



Leicestershire Traded Services

Pay Policy for Teachers - 2017/2018

The governing body of

adopted this policy on

It will be reviewed on

Trusted service

This policy applies to all Teachers and the Head Teacher based at Packington Church of England Primary School and should be read in conjunction with the associated Pay Policy Guidance.

Scope

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) 2017/18 'The Document', and has been consulted on with staff and/or the recognised trade unions.

In adopting this pay policy the aim is to:

- *maximise the quality of teaching and learning at the School*
- *support the recruitment and retention of a high quality teacher workforce*
- *enable the School/ College/ Academy to recognise and reward Teachers appropriately for their contribution to the School/ College/ Academy*
- *help to ensure that decisions on pay are managed in a fair, just and transparent way.*

The Governing Body will agree the School budget and will ensure that appropriate funding is allocated for pay progression at all levels and in doing so recognise that funding cannot be used as a criterion to determine progression.

Any aspects of Teachers' pay and allowances not covered within the terms of this policy will be considered in line with The Document.

Appraisal

A scheme of Appraisal for all teaching staff will be used, in accordance with the requirements of the Education (School Teachers' Appraisal) (England) Regulations 2012.

Equal Opportunities

All pay-related decisions will be made to comply with relevant legislation including, 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.

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The Governing Body will promote equality of opportunity in all areas taking account of individual circumstances e.g. absence on maternity leave or long term sickness and make adjustments where appropriate.

Pay Committee

The Governing Body have established a Pay Committee in order to monitor pay decisions in this establishment. The terms of reference for the Pay Committee are attached at appendix B. The Pay Committee have fully delegated powers to make decisions on pay progression for all teachers in the school on behalf of the Governing Body.

It is the responsibility of the pay committee

- *To elect a clerk*
- *To apply the pay policy in a fair and consistent way.*
- *To recommend to the Finance Committee and/ or Governing Body the total amount of funding needed for pay progression.*
- *To make decisions on pay for all staff including discretionary pay applications and make appropriate recommendations to the Finance Committee and/or Governing Body*
- *To ensure knowledge of pay issues is up-to-date and make the Governing Body aware when the pay policy needs to be updated.*
- *To ensure all statutory and contractual requests are applied.*
- *To record all decisions and report back in general to the Governing Body.*

Members of the Pay Committee should not include employee Governors.

Pay Reviews

Determination of the remuneration shall be as follows:

- All Teachers: annually with effect from 1st September, with reviews having been conducted no later than 31st October each year
- Head Teacher: annually, and no later than 31st December each year.

All pay decisions, setting out the salary and any other financial benefits will be communicated to each member of staff in writing within 1 month of the pay determination. The Chair of Governors is responsible for notifying the Head Teacher.

Reviews may also take place at other times of the year to reflect any changes in job description or other circumstances that lead to a change in the basis for calculating an individual's pay.

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Teachers will receive a written statement outlining the details of their pay after any review at the earliest opportunity and no later than one month after the determination.

Where a pay determination leads or may lead to the start of a period of safeguarding, the Pay Committee will give the required notification as soon as possible and no later than 1 month after the date of the determination.

Appeals

A teacher may seek a review of any determination in relation to their pay by the Pay Committee. The procedure for submitting an appeal is detailed in Appendix C.

Pay Range for Head teachers

The Governing Body have identified an appropriate range of consecutive points, which will be used as the pay range for the Head Teacher.

As at 1st September 2017, the range is *L10 to L17*, and the School group size is currently Group *L1*.

The Head Teacher's pay range (including any additional payments), are not to exceed the maximum of the School group size by more than 25%.

The performance progression of the Head Teacher, will be considered by the Pay Committee on the recommendation of the Chair of Governors with advice from the External Adviser.

The Governing Body will, as necessary, revise its determinations where there has been a significant change in the Head Teacher's responsibilities, and/ or a change in pupil numbers which would alter the School group size.

The Governing Body will determine a pay range for the Head Teacher, when:

- it proposes to make new appointments,
- or**
- where there are significant changes to the serving Head teacher role.

The Governing Body must take into account:

- the appropriate School group size,
- all of the permanent responsibilities of the role,
- any challenges specific to the role

- any other relevant considerations.

These considerations apply to any determinations made within the leadership group after 1st September 2014.

Pay Range for Deputy Head teachers & Assistant Head teachers

The Governing Body will determine a pay range for the Deputy Head Teacher and Assistant Head Teacher when:

- *it proposes to make new appointments,*
- or**
- *where there are significant changes to the serving deputy or assistant.*

It will take account of the responsibilities and challenges of the role(s). The pay range set must be within the leadership scales and not exceed the maximum of the School group size. There are no differentials set within the leadership scale and the deputy and assistant pay ranges can overlap or one can exceed the other.

The pay range for the deputy or assistant should only overlap the Head Teacher's pay range in exceptional circumstances.

The Governing Body have determined that there will be no Deputy Head Teacher or Assistant Head Teacher posts, however this policy will be reviewed and amended should this position change and referral will be made to the LA model policy. This provision will be reviewed in April 2018.

The pay progression of all Teachers on the leadership spine, except that of the Head Teacher, will be considered by the Pay Committee on the recommendation of the Head Teacher.

Pay Progression

Annual pay progression for all posts is not automatic and is subject to annual review of performance. The governing body will consider whether to award pay progression points in line with the table below and as further described in the sections below.

Pay Range	Standard progression	Accelerated Progression
Unqualified teachers	1 Point	2 points
Main	1 Point	2 points
Upper	1 point after 2 consecutive successful reviews	2 points after 2 consecutive successful reviews
Leading Practitioner	1 point	2 points

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Leadership	1 point	2 points
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Pay Progression based on Performance: All Teaching & Leadership Posts

In this School all Teachers are subject to the annual appraisal process that recognises their strengths, informs plans for their future development, and helps to enhance their professional practice. In addition, all can expect to receive regular, constructive feedback on their performance. The arrangements for appraisals are set out in the School's Performance Management Policy.

For all Teachers it will be possible for a 'no progression' determination to be made without recourse to the capability procedure.

Decisions regarding pay progression will be made with reference to 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.

To be fair and transparent, assessments of performance will be properly rooted in evidence. In this School we will ensure fairness by:

All staff being fully aware of the required teacher standards and outcomes for agreed performance management targets.
 All staff having 3 PM reviews yearly where teachers will be required to show evidence to support their movement towards targets and discuss/ take advice from their Performance Management Leader.
 The Head Teacher providing an anonymised report to Governors to enable moderation of evidence.

The evidence we will use will include:

A wide range of evidence including self-assessment, peer review, tracking pupil progress, (Ashby Assessment Tracker grids and progress, intervention trackers etc), outcomes, standardised test results, lesson observations, work scrutiny, school priority outcomes identified in the SIP, pupil and parent views,

In this School, judgements of performance will be made against

In this school judgements of performance will be made against the extent to which teachers have met their individual objectives and the relevant standards and also how they have contributed to the following:

Impact on pupil progress, impact on wider outcomes for pupils, improvements in specific elements of practice such as behaviour management, marking and feedback, use of technology etc , impact on effectiveness of teachers or other staff, leadership of subjects, wider contribution to the work of the school.

All teaching staff's targets will include a measure of pupil progress, an area of whole school development and individual targets based on professional growth.

Teachers will be eligible for a pay increase of one main scale point if they meet all their objectives, and are assessed as fully meeting relevant teaching standards as outlined in the Professional skills Level Descriptors and all teaching is assessed as at least good.

Teachers will be eligible for a maximum of 2 main scale points if they exceed all their objectives, are assessed as fully meeting the relevant standards and the vast majority of teaching is assessed as outstanding.

Appraisal reports will contain pay recommendations. Final decisions about whether or not to accept a pay recommendation will be made by the Pay Committee, having regard to the appraisal report and taking into account advice as follows:

- For classroom Teachers; advice from the Head Teacher/senior leadership team.
- For Leading Practitioners, Assistant Head Teachers and Deputy Head Teachers; advice from the Head Teacher.
- For the Head Teacher; advice from the Schools external educational adviser.

The rate of progression will be differentiated according to an individual teacher's performance and will be based on absolute criteria.



Leadership Pay Progression

Leadership posts must demonstrate sustained high quality of performance, with particular regard to leadership, management and pupil progress at the School and will be subject to a review of performance against objectives before any pay progression will be awarded.





Movement to the Upper Pay Range

Applications and Evidence

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

Applications may be made at least once a year.

All pay determinations are effective from 1st September, therefore an application that is received from a qualified teacher by 31st October which is supported, would see the progression being effective from 1st September of that academic year. Applications received after 31st October would see any uplift effective from 1st September the following year.

If a Teacher is simultaneously employed at another School, they should submit separate applications if they wish to apply to be paid on the upper pay range in both Schools. This School will not be bound by any pay decision made by another School.

Where Teachers are subject to the 2011 regulations or the 2012 regulations, the Pay Committee shall have regard to the assessments and recommendations in Teachers appraisal reports under those regulations, including any recommendation on pay (or, where that information is not applicable or available, a statement and summary of evidence designed to demonstrate that the applicant has met the assessment criteria).

Applications should contain evidence from:

The last two years prior to the application being made. Teachers who have had a break in service may submit evidence from any two previous appraisal cycles provided they are within the last three years of an application being made.
Application should be made in writing to the Head Teacher.

The Assessment

An application from a qualified teacher will be successful where the Pay Committee is satisfied that:

- the teacher is highly competent in all elements of the relevant teachers standards;
- AND**
- the teacher's achievements and contribution to the School are substantial and sustained.

For the purposes of this pay policy:

- 'highly competent' means

Performance which is not only good but also good enough to provide coaching and mentoring to other

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Teachers, give advice to them and demonstrate to them effective teaching practice and how to make a wider contribution to the work of the School, in order to help them meet the relevant standards and develop their teaching practice.

- 'substantial' means:

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

- 'sustained' means:

Maintained continuously over a long period. In this school this will be 2 school years.

The application will be assessed:

By evidence compiled over the previous two years. Each member of staff will have three performance reviews, October, February and June in any one year. Performance managers will discuss with staff progress towards targets including and unforeseen circumstances / time limitations/which requires a change in target and make the initial assessment which will then be discussed with the Pay Committee. The Governing Body will make the final determination.

Processes and procedures

The assessment will be made within/by

10 working days. The applicant will receive a response to their application before the 31st October.

If successful, applicants will move to the upper pay range from:

1st September. The application will be determined by the Head teacher and Governing Body Pay Committee. All successful applicants will be placed on UPS1.

In this school staff will need to demonstrate two further successful years at a UPS level before they are eligible for progression to the next UPS level. Movement on to the upper pay range will be decided in a fair and consistent way based on considerations including:

- the nature of the post and the responsibilities it entails

- the level of qualifications, skills and experience of the Teacher

If unsuccessful, feedback will be provided by:

The Headteacher will provide feedback within 10 working days of the decision, this will be provided both verbally and in writing.

Any appeal against a decision not to move the teacher to the upper pay range will be heard under the Schools Appeals Procedure.

Progression on the Upper Pay Range

Teachers on the upper pay range will be awarded pay progression by:

Evidence compiled throughout the year. Each member of staff will have three performance reviews, October, February and June. Performance managers will discuss with staff progress towards targets including any unforeseen circumstances / time limitations/level of aspirational challenge which requires a change in target.

Teachers will be eligible for pay progression if - all the objectives are met, they have met the teachers standards, all teaching and learning is assessed at least good with many aspects of teaching overtime assessed as outstanding (significantly so at UPS3) as outlined in the Professional skills Level Descriptors and evidenced by a range of evidence including lesson observations, learning walks, work scrutiny, learning environment and pupil interviews, pupil and parent views, involvement in the wider school, leadership skills and they can demonstrate they have proactively had an impact on school improvement work.

The rate of progression will be differentiated according to an individual teacher's performance and will be based on absolute criteria.

Teachers will be eligible for a pay increase of one main scale point if they meet all their objectives, and are assessed as fully meeting relevant standards and all teaching is assessed as at least good.

Teachers will be eligible for a maximum of 2 main scale points if they exceed all their objectives, are assessed as fully meeting the relevant standards and the vast majority of teaching is assessed as outstanding.



The pay ranges for Teaching posts, for the academic year 2017/18, are as follows:

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		Salary
Unqualified Teacher Pay Range	Minima	£16,626
	Maxima	£26,295
Main Pay Range	Minima	£22,917
	Maxima	£33,824
Upper Pay Range	Minima	£35,927
	Maxima	£38,633

Leading Practitioners Pay Ranges

The Governing Body has determined that there are to be no leading practitioner posts. This provision will be reviewed in September 2018.

	Scale Point	Salary
Lead Practitioner	Minima	£39,374
	Maxima	£59,857

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 Governing Body will give part time teachers 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 Schools timetabled teaching week for a full-time teacher in an equivalent post.

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.

Teaching & Unqualified Teaching Posts: Basic Pay Determination on Appointment

The Governing Body will determine the pay range for a vacancy prior to advertising it. In making such determinations, the Governing Body may take into account a range of factors, including:

the nature of the post

- the level of qualifications, skills and experience required.
- Market conditions
- The wider School context.

This is not an exhaustive list and may not apply to all appointments.

On appointment it will determine the starting salary within that range to be offered to the successful candidate.

There is no assumption that a Teacher (qualified or unqualified) will be paid at the same rate as they were being paid in a previous School.

The Governing Body will pay an unqualified teacher on one of the employment- based routes into teaching on the unqualified Teachers' range.

Teaching & Learning Responsibility Payment

Teaching and Learning Responsibility Payments (TLRs) are awarded to the holders of posts indicated in the attached staffing structure, and will not be awarded to staff on the leadership scales or unqualified Teachers.

The values of the TLRs that currently exist within this School are set out below.

TLR2s will be awarded to the following values:

A TLR2 will be awarded to the following value:

£2,667 to the holder of a TLR2a post

TLR 2	Minima	2,667
	Maxima	6,515

The Governing Body have determined that there will be no TLR 1 posts but will review the position in 12months.

TLR3's will be awarded to the following value(s)

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The Governing Body have determined that there will be no TLR 3 posts but will review the position in 12months.

TLR 3	Minima	529
	Maxima	2,630

The Governing Body will consider awarding a TLR3 to a member of staff to lead a school improvement project to raise standards at the school. Projects will have a specific focus and will cover a fixed period (2 or 3 terms) and be awarded a value between £529 - £2,630. The Governors will determine projects on an annual basis as part of the school self-evaluation and improvement review and the value and duration of the TLR3 will be dependent on the project.

Teachers cannot hold a TLR 1 and a TLR 2 concurrently, but may hold a concurrent TLR 3.

TLR 1 and 2 will be pro-rata for a part time Teacher (i.e. a teacher with a 60% contract will only hold a 60% TLR allowance); TLR 3s are not to be pro-rata'd.

The range for TLR3s refers to the annual value of such an award. Where a TLR3 is awarded with a fixed-term of less than one year then the total value should be calculated proportionately to the annual value, for example: a TLR 3 awarded for a 6 month project should not exceed a value of £1,315 (i.e. £2,630 / 2 = £1,315). If the teacher undertaking the project is a part time teacher, the TLR3 payment would not be pro-rata'd further in line with the teachers weekly working hours.

Special Education Needs Allowance

At this school there are no classroom teachers involved in teaching pupils with SEN as a result the Governors have determined that there will be no Special Educational Needs Allowance.

The SENCO at this school has no class responsibility. The Governors have determined that the post will be paid on the Upper Threshold Level. This will be reviewed when there are changes to staff or the job description.

Discretionary Allowances & Payment

The Governing Body will consider awarding discretionary allowances and payments in the following circumstances.

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- **Continuing professional development**

Teachers (not including the Head Teacher, Deputy or Assistant where their pay determination has been reviewed after 1st September 2014) who undertake voluntary continuing professional development outside the School day will be entitled to an additional payment of (insert £ here). For the leadership team such additional payments will continue to be considered (where such determination was made prior to 1st September 2014) until such time as leadership pay scales are reconsidered.

- **Initial teacher training activities**

Teachers (not including the Head Teacher, Deputy or Assistant where their pay determination has been reviewed after 1st September 2014) who undertake voluntarily school-based initial teacher training activities will be entitled to a payment of (insert £ here). Activities that will attract payment include (insert activities here). For the leadership team such additional payments will continue to be considered (where such determination was made prior to 1st September 2014) until such time as leadership pay scales are reconsidered.

- *Teachers who undertake initial teacher training activities which are not seen as part of the ordinary running of the School will be given separate contracts of employment to cover areas of work that are not part of their substantive teaching job or contract of employment. Areas of work that will attract a payment of (insert £ here) include (insert activities here).*

- **Out-of-School learning activities**

Teachers (not including the Head Teacher, Deputy or Assistant where their pay determination has been reviewed after 1st September 2014) who agree to provide learning activities outside of the normal School hours and whose salary range does not take account of such activity will be entitled to a payment of (insert £ here). Activities that will attract payment include (insert activities here). For the leadership team such additional payments will continue to be considered (where such determination was made prior to 1st September 2014) until such time as leadership pay scales are reconsidered.

- **Additional responsibilities and activities**

Teachers who undertake additional responsibilities and activities due to or in respect of the provision of services by the Head Teacher relating to the raising of educational standards to one or more additional Schools.

The Governing Body have determined that they will not award any additional payments to the Head Teacher.

Other payments currently paid are:

Inspection work (OFSTED and SIAMS) undertaken by the Head Teacher – Payments for inspection work by serving heads are paid directly to the school. The Governors at this school recognise that there is a significant amount of additional amount of work for the Head Teacher in preparing for inspections and writing reports, the majority of which occurs outside of normal school hours. The Governors therefore agree to pay the Head Teacher for this work from the funds received and will pay to the head 60% of the funds received as well as any travel expenses incurred.

Other payments currently paid are:

First Aid Allowance – £149.94 per year.

Recruitment and Retention Incentives and Benefits

The Governing Body have determined that they will not award any recruitment and retention incentives.

The Governing Body will review the level of payments/ benefits on an annual basis

Recruitment and retention incentives and benefits must not be made for carrying out specific responsibilities.

Residential duties

The Governing Body have determined that they will not award any payments for residential duties.

Discretionary Allowances and Payments to Head Teacher and wider Leadership team

The approach to setting pay for Head Teachers will make additional payments by means of allowances largely unnecessary. The exception to this will be for temporary or irregular responsibilities or other very specific reasons which it is not appropriate to incorporate into permanent pay, such as housing or relocation costs. Such payments will be time-limited from the outset and cease when the responsibility ceases or circumstances change. Safeguarding will not apply to such payments. The total value of the salary and temporary payments made to a Head Teacher in any one year will not exceed 25% above the maximum of the group size for the School.

The principles for payment of allowances for members of the wider leadership group (except lead practitioners) will be consistent with those for Head Teachers.

This approach and these principals however will only be applicable if pay setting for the leadership group is changed to reflect the new provisions, i.e. after 1st September 2017. In this School these changes have not yet been necessary and as such discretionary allowances and payments will continue until such changes are implemented.

Honoraria

The Document, and therefore this schools pay policy, does not provide for the payment of bonuses or so-called 'honoraria' in any circumstances.

Salary Sacrifice Arrangements

The Governing Body have determined that they will not provide for any salary sacrifice arrangements.

Additional Information

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Salary Determinations

The determination of the remuneration of a Teacher (including Leadership) will be made annually with effect from 1st September.

Written Notification of Allowances and Other Payments. The School will advise employees in writing of the determination of any allowance or other payment or amendment to such. The written notification will advise, as appropriate, on the date of commencement, termination, review, the value of any such award and whether it is to be safeguarded or not.

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.

Pay changes by mutual consent

Any member of staff wishing to request a reduction in responsibility and pay should do so in writing. This request will be considered by the Pay Committee and a decision will be made taking into account the request from the teacher and the operational requirements of the School.

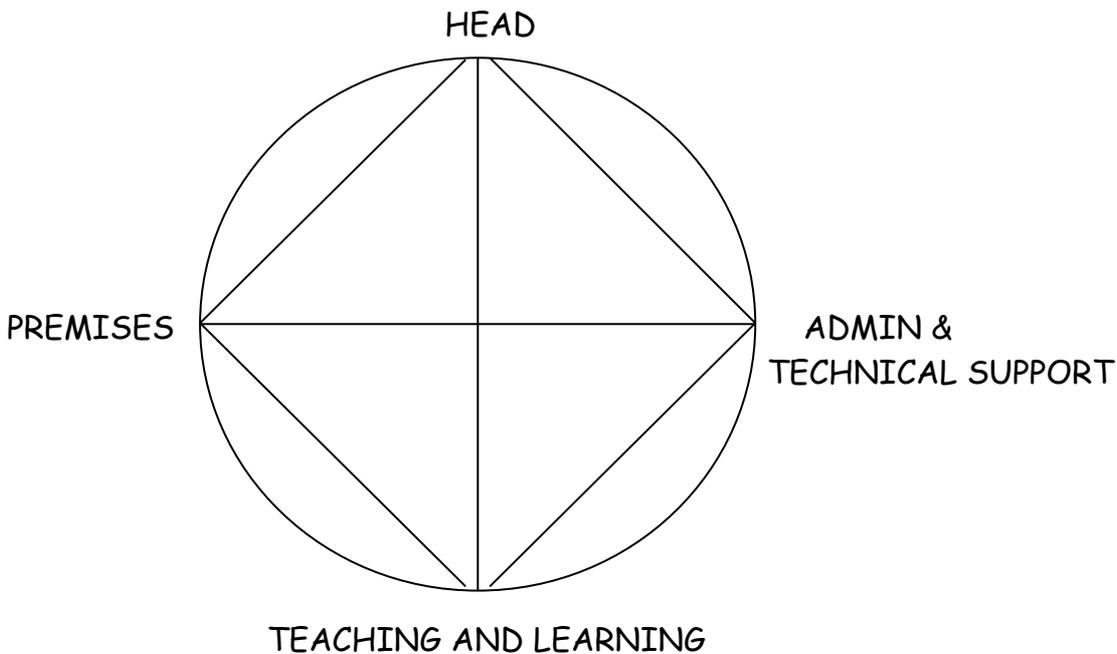
Monitoring the impact of the Policy

The Governing Body (Pay Committee) will monitor the outcomes and impact of this policy on an annual basis, including trends in progression across specific groups of Teachers to assess its effect and the School's continued compliance with equalities.

Staffing Structure

Packington Overall Staff Team Structure - Sept 17

Team work and working together is an important part of the life at Packington. This is reflected in the school's mission statement: Learning to succeed and achieve our full potential together and is further reflected in the overall team structure of the staff. The diagram below identifies three teams within the staff structure - Premises, Admin and Technical Support and the Teaching and Learning Team - all of which are co-ordinated by the Head Teacher. These teams have different responsibilities within school but do not work in isolation of each other. Thus, the links highlight how these teams work together to form one overall mutually supportive team. Each team has a "manager" who offer support and advice to the Head Teacher.



What follows is a list of staff that make up each team:

Team Members

Premises Team

Head Teacher
*Premises Manager
Cleaner

Admin and Technical Support Team

Head Teacher
*Admin Manager (Secretary)
Admin Assistant
Clerk to the Governors
(ICT Consultant)

Teaching and Learning Team

*Head Teacher
Foundation/Year 1 Teacher with a TLR for Teaching and Learning appointed Feb 09 (Senior Teacher in School)
Year1/2 Teacher (Job Share)
Year3/4 Teacher
Year 5/6 Teacher
Teaching Assistant F/Yr1 (PM)
Teaching Assistant Yr1/2(DR)
Teaching Assistant Yr5/6(JC)
Teaching Assistant Yr3/4(COS)
Teaching Assistant Yr3/4 (SW)
SENCO
Midday Supervisors (There are 3 posts for middays – staff undertaking this role are also Teaching Assistants)

Appendix B – Terms of reference for Pay Committee

- *To attend meetings to be convened as necessary by the chair of this committee*
- *To elect a clerk*
- *To approve, and request the Chair to sign, the minutes of the previous meeting.*
- *To apply the pay policy in a fair and consistent way.*
- *To recommend to the Finance Committee and/or Governing Body the total amount of funding needed for pay progression*
- *To make decisions on pay for all staff including discretionary pay applications and make appropriate recommendations to the Finance Committee and/or Governing Body*
- *To ensure knowledge of pay issues is up-to-date and make the Governing Body aware when the pay policy needs to be updated.*
- *To ensure all statutory and contractual requests are applied.*
- *To record all decisions and report back in general to the Governing Body.*

Appendix C – Schools Appeals Procedure

The arrangements for considering appeals are as follows:

At the formal stage of the appeals procedure the teacher has the right to put their case to the Governing Body appeal panel and is entitled to be accompanied by a colleague / trade union representative

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:

- incorrectly applied any provision of the STPCD;
- incorrectly applied the Schools pay policy
- failed to have proper regard for statutory guidance;
- failed to take proper account of relevant evidence;
- took account of irrelevant or inaccurate evidence;
- was biased; or
- otherwise unlawfully discriminated against the teacher.

The order of proceedings is as follows:

- 1) The teacher is informed of the pay recommendation to be made to the pay committee and where applicable the basis on which the decision was made.
- 2) If the teacher is not satisfied, he/she should seek to resolve this by discussing the matter informally with the Head Teacher.
- 3) Pay recommendations should be made to the pay committee to make pay determinations.
- 4) Pay decision is confirmed in writing.
- 5) Where the teacher is still dissatisfied, they may follow a formal appeal process.

- 6) The teacher should set out in writing the grounds for appeal and send it to the individual (or committee) who made the determination, within 10 working days of the notification of the decision of the pay committee or of the outcome of the discussion referred to above.

The appeal will be considered by an appeals committee in accordance with the Schools Appeals Procedure. The appeal's committee will comprise of different members to the original pay committee.

Packington Church of England Appeals Policy

At the formal stage of the appeals procedure the teacher has the right to put their case to the Governing Body appeal panel and is entitled to be accompanied by a colleague / trade union representative

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:

- incorrectly applied any provision of the STPCD;
- incorrectly applied the School/ College/ Academy's pay policy
- failed to have proper regard for statutory guidance;
- failed to take proper account of relevant evidence;
- took account of irrelevant or inaccurate evidence;
- was biased; or
- otherwise unlawfully discriminated against the teacher.

The order of proceedings is as follows:

- 1) The teacher is informed of the pay recommendation to be made prior to the pay committee and where applicable the basis on which the decision was made.
- 2) If the teacher is not satisfied, he/she should seek to resolve this by discussing the matter informally with the Head Teacher.
- 3) Pay recommendations should be made to the pay committee to make pay determinations.
- 4) Pay decision is confirmed in writing.
- 5) Where the teacher is still dissatisfied, they may follow a formal appeal process.
- 6) The teacher should set out in writing the grounds for appeal and send it to the individual (or committee) who made the determination, within 10 working days of the notification of the decision being appealed against or of the outcome of the discussion referred to above.

The appeal will be considered by an appeals committee in accordance with the School's Appeals Procedure. The appeal's committee will comprise of different members to the original pay committee.

Staff may appeal against a decision and should consult the complaints and grievances policies. Outlined below is the procedure to be followed when a grievance is made

however reference should be made to the full policy documents which can be found in the policies folder in the Head Teachers office and available on request.

Appeals and Grievance Procedure

5.1 Stage 1

These procedures recognise the need to resolve grievances as promptly, efficiently and as close to their original source as is possible.

If an employee has a grievance relating to their employment, the matter should therefore be raised initially with their immediate Line Manager. The grievance should be raised orally in the first instance. In the event that the grievance relates to the Line Manager who would normally deal with a grievance at this stage, the grievance should be referred to the line manager's own manager. Where a grievance involves or is against the Head Teacher/Principal, the matter should be raised with the Chair of Governors who would then assume the role of the Head Teacher/Principal as described below.

It may be agreed that the nature of the grievance is such that the involvement of a third party (for example Senior Teacher or external advisor with counselling/mediation skills) might assist in resolving the matter. The use of a third party to help mediate or facilitate a solution is dependent on the agreement of all persons affected by grievance. Such mediation/facilitation should then be conducted over an agreed timescale after which the situation will be reviewed and a decision made as to whether the matter is now resolved. The line manager will attempt to resolve the complaint informally. They will enquire into the grievance and will discuss it with the complainant and will provide a written record of the discussion and its outcome within 5 working days after the decision. It is intended that most grievances will be resolved at this stage.

5.2 Stage 2

If the complainant feels that the matter has not been resolved through the Stage 1 discussion, the grievance should be put in writing (Appendix A) to the Head Teacher/Principal/Governor (or other senior manager designated for the purpose). The notification should be presented on the Grievance Registration Form and specify the exact nature of the grievance and append any relevant evidence. An acknowledgement of receipt of the grievance should be sent within 5 working days.

Investigating the Grievance

An investigation may need to be undertaken to obtain all relevant information surrounding the grievance and to facilitate a reasonable decision on how to proceed. The Head Teacher/Principal/Chair of Governors may delegate the role of Investigating Officer to a senior member of staff or other Governor who has not had any prior involvement in the case. Where it is felt that a conflict of interests may arise, the Head Teacher/Principal may choose to engage a CYPS HR Advisor to conduct an investigation. The investigation should be completed within 20 working days or as soon as possible thereafter with agreement from all parties.

To investigate the grievance the investigating officer will need to:

- a. Arrange a further separate meeting with the aggrieved employee to establish the reason for and full details of the grievance.
- b. Interview any other employees involved in the grievance
- c. Arrange someone to take full notes of any investigatory interviews.
The Interviewee will be given a copy of the notes of their interview and will be asked to confirm that they represent an accurate account of the interview or indicate any amendments they would wish to make.
- d. Ensure that any employees being interviewed as part of the investigation has the right to be accompanied by a Trade Union representative or fellow worker.
- e. Make other parties being interviewed as part of any investigation aware their statement may be made available to the Grievance Panel and that they may be called upon to explain their statements at a formal meeting.

The investigating officer will need to prepare a formal statement of case for the Grievance Panel. This should be circulated to the Grievance Panel and the aggrieved employee and their representative at least 10 working days in advance of the meeting. In their statement of case, the investigating officer should not express an opinion but will provide a summary of the facts of the case. This might include specific details of incidents, documents, interviews and any other relevant material uncovered during the investigation.

Convening the Grievance Hearing

A formal grievance meeting will then be arranged by the school to fully consider the outstanding grievance complaint.

A minimum of 10 working days notice of the meeting must be given in writing. It will be important, therefore, to make the arrangements in consultation with all parties i.e. TU representatives, witnesses, panel members and CYPs HR Advisor(s) to ensure their attendance as appropriate. Arrangements should also be made for a suitable person to take notes throughout the meeting.

The aggrieved employee is entitled to be accompanied at the meeting by their Trade Union representative or a fellow worker and the meeting should be arranged to accommodate this. This also needs to take into account the rights of the Trade Union representative to seek an alternative date within 5 working days of that proposed, in line with Trade Union and Labour Relations Act (TULRA).

The Investigating Officer, will attend to present the investigation report to the Panel. The parties concerned will make their submissions to the Panel and either party may call witnesses as required. The Panel can choose to invite a CYPs HR Advisor to advise as appropriate although they cannot be part of the Panel.

All papers relevant to the grievance should be circulated to the individuals attending the meeting 10 working days before the meeting. This means that all such papers must be submitted to the Clerk to the Panel 15 working days prior to the hearing to facilitate their circulation to all parties within the required timescale.

Conducting the Grievance Hearing

Both parties will be allowed to ask questions, present evidence, call witnesses and be given an opportunity to raise points about any information provided by witnesses.

However, as the aim is to achieve a mutually acceptable resolution the chair may wish to engage in a more flexible discussion and dialogue to facilitate this.

If the Panel decides that it needs further information, an adjournment may be arranged for a mutually acceptable date and time. This also needs to take into account the rights of the Trade Union representative to be available and to seek an alternative date within 5 days, in line with TULRA.

Grievance Outcomes

Possible outcomes open to the panel are:

a. A decision to uphold the grievance. This will mean that arrangements must be made to implement the employee's desired outcome.

Or

b. A decision that the grievance is unsubstantiated. The response should, therefore, include details of the employee's rights to invoke Stage 3 of the Grievance Procedure should they disagree with this decision. The Panel may also wish to make recommendations on other implications arising from the case e.g. training, review relevant school policies and/or procedures etc.

The decision and any remedy will normally be conveyed verbally to the employee at the end of the meeting. However, where complex issues are being addressed it may be necessary for the Grievance Panel to reconvene within an agreed timescale to conclude their deliberations. The decision will be confirmed clearly in writing within 5 working days of the meeting, giving the right of appeal to the complainant if they consider that their grievance has not been remedied. A copy of the notes of the meeting should also be provided within 5 working days.

5.3 Stage 3 – Appeal Hearing

Right of Appeal

The third and final stage of the Grievance Procedure is an appeal to a Panel of Governors. If the employee wishes to exercise their right of appeal against a decision of the Grievance Panel they must notify the Head Teacher/Principal of this in writing (Appendix B) within 5 working days of the date of the outcome letter. The written notification must re-affirm the nature of the grievance; the remedies sought and include the grounds for an appeal.

Convening an Appeal Hearing

The appeal will be heard by the Governors' Appeal Panel. This should comprise 3 Governors who have had no previous involvement with the case. The management case will be presented by either the Head Teacher/Principal or Investigating Officer who attended the initial hearing against which the appeal is made. Either party may ask relevant witnesses to attend and give evidence. Time off will be granted for witnesses to attend the meeting. The appeal meeting should be convened within 25 working days of the written notification of the appeal. A minimum of 10 working days notice of the time and date of the hearing must be given to all parties. It will be important, therefore, to arrange the appeal in consultation with all parties i.e. TU representative(s), witnesses, Governors and the CYPs HR Advisor to ensure their attendance as appropriate. Arrangements should also be made for a suitable person to take notes throughout the meeting. All papers relevant to the appeal should be circulated to the individuals attending the meeting 10 working days before the meeting. This includes the paperwork that was

considered at Stage 2. To facilitate this, all such papers must be submitted to the Clerk to the Panel 15 working days prior to the date of the appeal.

The complainant's statement of case should reiterate the grounds for their appeal and the outcome sought at the time of the notification of appeal. It should also include written details of any witnesses to be called. Advice to the Governors' Appeal Panel may be available from the CYPs HR Team who will ensure that the Advisor to the panel has had no previous involvement in the case in line with the LA protocol for such hearings.

Conducting the Appeal Hearing

Both parties will be allowed to ask questions, present evidence, call witnesses and be given an opportunity to raise points about any information provided by witnesses.

However, as the aim is to achieve a mutually acceptable resolution the chair may wish to engage in a more flexible discussion and dialogue to facilitate this.

If the Panel decides that it needs further information an adjournment may be arranged for a mutually acceptable date and time. This also needs to take into account the rights of the Trade Union representative to be available and to seek an alternative date within 5 days, in line with TULRA.

Appeal Outcomes

Possible outcomes open to the panel are:

a. Uphold the original decision

It may be appropriate after considering all of the information presented at the appeal hearing to uphold the original decision taken

Or

b. Overturn the original decision

It may be appropriate after considering all of the information presented at the appeal hearing to overturn the original decision.

The Panel may also wish to make further recommendations on implications arising from the appeal e.g. training, review relevant school policies and/or procedures etc.

The decision and any remedy will normally be conveyed verbally to the employee at the end of the meeting. However, where complex issues are being addressed it may be necessary for the Grievance Panel to reconvene within an agreed timescale to conclude their deliberations. The decision will be confirmed clearly in writing within 5 working days of the meeting together with a copy of the notes of the meeting.

The appeal process is the last stage of the Grievance Procedure.





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