basis at The Painsley Catholic Academy but who work less than a full working week are deemed to be part-time. The Board of Directors will give them a written statement detailing their working time obligations and the standard mechanism used to determine their pay. Directors will comply with all relevant legislation in determining these arrangements.

## **17 Short notice/Instant cover teachers**

17.1 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.

## **18 Teaching and Learning Responsibility Payments (TLRs)**

18.1 TLRs will be awarded to the holders of the posts indicated in the staffing structure. To award a TLR, the Directors 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.

18.2 Only classroom teachers receive TLR payments.

18.3 TLR payments may be awarded only to classroom teachers for additional responsibilities. Page 55 of the STPCD defines a 'classroom teacher' as a qualified teacher "who is not a member of the leadership group or on the pay range for leading practitioners".

18.4 Therefore, staff members who are part of the leadership group or who are on the pay range for leading practitioners cannot receive TLR payments.

18.5 The three types of TLR payment are:

- TLR1 payments: for permanent additional responsibilities, with significant line management responsibilities
- TLR2 payments: for permanent additional responsibilities
- TLR3 payments: fixed-term payments for time-limited additional responsibilities

18.6 For a TLR1 to be awarded, in addition to the five points listed above, the teacher must have line management responsibility for a significant number of people. The Directors consider significant to be at least 6. However, the actual position and its associated responsibilities will also be considered when deciding upon the level of TLR to be awarded.

18.7 To qualify for a TLR3, the teacher must satisfy points a, b and d of the criteria above.

18.8 The level and value of the TLR will be determined by the Directors after scrutiny of the level of the responsibility.

18.9 The definition of a 'classroom teacher' does not include support staff or unqualified teachers. Therefore neither support staff or unqualified teachers can receive TLR payments.

18.10 The STPCD states that the annual value of TLR payments must be:

- No less than £7,699 and no greater than £13,027 for TLR1 payments
- No less than £2,667 and no greater than £6,515 for TLR2 payments
- No less than £529 and no greater than £2,630 for TLR3 payments

18.11 Decisions over the value of TLRs are agreed by the CEO and ratified by the Resources Committee.

18.12 Section 2, paragraph 20.3 (page 25) of the STPCD explains that a teacher cannot hold a TLR1 and a TLR2 concurrently. However, a teacher who holds a TLR1 or a TLR2 can also hold a concurrent TLR3.

## **19 Adjusting the value for part-time teachers**

19.1 TLR1s and TLR2s must be paid pro rata at the same proportion as the teacher's part-time contract, as explained in section 3 paragraph 50 (page 73) of the 2017 STPCD. So, for example, if a part-time teacher works a 0.8 full-time equivalent contract, they should receive 80% of the TLR payment.

19.2 Section 3, paragraph 54 explains that the pro-rata principle does not apply to TLR3s. A part-time teacher receiving a TLR3 payment must receive the full value of payment.

## **20 Shared responsibility**

20.1 The value of a TLR payment can be split according to the share of responsibility. For example, if two teachers share a responsibility equally, the value

of the payment would be split evenly between them. The CEO will approve such decisions with ratification at the Resources Committee.

## **21 Appeals**

21.1 The arrangements for considering appeals are as follows:

21.2 An employee may seek a review of any determination in relation to his/her pay or any other decision taken by the Resources Committee that affects his/her pay.

21.3 The following list includes the usual reasons for seeking a review of pay i.e. that the person or committee by whom the decision was made –

- a) incorrectly applied any provision of the relevant conditions of service;
- 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 employee.

## **22 Procedure For Considering Appeals Relating to Salary**

22.1 The order of proceedings is as follows:

1. The employee receives written confirmation of the pay determination and where applicable the basis on which the decision was made.

2. If the employee is not satisfied, he/she should seek to resolve this by discussing the matter informally with the decision-maker within ten working days of the decision. Where this is not possible or where the employee continues to be dissatisfied, he/she may follow a formal appeal process.

3. The employee should set down in writing the grounds for questioning the pay decision and send it to the Clerk of Directors in cases involving the Executive Leadership Team or the Principal. All other staff should send the appeal to the Principal of their school with the exception of MAC central support staff who should send the appeal to the CFO. The appeal letter should be received within ten working days of the notification of the decision being appealed against or of the outcome of the discussion referred to above.

4. Any appeal should be heard by a panel of three Directors who were not involved in the original determination normally within 20 working days of the receipt of the written appeal notification. The employee 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. This decision will be final and binding.

5. The Chair of Directors (for the Executive Leadership Team) or the CFO for MAC central support staff or the Principal who made the determination should provide a hearing within ten working days of receipt of the written grounds for questioning the pay decision to consider this and give the employee an opportunity to make representations in person. Following the hearing, the employee should be informed in writing of the decision and the right to appeal.

## **23 Working Time**

23.1 A qualified teacher employed full-time must be available for work for 195 days, of which-

(a) 190 days must be days on which the teacher may be required to teach pupils and perform professional duties; and

(b) 5 days must be days on which the teacher may only be required to perform other duties

(c) Any addition to the above, e.g. holiday intervention sessions, will be considered for an out-of-school hours payment or time off in lieu, depending upon the specific circumstances.

23.2 All other staff will have their hours set out in their contract subject to employment legislation such as the Working Time Directive.

## **24 Monitoring the impact of this policy**

24.1 The Board of Directors will monitor the outcomes and impact of this policy on a two year basis to assess its effect and the Academy's continued compliance with equalities legislation.

APPENDIX A:

The following pay scales apply to qualified and unqualified teachers:

\*Note: this will be updated once the salaries for 2018/19 are confirmed.

APPENDIX B: Upper Pay Scale Application form

Dear (Teacher)

Re: Moving through Main Scale Standards to Post-Threshold Standards

According to our records you are due to move through the Teacher pay scale from Main Scale to the Upper Pay Spine. I would be grateful if you could please read and sign the below statement:

I would like to confirm that I want to be considered to move onto the Post Threshold Standards. I understand that the Post Threshold Standards are different to that of a normal Main Scale teacher.

My appraisal indicates that I have met the standards within the Pay Policy. I will continue to meet these standards as part of my professional duties as a Post Threshold teacher.

Signed: .....

Date: .....

If you wish to discuss this further, please do not hesitate to contact me.

Yours sincerely

<Name>

Principal

## APPENDIX C

Relevant DFE departmental advice and statutory guidance:

- School teachers' pay and conditions document 2017 and guidance on school teachers' pay and conditions
- The Working Time Regulations 1998
- The Part-time Workers (Prevention of Less Favourable Treatment) Regulations
- The Flexible Working (Eligibility, Complaints and Remedies) Regulations 2002
- The Equality Act 2010 The Education (School Teachers' Appraisal) (England) Regulations 2012