



# Learn-AT

Learning ~ Fellowship

## **LAT045 Teachers' Pay Policy 2020-21**

**Version 1 Updated September 2020**

Created by: S. Edwards and M. Dubois  
Approved by: Trustees (24<sup>th</sup> September 2020)  
Next Review: September 2021

## Table of Contents

Status of Policy .....	4
Scope .....	4
1. Introduction .....	5
2. School Teachers' Pay Policy For 1st September 2020 To 31st August 2021 .....	5
3. Leadership Group Pay .....	6
4. Leadership Pay Scales 2020/21 .....	10
5. Classroom Teachers .....	14
6. Progression to the Upper Pay Range (Threshold) .....	17
7. Unqualified teachers .....	22
8. Other Payments and Allowances Applicable to Teachers .....	24
9. Other Additional Payment Provisions Relating to Teachers (not applicable to the CEO, Headteachers and other members of the Leadership Group), .....	26
10. Other Issues .....	28
11. Appeals.....	28
12. Appendix 1: Terms of Reference for Local Governing Body Pay Committee (Last Verified September 2020) .....	31
13. Appendix 2: Terms of Reference for LGB Pay Appeals Committee .....	35
2. Composition Of Learn-AT School's LGB Pay Appeals Committee.....	35
14. Appendix 3: Terms of Reference for Trust Board Pay Committee (Last Verified November 2020) .....	37
3. Composition .....	37
15. Appendix 4: Terms of Reference for Trust Board Pay Appeals Committee .....	40
4. Composition of Learn-AT Trust Board Pay Appeals Committee.....	40
5. Quorum .....	40
6. Terms Of Reference Of The Committee .....	40
7. Functions Delegated To CEO .....	40
8. Functions Retained By The Trust Board.....	41
9. Appointment Of Chair And Clerk .....	41
10. Minutes.....	41
11. Frequency Of Meetings .....	41

12.	Convening Meetings .....	41
16.	Appendix 5: Upper Pay Range Progression Criteria .....	42
13.	Professional attributes .....	42
14.	Professional knowledge and understanding .....	42
15.	Professional skills.....	42
17.	Appendix 7: School Staffing Structure 2019-2020 .....	43
18.	43	
19.	Appendix 8: Learn-AT Appeals Procedure .....	44

Before you use this policy, please check you have the latest version using the footer reference and Learn-AT Policy Index.

## Status of Policy

- This policy was originally consulted upon with Unions in September 2017 and has been reviewed annually by Trustees since that date. No significant changes have been made since 2017.
- This pay policy includes updates reflecting the September 2020 changes to teachers' pay and conditions.
- Changes cannot be made to this document without the approval of the Learn-AT Board of Trustees.
- If you have any queries about the application of this policy / procedure, please contact your school's Head Teacher.

## Scope

This policy applies to all teaching staff.  
In adopting this policy, the aim is to:

- Reward good performance
- Support teachers' continuous professional development and learning
- Support the recruitment and retention of a high-quality teacher workforce
- Help to ensure that pay decisions are managed in a fair, just and transparent way
- Support the school's improvement plan

**In accordance with Learn Academies Trust's (Learn-AT) Scheme of Delegation and Articles of Association, application of this policy is devolved to individual Academies within the Trust, unless otherwise stated.**

**This procedure applies to Teachers, (including Assistant/Deputy Heads and Heads of School, Exec/Head Teacher and CEO employed by all Learn Academies Trust Academies and should be read in conjunction with the associated STPCD Guidance.**

The Trustees of Learn Academies Trust adopted this Teachers' Pay Policy on 24<sup>th</sup> September 2020

## 1. Introduction

- 1.1. The School Teachers' Pay and Conditions Document (the Document) places a statutory duty on schools to have a pay policy in place, which sets out the basis on which they determine teachers' pay, and to establish procedures for determining appeals. This should ensure fair and equitable treatment for all teachers and minimise the prospect of disputes and legal challenge to pay decisions.
- 1.2. Schools, when taking pay decisions, must have regard both to the Teachers' Pay Policy, the Teachers' Performance Review Policy, the staffing structure, and all procedures regarding teachers' pay. This policy should be read in conjunction with the Teachers' Performance Review Policy and the relevant school's staffing structure.
- 1.3. The Local Governing Body of the school will seek to ensure that all teachers are valued and receive proper recognition for their work and contribution to school life.
- 1.4. All pay related decisions will be taken in compliance with the provisions of The Equality Act 2010, The Employment Rights Act 1996, The Employment Relations Act 1999, The Employment Act 2002, The Employment Act 2008, The Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000, The Fixed Term Employees' (Prevention of Less Favourable Treatment) Regulations 2002, all as amended.
- 1.5. The Pay Policy should be reviewed each year, or when other changes occur to the School Teachers' Pay and Conditions Document, (STPC Document or the Document) to ensure that it reflects the latest legal position. The Pay Policy should comply with the current School Teachers' Pay and Conditions Document and the accompanying statutory guidance. It should be used in conjunction with them, but, in the event of any inadvertent contradictions, the STPC Document and guidance take precedence.

## 2. School Teachers' Pay Policy For 1st September 2020 To 31st August 2021

### 2.1. Basic Principles

- 2.1.1. The Trust Board and Local Governing Bodies will pay teachers in accordance with this Pay Policy and the relevant School Teachers' Pay and Conditions Document, (the Document) and all relevant local agreements.

### 2.2. Annual determination of pay

- 2.2.1. All teaching staff salaries, including those of the CEO, Exec/Head Teachers, Heads of School (HoS, Deputy Head Teachers (DHT) and Assistant Head Teachers AHT) will be reviewed annually to take effect from 1 September. The Local Governing Body will complete teachers' (including HoS/AHT/DHT) annual pay reviews by 31 October. The Trust Board will complete the annual pay reviews for the CEO and Exec/Head

Teachers' by 31 December. The process will be completed without undue delay and any changes in pay will be backdated accordingly.

### **2.3. Notification of pay determination**

2.3.1. Decisions will be communicated to each teacher (including Hos/AHT/DHT) by the Head Teacher/Exec Headteacher in writing and will set out the reasons why decisions have been taken. Decisions on the pay of the CEO and the Exec/Head Teachers will be communicated by the Trust Board's Finance Committee, in writing.

## **3. Leadership Group Pay**

### **3.1. Chief Exec Officer's pay**

3.1.1. **Pay on appointment:** For appointments on or after 1 September 2013 the Trust Board will determine the pay range to be advertised and agree pay on appointment in accordance with the principles outlined in the Document, as follows:

- the Trust Board will review the trust's equivalent 'group size' (in consultation with the trust's Human Resources provider, taking account of the total number of pupils in the trust) and a 7-point Individual School (Trust) Range (ISR) in accordance with the Document
- the trust board will ensure that appropriate differentials are created and maintained between posts of differing responsibility and accountability
- the Trust Board will exercise its discretion and pay on any of the bottom four points on the pay range, in order to secure the appointment of its preferred candidate
- the Trust Board will consider exercising its discretion as specified in the Document to award a discretionary payment where the Trust Board considers the trust would have difficulty recruiting to the vacant CEO post
- The Trust Board will consider using its discretion, in wholly exceptional circumstances, to exceed the 25% limit on discretionary payments, as set out in the Document. However, before agreeing to do so, it will seek external independent advice, for example from its Human Resources Service Provider, before providing such agreement.

### **3.2. Serving CEOs**

3.2.1. The Trust Board will determine the salary of a serving CEO in accordance with the Document as follows:

- the Trusts Board's Pay Committee will review the CEO's pay annually and award a progression point for successful review of performance, carried out in accordance with the Appraisal Regulations 2012. The Trust Board has determined that up to two progression points may be awarded for exceptional performance.
- the Trust Board's Pay Committee may revise the CEO's ISR, within the indicative range for the trust, determined as outlined above in Para.3.1.1.,

as at 1 September or at any time if they consider it is necessary in accordance with the principles outlined in the STPC Document

- the Trust Board's Pay Committee will consider the use of discretionary payments, as per the provisions of the Document
- the Trust Board's Pay Committee will consider awarding a 1% discretionary allowance for the following year for serving CEOs at the maxima of their pay range providing that the Performance Management Trustees judge the CEO's performance to be substantial and sustained
- the Trust Board's Pay Committee will consider using its discretion, in wholly exceptional circumstances, to exceed the 25% limit on discretionary payments, as set out in the Document. However, before agreeing to do so, it will seek the agreement of the Trust Board, which in turn will seek advice from its Human Resources service provider before providing such agreement

### 3.3. **Exec/Headteachers' pay** (include current E/HT ISR for the school applying this policy)

3.3.1. **Pay on appointment:** For appointments on or after 1 September 2013 the Trust will determine the pay range to be advertised and agree pay on appointment in accordance with the Document, as follows:

- the Trust Board will review the school's or schools' Exec/HeadTeacher's group size and the Exec/Headteacher's 7-point Individual School Range (ISR) in accordance with the Document
- if the Exec/Headteacher takes on permanent accountability for one or more additional schools, the Trust Board will set an ISR in accordance with the provisions of the Document
- the Trust Board will ensure that appropriate differentials are created and maintained between posts of differing responsibility and accountability
- the Trust Board will exercise its discretion and pay on any of the bottom four points on the ISR, to secure the appointment of its preferred candidate
- the Trust Board will consider exercising its discretion as specified in the Document to award a discretionary payment where the Trust Board considers the school would have difficulty recruiting to the vacant Exec/Head Teacher post
- The Trust Board will consider using its discretion, in wholly exceptional circumstances, to exceed the 25% limit on discretionary payments, as set out in the Document. However, before agreeing to do so, it will seek external independent advice, for example from its Human Resources Service Provider, before providing such agreement.

### 3.4. **Serving Exec/Headteachers**

3.4.1. The Trust Board will determine the salary of a serving Exec/Headteacher in accordance with the Document as follows:

- the Trusts Board's Pay Committee will review the Exec/Headteachers' pay annually and award a progression point for successful review of Performance, carried out in accordance with the Appraisal Regulations 2012. The Trust Board has determined that up to two progression points may be awarded for exceptional performance
- the Trust Board's Pay Committee may revise the Exec/Headteacher's ISR, within the group range for the school, as at 1 September or at any time if they consider it is necessary in accordance with the Document
- if the Exec/Headteacher takes on temporary accountability for one or more additional schools, the Trust Board's Pay Committee will consider awarding a discretionary payment as provided for in the Document
- the Trust Board's Pay Committee will consider the use of discretionary payments, as per the provisions of the Document
- the Trust Board's Pay Committee will consider awarding a 1% discretionary allowance for the following year for serving Exec/Headteachers at the maxima of their pay range providing that the Performance Management Trustees judge the Exec/Headteacher's performance to be substantial and sustained
- the Trust Board's Pay Committee will consider using its discretion, in wholly exceptional circumstances, to exceed the 25% limit on discretionary payments, as set out in the Document. However, before agreeing to do so, it will seek the agreement of the Trust Board, which in turn will seek advice from its Human Resources service provider before providing such agreement

3.5. **Head of School** (include current 5-point ranges for HoS of the school applying policy here)

3.5.1. **Pay on Appointment:** The Local Governing Body will, when a new appointment needs to be made, determine the pay range to be advertised and agree pay on appointment as follows:

- the Local Governors' Pay Committee will determine a 5 point individual pay range in accordance with the Document, taking account of the role of the Head of School and taking advice from the Trust Finance team and HR services
- the Local Governors' Pay Committee will exercise its discretion, and pay any of the bottom three points on the Head of School pay range, in order to secure the appointment of its preferred candidate
- the Local Governors' Pay Committee will exercise its discretion under the Document where there are recruitment issues

3.6. **Serving Heads of School**

3.6.1. The Local Governors' Pay Committee will review pay annually and award a progression point for successful review of performance, carried out in accordance with the Appraisal Regulations 2012. The Local Governing



Body has determined that up to two progression points may be awarded for exceptional performance.

3.6.2. The Local Governors' Pay Committee will review and, if necessary, re-determine the Head of School pay range where there has been a significant change in the responsibilities of the serving Head of School in accordance with the Document.

- The Local Governors' Pay Committee may determine the Head of School's pay range at any time in accordance with the Document to maintain differentials.

3.7. **Deputy/Assistant Head teachers** (include current 5-point ranges for DHT/AHT of school applying this policy here)

3.7.1. **Pay on Appointment:** The Local Governing Body will, when a new appointment needs to be made, determine the pay range to be advertised and agree pay on appointment as follows:

- the Local Governors' Pay Committee will determine a 5-point individual pay range in accordance with the Document, taking account of the role of the Deputy/Assistant Head Teacher
- the Local Governors' Pay Committee will exercise its discretion, and pay any of the bottom three points on Deputy/Assistant Head pay range, in order to secure the appointment of its preferred candidate
- the Local Governors' Pay Committee will exercise its discretion under the Document where there are recruitment issues

**3.8. Serving Deputy/Assistant Head teachers**

3.8.1. The Local Governors' Pay Committee will review pay annually and award a progression point for successful review of performance, carried out in accordance with the Appraisal Regulations 2012. The Local Governing Body has determined that up to two progression points may be awarded for exceptional performance.

3.8.2. The Local Governors' Pay Committee will review and, if necessary, re-determine the Deputy/Assistant Head pay range where there has been a significant change in the responsibilities of the serving Deputy/Assistant Head teacher in accordance with the Document.

3.8.3. The Local Governors' Pay Committee may determine the Deputy/Assistant Head pay range at any time in accordance with the Document to maintain differentials.

**3.9. Acting Allowances**

3.9.1. Acting allowances are payable to teachers who are assigned and carry out the duties of Exec/Head, Deputy Head or Assistant Head in accordance with the Document. The Local Governors' Pay Committee will, within a four-week period of the commencement of acting duties, determine whether or not the acting post-holder will be paid an allowance. In the event of a planned and prolonged absence, an acting

allowance will be agreed in advance and paid from the first day of absence.

- 3.9.2. Any teacher, who carries out the duties of Exec/Head Teacher, Deputy Head, or Assistant Head, for a period of four weeks or more, will be paid at an appropriate point of the Head's ISR, Deputy Head Teacher range or Assistant Head Teacher range, as determined by the Local Governors' Pay Committee. Payment will be backdated to the commencement of the duties.

#### 4. Leadership Pay Scales 2020/21

	Scale Points	2019/20	2020/21
<b>Leadership Scale - Group 1 (pts 6-18)</b>	6	£46,457	<b>£47,735</b>
	7	£47,707	<b>£49,019</b>
	8	£48,808	<b>£50,151</b>
	9	£50,026	<b>£51,402</b>
	10	£51,311	<b>£52,723</b>
	11	£52,643	<b>£54,091</b>
	12	£53,856	<b>£55,338</b>
	13	£55,202	<b>£56,721</b>
	14	£56,579	<b>£58,135</b>
	15	£57,986	<b>£59,581</b>
	16	£59,528	<b>£61,166</b>
	17	£60,895	<b>£62,570</b>
	18	£62,426	<b>£64,143</b>

	<b>Scale Points</b>	<b>2019/20</b>	<b>2020/21</b>
<b>Leadership Scale - Group 2 (pts 8- 21)</b>	8	<b>£48,808</b>	<b>£50,151</b>
	9	<b>£50,026</b>	<b>£51,402</b>
	10	<b>£51,311</b>	<b>£52,723</b>
	11	<b>£52,643</b>	<b>£54,091</b>
	12	<b>£53,856</b>	<b>£55,338</b>
	13	<b>£55,202</b>	<b>£56,721</b>
	14	<b>£56,579</b>	<b>£58,135</b>
	15	<b>£57,986</b>	<b>£59,581</b>
	16	<b>£59,528</b>	<b>£61,166</b>
	17	<b>£60,895</b>	<b>£62,570</b>
	18	<b>£62,426</b>	<b>£64,143</b>
	19	<b>£63,975</b>	<b>£65,735</b>
	20	<b>£65,561</b>	<b>£67,364</b>
	21	<b>£67,183</b>	<b>£69,031</b>

	<b>Scale Points</b>	<b>2019/20</b>	<b>2020/21</b>
<b>Leadership Scale - Group 3 (pts 11-24)</b>	11	<b>£52,643</b>	<b>£54,091</b>
	12	<b>£53,856</b>	<b>£55,338</b>
	13	<b>£55,202</b>	<b>£56,721</b>
	14	<b>£56,579</b>	<b>£58,135</b>
	15	<b>£57,986</b>	<b>£59,581</b>
	16	<b>£59,528</b>	<b>£61,166</b>
	17	<b>£60,895</b>	<b>£62,570</b>
	18	<b>£62,426</b>	<b>£64,143</b>
	19	<b>£63,975</b>	<b>£65,735</b>
	20	<b>£65,561</b>	<b>£67,364</b>
	21	<b>£67,183</b>	<b>£69,031</b>
	22	<b>£68,851</b>	<b>£70,745</b>
	23	<b>£70,556</b>	<b>£72,497</b>
	24	<b>£72,306</b>	<b>£74,295</b>

	<b>Scale Points</b>	<b>2019/20</b>	<b>2020/21</b>
<b>Leadership Scale - Group 4 (pts 14- 27)</b>	14	<b>£56,579</b>	<b>£58,135</b>
	15	<b>£57,986</b>	<b>£59,581</b>
	16	<b>£59,528</b>	<b>£61,166</b>
	17	<b>£60,895</b>	<b>£62,570</b>
	18	<b>£62,426</b>	<b>£64,143</b>
	19	<b>£63,975</b>	<b>£65,735</b>
	20	<b>£65,561</b>	<b>£67,364</b>
	21	<b>£67,183</b>	<b>£69,031</b>
	22	<b>£68,851</b>	<b>£70,745</b>
	23	<b>£70,556</b>	<b>£72,497</b>
	24	<b>£72,306</b>	<b>£74,295</b>
	25	<b>£74,103</b>	<b>£76,141</b>
	26	<b>£75,936</b>	<b>£78,025</b>
	27	<b>£77,818</b>	<b>£79,958</b>

	<b>Scale Points</b>	<b>2019/20</b>	<b>2020/21</b>
<b>Leadership Scale - Group 5 (pts 18-31)</b>	18	<b>£62,426</b>	<b>£64,143</b>
	19	<b>£63,975</b>	<b>£65,735</b>
	20	<b>£65,561</b>	<b>£67,364</b>
	21	<b>£67,183</b>	<b>£69,031</b>
	22	<b>£68,851</b>	<b>£70,745</b>
	23	<b>£70,556</b>	<b>£72,497</b>
	24	<b>£72,306</b>	<b>£74,295</b>
	25	<b>£74,103</b>	<b>£76,141</b>
	26	<b>£75,936</b>	<b>£78,025</b>
	27	<b>£77,818</b>	<b>£79,958</b>
	28	<b>£79,748</b>	<b>£81,942</b>
	29	<b>£81,723</b>	<b>£83,971</b>
	30	<b>£83,757</b>	<b>£86,061</b>
	31	<b>£85,826</b>	<b>£88,187</b>

	<b>Scale Points</b>	<b>2019/20</b>	<b>2020/21</b>
<b>Leadership Scale - Group 6 (pts 21- 35)</b>	21	<b>£67,183</b>	<b>£69,031</b>
	22	<b>£68,851</b>	<b>£70,745</b>
	23	<b>£70,556</b>	<b>£72,497</b>
	24	<b>£72,306</b>	<b>£74,295</b>
	25	<b>£74,103</b>	<b>£76,141</b>
	26	<b>£75,936</b>	<b>£78,025</b>
	27	<b>£77,818</b>	<b>£79,958</b>
	28	<b>£79,748</b>	<b>£81,942</b>
	29	<b>£81,723</b>	<b>£83,971</b>
	30	<b>£83,757</b>	<b>£86,061</b>
	31	<b>£85,826</b>	<b>£88,187</b>
	32	<b>£87,960</b>	<b>£90,379</b>
	33	<b>£90,145</b>	<b>£92,624</b>
	34	<b>£92,373</b>	<b>£94,914</b>
	35	<b>£94,669</b>	<b>£97,273</b>

	<b>Scale Points</b>	<b>2019/20</b>	<b>2020/21</b>
<b>Leadership Scale - Group 7 (pts 24-39)</b>	24	<b>£72,306</b>	<b>£74,295</b>
	25	<b>£74,103</b>	<b>£76,141</b>
	26	<b>£75,936</b>	<b>£78,025</b>
	27	<b>£77,818</b>	<b>£79,958</b>
	28	<b>£79,748</b>	<b>£81,942</b>
	29	<b>£81,723</b>	<b>£83,971</b>
	30	<b>£83,757</b>	<b>£86,061</b>
	31	<b>£85,826</b>	<b>£88,187</b>
	32	<b>£87,960</b>	<b>£90,379</b>
	33	<b>£90,145</b>	<b>£92,624</b>
	34	<b>£92,373</b>	<b>£94,914</b>
	35	<b>£94,669</b>	<b>£97,273</b>
	36	<b>£97,013</b>	<b>£99,681</b>
	37	<b>£99,424</b>	<b>£102,159</b>
	38	<b>£101,885</b>	<b>£104,687</b>
	39	<b>£104,368</b>	<b>£107,239</b>

	Scale Points	2019/20	2020/21
<b>Leadership Scale - Group 8 (pts 28- 43)</b>	28	<b>£79,748</b>	<b>£81,942</b>
	29	<b>£81,723</b>	<b>£83,971</b>
	30	<b>£83,757</b>	<b>£86,061</b>
	31	<b>£85,826</b>	<b>£88,187</b>
	32	<b>£87,960</b>	<b>£90,379</b>
	33	<b>£90,145</b>	<b>£92,624</b>
	34	<b>£92,373</b>	<b>£94,914</b>
	35	<b>£94,669</b>	<b>£97,273</b>
	36	<b>£97,013</b>	<b>£99,681</b>
	37	<b>£99,424</b>	<b>£102,159</b>
	38	<b>£101,885</b>	<b>£104,687</b>
	39	<b>£104,368</b>	<b>£107,239</b>
	40	<b>£106,972</b>	<b>£109,914</b>
	41	<b>£109,644</b>	<b>£112,660</b>
	42	<b>£112,392</b>	<b>£115,483</b>
	43	<b>£114,060</b>	<b>£117,197</b>

## 5. Classroom Teachers

- 5.1. **Main Pay Range:** the pay points applicable to classroom teachers with effect from **1 September 2020 until 31 August 2021** will be as per the current Document, subject to any subsequent national pay increases:

	2019/20	2020/21
Point 1	£24,373	<b>£25,714</b>
Point 2	£26,298	<b>£27,600</b>
Point 3	£28,413	<b>£29,664</b>
Point 4	£30,599	<b>£31,778</b>
Point 5	£33,010	<b>£34,100</b>
Point 6	£35,971	<b>£36,961</b>

\*Scale points [0.5] will be the midway point between the two relevant scales.

### 5.2. Pay Decisions for 1 September 2020

#### Existing teachers:

- 5.2.1. Existing teachers employed in the school prior to 1 September 2013 will be paid in accordance with the provisions of the current School Teachers' Pay and Conditions Document (the Document). The pay range for main scale classroom teachers as set out in the current Document (and shown in the table above) applies, as does the progression up the pay scale, normally by one whole increment.

#### Teachers Newly Appointed to the School from 1 September 2020

- 5.2.2. The Local Governing Body will determine the starting salary of a vacant classroom teacher post on a point within the main pay range or upper pay range, such as the Local Governing Body determines appropriate, having regards to:

- the requirements of the post
  - any specialist knowledge required for the post
  - the experience required to undertake the specific duties of the post
  - the wider school context
  - the teacher's current pay scale point.
- 5.2.3. In order to be clear about salaries for new posts, when advertising, the school will make explicit the pay range for each new post. In order to ensure that the new teacher is meeting the Teachers' Standards in his/her previous employment. The school's reference request to the teacher's previous Head Teacher/employer will ask explicitly whether the Headteacher judges that the teacher is meeting the Teachers' Standards. The teacher should also heed paragraphs 12.5 and 12.6 of the Performance Management (or Appraisal) Policy, which remind new teachers of their responsibility to provide the school with copies of their current Performance Management (or Appraisal) documentation so that any judgements made regarding pay progression can be rooted in reliable evidence.
- 5.2.4. The Local Governing Body will, if necessary, use its discretion to award a recruitment incentive payment to secure the candidate of its choice.

### 5.3. Pay Determination for teachers from 1 September 2020

- 5.3.1. The pay points applicable to classroom teachers with effect from **1 September 2020**, subject to any subsequent national pay increases, are outlined in the table at 4.1. Teachers on M1 will receive a 2% uplift to their salary. If teachers including those at the top of the main pay range will receive a salary uplift of 1%.

### 5.4. Pay Reviews

- 5.4.1. From 1 September 2020 each teacher will have his or her pay reviewed by the LGB Pay Committee. This committee will be made up of 3 non-staff members of the Local Governing Body and these Local Governors will be separate from those that serve on the school's Pay Appeals Committee.
- 5.4.2. The Pay Committee will make decisions on teachers' (incl. AHT/DHT/HoS) pay based on this Pay Policy and the school's Performance Management (aka Appraisal) Policy. It is therefore important that this policy is read in conjunction with the school's Performance Management Policy.
- 5.4.3. The LGB Pay Committees will:
- receive recommendations and advice on pay progression for each teacher from the Exec/Headteacher. (NB. The Exec/Headteacher will also act as moderator of pay recommendations where teacher appraisals, and hence individual pay recommendations, are conducted by staff other than the Exec/Head Teacher)
  - make decisions on pay progression for each teacher that are clearly attributable to the performance of the teacher in question, with decisions

being rooted and justifiable in evidence

- ensure that arrangements are made for all teachers to be provided with a written statement from the Exec/Head Teacher setting out their salary and any other financial benefits to which they are entitled
- 5.4.4. The LGB Pay Committee will validate all pay recommendations following Performance Management reviews and in addition, in order to moderate the reviewer's judgement, will examine in detail any recommendation that would lead to:
- an accelerated increase beyond 1 full point
  - no increase in pay.
- 5.4.5. The Pay Committee will analyse all pay recommendations to ensure that there is no direct or indirect discrimination taking place in relation to pay determination.

## **5.5. Pay Progression**

- 5.5.1. The new main pay range for teachers from 1 September 2020 includes 6 full pay points (i.e. points MPR 1 to MPR 6 in the pay table set out above), which should be used as the normal reference for progression decisions.
- 5.5.2. No teacher will have their pay reduced unless there is a material, negotiated and agreed change in their role and contract.
- 5.5.3. Movement up the main pay range will normally be by one full point based on the extent to which the teacher is judged to have performed against the Teachers' Standards.
- 5.5.4. Details of the Performance Management process can be found in the Learn-AT Performance Management Policy. At the review of a teacher's performance against the Teachers' Standards the teacher will provide the following mandatory evidence:
- review of their pupils' assessment results against the students' academic targets,
  - providing commentary on their pupils' performance
  - feedback on classroom learning through observation
  - feedback from work scrutinies
  - good evidence of thoughtful lesson planning
  - any further evidence which might relate specifically to the teacher's key Performance Management objectives
  - any other evidence which will exemplify his or her performance against the Teachers' Standards.
- 5.5.5. The professional judgement of reviewers will be central to appraisal against these standards. To that end the School Leadership Team members who undertake all Performance Management assessments in this school will be trained and the consistency of their judgements will be



maintained through systematic moderation procedures which will include the moderation of objective setting and peer observation of Performance Management Review conversations.

- 5.5.6. To warrant an increase in pay of one full point, recommendations for pay progression should be based on the mandatory evidence detailed above which the Performance Management Reviewer will use to judge to what extent the teacher is meeting the Teachers' Standards. (NB. this includes the teacher having no live disciplinary warnings and meeting the expectations of Part Two of the Teachers' Standards entitled "Personal and Professional Conduct").
- 5.5.7. At the end of the Performance Management cycle, a teacher's performance against the Teachers' Standards will be judged as follows:

	<b>Level 1</b>	<b>Level 2</b>	<b>Level 3</b>	<b>Level 4</b>	<b>Level 5</b>
<b>Teachers' Standards</b>	Exceptional performance	All met securely	The vast majority are met and at least making good progress towards those not met	Whilst some are met, one or more of the standards are not met	Clearly not met

- 5.5.8. In order to be recommended for pay progression a teacher's performance must be judged to be Level 3 or above.
- 5.5.9. In exceptional circumstances the Local Governors' Pay Committee will consider use of its discretion to award more than one full point, up to a maximum of 2 full points in one year.
- 5.5.10. Newly Qualified Teachers who pass their probationary year will be recommended for pay progression, as it will be assumed that they have met the evidence for pay progression.

## **6. Progression to the Upper Pay Range (Threshold)**

### **6.1. Applications to be paid on the Upper Pay Range.**

- 6.1.1. From 1 September 2013, any qualified teacher can apply to be paid on the Upper Pay Range.
- 6.1.2. All applications should include the results of Performance Management Reviews (aka Appraisals) under the Appraisal Regulations 2012, including any recommendations on pay. Where the results of Performance Management Reviews are not applicable or available, a written statement and summary of evidence, designed to demonstrate that the applicant has met the assessment criteria, must be submitted by the applicant.
- 6.1.3. Teachers (including members of the Leadership Team) who have been

absent, through sickness, disability or maternity, may cite written evidence from a 3-year period before the date of application, from this school and other schools, in support of their application.

## 6.2. Process

6.2.1. One application per year may be submitted annually. The closing date for applications is *31 October* each year for payment to be effective from 1 September of that same year; however, exceptions will be made in particular circumstances, e.g. those teachers who are on maternity leave or who are currently on sick leave. The process for applications is as follows:

- teacher completes the school's application form (see attachment)
- teacher submits the application form and supporting evidence to the Exec/Head Teacher by the *31 October*
- the assessor will assess the application, which will include a recommendation to the school's Local Governors' Pay Committee
- the Local Governors' Pay Committee will make the final decision, advised by the Exec/Head Teacher
- teachers will receive written notification of the outcome of their application by *30 November*. Where the application is unsuccessful, the written notification will include the areas where it was felt that the teacher's performance did not satisfy the relevant criteria set out in this policy (see 'Assessment' 6.3 below)
- if requested, oral feedback which will be provided by the assessor. Oral feedback will be given within 10 school working days of the date of notification of the outcome of the application. Feedback will be given in a positive and encouraging environment and will include advice and support on areas for improvement in order to meet the relevant criteria
- successful applicants will move to the minimum of the Upper Pay Range on 1 September
- unsuccessful applicants can appeal against the decision. The appeals process is set out at the end of this pay policy.

## 6.3. Assessment of Threshold Application

6.3.1. The teacher applying to be paid on the Upper Pay Range will be required to meet the criteria set out in the Document, namely that:

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

6.3.2. In this school, this means that the teacher must have had two consecutive successful Performance Management Reviews in this school

and been judged at Level 1 or Level 2 against the Teachers' Standards (see 5.5.8 above) and must meet the Upper Pay Range Progression Criteria outlined in Appendix 3 of this document.

Criterion	Description
Highly competent	The teacher's performance is judged at Level 1 or Level 2 against the Teachers' Standards in the particular role they are fulfilling and the context in which they are working.
Substantial	The teacher's overall performance and contribution to the school are significant, not just in the standards of teaching and learning in their own classroom, or with their own groups of students, but also in making a <i>significant wider contribution to school improvement</i> , which impacts on student progress and the effectiveness of colleagues.
Sustained	They will have been expected to have shown that their teaching expertise has grown over the relevant period and is consistently highly effective.

#### 6.4. Upper Pay Range

6.4.1. Teachers on the Upper Pay Range will be paid on the relevant point from the pay points shown in the table below, subject to any subsequent national pay increases:

UPR	2019/20	2020/21
<b>U1</b>	£37,654	<b>£38,690</b>
<b>U2</b>	£39,050	<b>£40,124</b>
<b>U3</b>	£40,490	<b>£41,604</b>

\*Scale points [0.5] will be the midway point between the two relevant scales.

#### 6.5. Pay determinations effective from 1 September 2020

6.5.1. The Local Governors' Pay Committee will determine whether there should be any progression for teachers on the Upper Pay Range. In making such a determination, it will take into account:

- how long the teacher has been on their current UPR pay point, as progression will only be considered after 2 years on each point
- whether or not the teacher has had two successful Performance Management reviews

6.5.2. evidence that the teacher has maintained, consolidated and exceeded the criteria set out in the 2013 Document that allows for progression from the main pay range to the Upper Pay Range (see table below).

6.5.3. In this Trust, this means that the teacher must have had two consecutive successful Performance Management Reviews in a Trust school, have

been judged at Level 1 or Level 2 against the Teachers' Standards (see 5.5.8 above), and must have met, consolidated and exceeded the Upper Pay Range Progression Criteria outlined in Appendix 3 of this document

Criterion	Description
Highly competent	The teacher's performance is judged at Level 1 or Level 2 against the Teachers' Standards in the particular role they are fulfilling and the context in which they are working.
Substantial	The teacher's overall performance and contribution to the school are significant, not just in the standards of teaching and learning in their own classroom, or with their own groups of students, but also in making a <i>significant wider contribution to school improvement</i> , which impacts on student progress and the effectiveness of colleagues.
Sustained	They will have been expected to have shown that their teaching expertise has grown over the relevant period and is consistently highly effective.

- 6.5.4. When considering an increase in a teacher's pay on the Upper Pay Range, the Pay Committee's decision will be clearly attributable to the performance of the individual teacher and able to be objectively justified, rooted in evidence.
- 6.5.5. A teacher on the UPR can evidence his or her *substantial and sustained contribution to the school* against the Upper Pay Range Assessment Criteria, with further evidence of consolidation and exceeding the original criteria for progression from the main scale
- 6.5.6. Where it is clear that the evidence shows the teacher has made good progress, i.e. they continue to maintain the criteria set out above in paragraphs 4.6.7 to 4.6.9, and are able to show evidence that they have consolidated and exceeded the original criteria for progressing from the Main Scale, the LGB Pay Committee may approve a move to the next available point on the upper pay range.
- 6.5.7. In exceptional circumstances the Local Governors' Pay Committee may use its discretion to decide on enhanced progression from the minimum to the maximum pay points of the Upper Pay Range.
- 6.5.8. The Local Governors' Pay Committee will be advised by the Exec/Head Teacher in making all such decisions.

## 6.6. Leading Practitioner Posts

- 6.6.1. Where an individual school's Local Governing Body decides to establish one or more Leading Practitioner posts on the staffing structure, this will be done in accordance with the Document and the additional duties attributable to the post will be set out in the job description of the Leading Practitioner.

- 6.6.2. The Local Governors' Pay Committee will determine an appropriate pay range of 5 consecutive points from the following pay scale, subject to any subsequent national pay increases:

	Scale Points	2019/20	2020/2021
<b>Leadership Scale 1 – 18 (Leading Practitioner)</b>	1	<b>£41,267</b>	<b>42,402</b>
	2	<b>£42,301</b>	<b>43,465</b>
	3	<b>£43,357</b>	<b>44,550</b>
	4	<b>£44,436</b>	<b>45,658</b>
	5	<b>£45,543</b>	<b>46,796</b>
	6	<b>£46,685</b>	<b>47,969</b>
	7	<b>£47,942</b>	<b>49,261</b>
	8	<b>£49,048</b>	<b>50,397</b>
	9	<b>£50,273</b>	<b>51,656</b>
	10	<b>£51,564</b>	<b>52,983</b>
	11	<b>£52,902</b>	<b>54,357</b>
	12	<b>£54,121</b>	<b>55,610</b>
	13	<b>£55,474</b>	<b>57,000</b>
	14	<b>£56,857</b>	<b>58,421</b>
	15	<b>£58,272</b>	<b>59,875</b>
	16	<b>£59,821</b>	<b>61,467</b>
	17	<b>£61,195</b>	<b>62,878</b>
	18	<b>£62,735</b>	<b>64,461</b>

#### **6.7. Leading Practitioner Pay determinations with effect from 1 September 2020**

- 6.7.1. The Exec/Head teacher and/or Trust Line Manager will agree Performance Management objectives for the leading practitioner.
- 6.7.2. The Local Governors' Pay Committee (or the Trust Board's Pay Committee, whoever is accountable for the performance of the Leading Practitioner) shall have regard to the results of the leading practitioner's Performance Management review, including the pay recommendation, when exercising any discretion in relation to their pay, in accordance with the Document.
- 6.7.3. The Local Governors' Pay Committee (or the Trust Board's Pay Committee) will take account of other evidence. The evidence should show the leading practitioner:
- is highly competent in all aspects of the Teachers' Professional Standards
  - is an exemplar of teaching skills, which should impact significantly on student progress, within school and within the wider school community, if relevant.
  - 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
  - has shown strong leadership in developing, implementing and evaluating

policies and practice in their workplace that contribute to school improvement.

- 6.7.4. NB. "Highly competent", "substantial" are as defined in the section in this policy dealing with the Upper Pay Range.
- 6.7.5. When considering an increase in a teacher's pay on the Leadership Practitioner Pay Range, the Pay Committee's decision will be clearly attributable to the performance of the individual teacher and able to be objectively justified, rooted in evidence.
- 6.7.6. Progression up the Leadership Practitioner Pay Range will normally be by one point in any one year, but in exceptional circumstances the Local Governors' or Trust Board's Pay Committee/Trust Board may use its discretion to award up to 2 points pay progression in any one year.
- 6.7.7. The Local Governors'/Trust Board's Pay Committee will be advised by the Exec/Headteacher/CEO in making all such decisions.

## 7. Unqualified teachers

- 7.1. The pay points applicable to unqualified teachers with effect from **1 September 2020 until 31 August 2021** will be as per the current Document, subject to any subsequent national pay increases:

Unqualified Teachers	2019/20	2020/21
Point 1	£17,682	£18,169
Point 2	£19,739	£20,282
Point 3	£21,794	£22,394
Point 4	£23,851	£24,507
Point 5	£25,909	£26,622
Point 6	£27,965	£28,735

\*Scale points [0.5] will be the midway point between the two relevant scales.

### 7.2. Pay Decisions for 1 September 2020

#### Existing Unqualified Teachers:

- 7.2.1. Existing unqualified teachers employed in the school prior to 1 September 2017 will be paid in accordance with the School Teachers' Pay and Conditions Document (the Document). The pay range for unqualified teachers as set out in the 2020 Document (and shown in the table above) applies, as does the progression up the pay scale, normally, by one whole increment.

#### Unqualified Teachers Newly Appointed to the School from 1 September 2020.

- 7.2.2. The Local Governing Body will determine the starting salary of the post on a point within the unqualified pay range, and in accordance with the Document, such as the Local Governing Body determines appropriate.
- 7.2.3. In order to be clear about salaries for new posts, when advertising, the school will make explicit the pay range for each new post.

### 7.3. Pay Determination for unqualified teachers from 1 September 2020

7.3.1. The pay points applicable to unqualified teachers with effect from **1 September 2020**, subject to any subsequent national pay increases are outlined in the table at 7.1

### 7.4. Pay Reviews

7.4.1. From 1 September 2020 each unqualified teacher will have his or her pay reviewed by the Pay Committee. The Pay Committee will:

- receive recommendations and advice on pay progression for each unqualified teacher from the Exec/Headteacher. (NB. The Exec/Headteacher will act as moderator of pay recommendations where unqualified teacher appraisals, and hence individual pay recommendations, are conducted by staff other than the Exec/Headteacher)
- make decisions on pay progression for each unqualified teacher that are clearly attributable to the performance of the unqualified teacher in question, with decisions being rooted and justifiable in evidence
- ensure that arrangements are made for all unqualified teachers to be provided with a written statement setting out their salary and any other financial benefits to which they are entitled.

### 7.5. Pay Progression

7.5.1. The new unqualified teachers' pay range from 1 September 2020 includes 6 full pay points (i.e. points UQ1 to UQ 6 in the pay table set out above), which should be used as the normal reference for progression decisions.

7.5.2. No unqualified teacher will have their pay reduced unless there has been a material, negotiated and agreed change in their role and contract.

7.5.3. Movement up the main pay range will normally be by one full point based on the extent to which the unqualified teacher is judged to have performed against the Teachers' Standards.

7.5.4. At the review of an *unqualified teacher's* performance against the Teachers' Standards the teacher will provide the following mandatory evidence:

- review of their students' examination results against the students' academic
- targets, providing class by class commentary on their students' performance
- feedback on classroom learning through observation
- feedback from work scrutinies
- good evidence of thoughtful lesson planning
- any further evidence which might relate specifically to the teacher's Performance Management objectives

- any other evidence which will exemplify his or her performance against the Teachers' Standards.

7.5.5. The professional judgement of reviewers will be central to appraisal against these standards. To that end the School Leadership Team members who undertake all Performance Management assessments in this school will be trained and the consistency of their judgements will be maintained through systematic moderation procedures, which will include the moderation of objective setting and observation of Performance Management Review conversations.

7.5.6. To warrant an increase in pay of one full point, recommendations for pay progression should be based on the mandatory evidence detailed above upon which the Performance Management Reviewer will judge to what extent the *unqualified teacher* is meeting the Teachers' Standards. (NB. this includes the *unqualified teacher* having no live disciplinary warnings and meeting the expectations of Part Two of the Teachers' Standards entitled "Personal and Professional Conduct").

7.5.7. At the end of the Performance Management cycle, an unqualified teacher's performance against the Teachers' Standards will be judged as follows:

Criterion	Level 1	Level 2	Level 3	Level 4	Level 5
<b>Teachers' Standards</b>	Exceptional performance	All met securely	The vast majority are met and at least making good progress towards those not met	Whilst some are met, one or more of the standards are not met	Clearly not met

7.5.8. In order to be recommended for pay progression an *unqualified teacher's* performance must be judged to be Level 3 or above.

7.5.9. In extraordinary circumstances the Local Governors' Pay Committee will consider use of its discretion to award more than one full point, up to a maximum of 2 full points, in one year.

## 8. Other Payments and Allowances Applicable to Teachers

### 8.1. Teaching and Learning Responsibility Payments (TLRs)

8.1.1. After consultation with all academies in Learn Academies Trust the following pattern of TLR payments has been established. Local Governors will apply the values provided in the table below for posts it identifies in this school that warrant a TLR payment.

### 8.2. Temporary TLR Payments (TLR3) Must be for a specified time-limited period.



TLR Payment Identifying Description	Amount as at 1 September 2019	Amount as at 1 September 2020
TLR3 (a)	£555 (Minimum)	£571
TLR3 (b)		
TLR3 (c)		
TLR3 (d)		
TLR3 (e)	£2757 (Maximum)	£2833

### Lower Level TLR Payments (TLR2)

TLR Payment Identifying Description	Amount as at 1 September 2019	Amount as at 1 September 2020
<b>Main TLR Scale</b>		
TLR2 (a)	£2796 (minimum)	£2873
TLR2 (b)		
TLR2 (c)	£6829 (maximum)	£7017

### Higher Level TLR Payments (TLR1)

TLR Payment Identifying Description	Amount as at 1 September 2019	Amount as at 1 September 2020
<b>TLR Scale</b>	<b>TLR Payment Values</b>	<b>TLR Payment Values</b>
TLR1 (d)	£8069 (minimum)	£8291
TLR1 (e)		
TLR1 (f)		
TLR1 (g)	£13654 (maximum)	£14030

- 8.2.1. Where teachers are receiving different levels of TLR1 and 2 payments within this Trust, then the differentials between the value of payments will be £1,500 as a minimum.
- 8.2.2. The Local Governors' Pay Committee may award a TLR to a classroom teacher in accordance with the Document. TLR 1 or 2 posts in this school are shown on the staffing structure and are for clearly defined and sustained additional responsibilities for the purpose of ensuring the continued delivery of high-quality teaching and learning. All job descriptions will be regularly reviewed and will make clear, if applicable, the responsibility or package of responsibilities for which a TLR is awarded.
- 8.2.3.** The Pay Committee will consider awarding a TLR3 payment in circumstances where the school requires a teacher to take on additional for clearly time-limited school improvement projects, or one-off externally driven responsibilities as set out in the Document. The Local Governing Body will set out in writing to any teacher appointed to such a post the duration of the fixed term, and the amount of the award that will be paid. The TLR 3 payments available in this school are as set out in the pay table above. **NB: TLR3 payments are not subject to safeguarding.**

### 8.3. Special Educational Needs Allowance

- 8.3.1. Special Educational Needs & Disability (SEND) allowances are payable to teachers who **spend most or a great deal of their time teaching pupils with**

**statements of Special Educational Needs and Disability**. The criteria for how these payments are allocated changed from September 2010. A SEND allowance of no less than £2,149 and no more than £4,242 per annum is payable to a classroom teacher if that teacher:

- is in any SEND post that requires a mandatory SEND qualification; (NB mandatory qualifications in this context are only those required specifically for teachers of visually impaired or hearing-impaired pupils).
- is in a special school
- teaches pupils in one or more designated special class or units in a school
- is in any non-designated setting (including any PRU) that is equivalent to a designated special class or unit where the post:
  - involves a substantial element of working directly with children with special educational needs;
  - requires the exercise of their professional skills and judgement in the teaching of children with special needs; and
  - has a greater level of involvement in the teaching of children with special educational needs than is the normal requirement of teachers throughout the school or unit.

8.3.2. Where the allowance is payable the school will determine the spot value of the allowance for each relevant teacher taking in to consideration the structure of the SEND provision and the following factors:

- whether any mandatory qualifications are required for the post the qualifications and expertise of the teacher relevant to the post, and
- the relative demands of the post.

## **9. Other Additional Payment Provisions Relating to Teachers (not applicable to the CEO, Headteachers and other members of the Leadership Group),**

9.1. **All types and grades of teachers**, are eligible to be considered for the payments detailed below:

9.2. **Recruitment and Retention Allowances** (not applicable to the CEO, Head Teachers and other members of the Leadership Group),

9.2.1. Such incentive allowances may be awarded by the Local Governing Body, advised by the Headteacher only to aid the recruitment and/or retention of teachers. It will be for the Local Governing Body, advised by the Headteacher, to determine the length of time that such an allowance will remain in place and should be regularly reviewed. Any award made will be for a fixed duration, not exceeding three years. The Local Governing Body, advised by the Headteacher, will determine whether an annual allowance will be paid with monthly salary or as a lump sum at the end of a fixed period.

9.2.2. Where a teacher is given an incentive or benefit under paragraph 41.1 of the Document, written notification given at the time of the award should state:

- whether the award is for recruitment or retention
- the amount of the award
- when/how it will be paid (as applicable)
- unless it is a 'one-off' award, the start date and duration of the incentive
- the basis for any uplifts which will be applied (as applicable).

9.3. **Continuing Professional Development** (does not apply to CEO/Exec/Headteachers)

9.3.1. For any CPD activities taking place at weekends or during school holidays the Local Governing Body will give consideration to payment in the individual circumstances of the case. No additional payment will be made for such activities which take place within the defined working year.

9.4. **Initial teacher Training Activities** (does not apply to CEO/Exec/Headteachers)

9.4.1. Consideration will be given to payment for activities related to providing routine initial teacher training activities in accordance with the provisions of the Document.

9.5. **Payment for Out of School Hours Learning Activity** (does not apply to CEO/Exec/Headteachers)

9.5.1. The Local Governors Pay Committee will use its discretion to consider, in exceptional circumstances, payment for involvement in out of school hours learning activities which are extensive and fall outside a teacher's directed time. Examples of such activities may include residential activities where a part-time teacher is participating on days which fall outside the remit of their contract.

9.5.2. In each of the above three categories payment will usually be made at the teacher's normal hourly rate (based on relevant point on pay scale, excluding any other allowance payments).

9.5.3. If the payment is to be calculated using a different method, the teacher should be informed in advance of undertaking the out of school hours learning activity.

9.6. **Honoraria**

9.6.1. The Local Governing Body will not pay any honoraria to any member of the teaching staff for carrying out their professional duties as a teacher.

9.6.2. There is no provision within the School Teachers' Pay and Conditions Document for the payment of honoraria. Any such award to a teacher for their teaching work would be unlawful.

## 10. Other Issues

### 10.1. Calculating Part-time teachers' pay

- 10.1.1. The proportion of time a part-time teacher works is calculated against the school's timetabled teaching week (STTW). The STTW refers to the school session hours that are timetabled for teaching, including PPA time and other non-contact time.
- 10.1.2. The STTW of a full-time classroom teacher is used as the figure for calculating the percentage of the STTW for a part-time teacher at the school. The same percentage will be applied to the proportion of directed time required of a part-time teacher.
- 10.1.3. Where an allowance is paid to a teacher, the same percentage of the full-time allowance will be payable.
- 10.1.4. A part-time teacher may be requested (but not required) to work on a day or part of a day they do not normally work and, if agreed, a pro rata additional payment should be made, or time off in lieu agreed, where appropriate.

### 10.2. Short Notice/Supply teachers

- 10.2.1. Teachers employed on a day-to-day or other short notice basis will be paid in accordance with the provisions of the Document 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. With the exception of teachers already under contract to the school (or the MAT). Teachers working on short term supply to cover teachers' absence (between half a day and up to 30 days) will be paid at .3 of the main scale of the STPCD.

### 10.3. Salary Safeguarding for teachers

- 10.3.1. The Local Governing Body is required to review the duties of any teachers who are entitled to safeguarded sums that in total exceeds £500 (excluding generally safeguarded recruitment and retention payments) and allocate appropriate additional responsibilities, commensurate with the safeguarded sum, for the 3-year period of safeguarding. The Local Governing Body will ensure that appropriate notice is given of any new duties which are being given to the teacher as work commensurate with their safeguarded sum. All such additional responsibilities allocated will be kept under review until the safeguarding period ends, when a decision will be taken about the future allocation of those duties.

## 11. Appeals

- 11.1. A teacher may seek a review of any determination in relation to his/her pay or any other decision taken by the Local Governing Body that affects his/her pay. The following list, which is not exhaustive, includes the usual reasons for seeking a review of a pay determination: where the Pay Committee:

- incorrectly applied any provision of the Document
  - 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.
- 11.2. Each step and action of this process must be taken without unreasonable delay. The timing and location of any formal meeting required must be reasonable. Any formal hearing must allow both parties to explain their cases.
- 11.3. **The order of proceedings is as follows:** Once the teacher receives written confirmation of his/her pay determination and where applicable the basis on which the decision was made; if the teacher is not satisfied, he/she should take the following action:
- 11.4. **Informal Stage:** The teacher should seek to resolve the matter initially by discussing it informally with the Chair of the Pay Committee and the Exec/Head Teacher and the member of staff making the pay recommendation to the Pay Committee (usually the Exec/Head Teacher). The teacher should request such an informal meeting for this purpose within ten working days of receipt of the pay decision.
- 11.5. Once such a request for meeting has been received, a meeting should be arranged as soon as possible but no later than 10 working days after receipt of the request. This is an informal meeting and there is no requirement for the teacher to be accompanied by a trade union representative or colleague at this informal stage.
- 11.6. The Chair of the Pay Committee will consider their decision as a result of the informal meeting and will notify the teacher of the outcome in writing and if the pay decision remains unchanged, this will also include details of how the teacher may appeal formally to the pay appeals Committee.
- 11.7. If for good reason it is not possible to hold an informal meeting, or, after such an informal meeting, the teacher continues to be dissatisfied with the decision, he/she may follow a formal appeal process, which will take the form of an appeal hearing before the Pay Appeals Committee. The teacher is entitled to be accompanied by a colleague or union representative at such an appeal hearing
- 11.8. **Formal Stage:** The teacher should set down in writing the grounds for questioning the pay decision and send it to the Chair of the Pay Appeals Committee, within ten working days of the notification of the decision being appealed against confirming that the informal stage of the process has been complete or explaining why it was not possible for this stage to be followed.
- 11.9. The Pay Appeals Committee should, where possible, schedule a hearing to be held within ten working days of receipt of the written complaint, to consider it and give the teacher an opportunity to make representations in person.
- 11.10. **Appeal hearing:** Any appeal should be heard by the school's Pay Appeals Committee which will comprise three, non-staff, local governors who were not involved in the original determination. A date for the hearing will be arranged

within 10 working days of the receipt of the written appeal notification. Appellants will be given 10 working days' notice of the hearing.

11.11. The appeal hearing will be attended by:

- The teacher appealing against the pay decision and their representative if one is being used.
- The Chair of the Pay Committee
- The Exec/Head Teacher (and/or any other relevant member of staff who made the pay recommendation to the Pay Committee).

11.12. The appeal hearing will allow for:

11.12.1. The teacher to set out their case, giving detail of their complaint in relation to the decision regarding their pay.

11.12.2. The Chair of the Pay Committee and the Exec/Head Teacher (or other relevant member of staff having made the pay recommendation) to set out the detail of the process and steps they took in recommending and making the pay decisions.

11.12.3. Once all parties have given the information and detail they wish to be considered by the Pay Appeals Committee, they will withdraw from the meeting and allow the Pay Appeals Committee to make their decision in private.

11.12.4. The decision of the Pay Appeals Committee will be sent to the teacher in writing, without undue delay, and copied to all other attendees at the meeting.

11.12.5. The School's Pay Appeals Committee will follow the School's' Appeals Procedure- Appendix 7

11.13. The decision of the Pay Appeals Committee will be final.

## 12. Appendix 1: Terms of Reference for Local Governing Body Pay Committee (Last Verified September 2020)

Signature of Chair of Local Governors: \_\_\_\_\_

Date of Adoption: \_\_\_\_\_

Date of Review: \_\_\_\_\_

**The Local Governing Body must review the delegation of functions and the establishment, terms of reference and membership of committees annually.**

### Composition

- 1.1. The Pay Committee will comprise at least three non-staff members of the Local Governing Body with voting rights. Members will not be permitted to serve on the Pay Committee and Pay Appeals Committee.
- 1.2. The Local Governing Body or the committee may appoint associate members to serve on the committee. Such members may have voting rights only as determined by the Local Governing Body and within the terms of the School Governance Procedures.

### Quorum

- 1.3. The quorum for meetings and any vote will be three local governors who are members of the committee, or more, as determined by the committee.

### Terms of reference of the committee

- 1.4. The Pay Committee will make decisions on the pay of school leaders and teachers, based on the school's Pay Policy and teacher Performance Management Policy. It is therefore important that the terms of reference are read in conjunction with these policies.

### Leadership Group Pay: Head Of School/Deputy Headteacher/Assistant Headteacher

- 1.5. The Pay Committee will:
  - 1.5.1. determine a five-point individual pay range in accordance with the Pay Policy and taking account of the role of the HoS/DHT/AHT prior to a new appointment being made
  - 1.5.2. exercise its discretion under of the Pay Policy and pay any of the bottom three points on the HoS/DHT/AHT pay range in order to secure the appointment of its preferred candidate
  - 1.5.3. exercise its discretion under the Pay Policy where there are recruitment issues
  - 1.5.4. review pay annually and award up to two points where evidenced
  - 1.5.5. review and, if necessary, re-determine the HoS/DHT/AHT pay range where there has been a significant change in the responsibilities of the serving Deputy/Assistant Head teacher in accordance with the Document

- 1.5.6. consider using its discretion to determine the HoS/DHT/AHT pay range at any time, in accordance with the Pay Policy, to maintain differentials.

### **Leadership Group Pay: Acting Allowances**

1.6. The Pay Committee will:

- 1.6.1. within a four-week period of the commencement of unplanned acting duties, determine whether or not the acting post holder will be paid an allowance.

### **Teachers: Main Pay Range**

1.7. From 1 September 2020 each teacher will have their pay reviewed by the Pay Committee. The Pay Committee will:

- 1.7.1. receive recommendations and advice on pay progression for each teacher from the Head Teacher. (NB. The Exec/Head Teacher will also act as moderator of pay recommendations where teacher Performance Management Reviews, and hence individual pay recommendations, are conducted by staff other than the Exec/Head Teacher)
- 1.7.2. make decisions on pay progression for each teacher that are clearly attributable to the performance of the teacher in question, with decisions being rooted and justifiable in evidence
- 1.7.3. ensure that arrangements are made for all teachers to be provided with a written statement from the Head Teacher setting out their salary and any other financial benefits to which they are entitled
- 1.7.4. consider in all pay recommendations and with reference to supporting evidence. The committee will examine in particular detail any pay recommendation which includes an accelerated increase beyond one full point or no increase in pay for individual teachers
- 1.7.5. make final decisions relating to progression to the Upper Pay Range (threshold), advised by the Head Teacher.

### **Teachers: Upper Pay Range**

1.8. The Pay Committee will:

- 1.8.1. determine, with reference to supporting evidence and with advice from the Exec/Head Teacher, that one point be awarded to a teacher on the Upper Pay Range whose achievements and contribution to the school, throughout the relevant period (usually two years since achieving their current UPR pay point), have been substantial and sustained
- 1.8.2. determine, with reference to supporting evidence and with advice from the Exec/Head Teacher, whether there should be any progression for teachers on the Upper Pay Range.

### **Leading Practitioner Posts**

1.9. The Pay Committee will:

- 1.9.1. consider, with advice from the Exec/Head Teacher and reference to supporting evidence, the results of a leading practitioner's Performance Management Review, including the pay recommendation, when



exercising any discretion in relation to their pay

- 1.9.2. use its discretion, with the advice of the Exec/Head Teacher, to award up to two points progression in any one year where the performance of the teacher is shown to be exceptional.

### **Unqualified Teachers**

1.10. The Pay Committee will:

- 1.10.1. receive recommendations and advice from the Exec/Head Teacher on pay progression for each unqualified teacher
- 1.10.2. make decisions, with reference to supporting evidence, on pay progression for each unqualified teacher
- 1.10.3. ensure that arrangements are made for all unqualified teachers to be provided with a written statement setting out their salary and any other financial benefits to which they are entitled
- 1.10.4. consider in detail and with reference to supporting evidence, any pay recommendations which includes an accelerated increase beyond one full point, increases of less than one full point or no increase in pay for individual teachers.

### **TLRs**

1.11. The Pay Committee will:

- 1.11.1. consider awarding a TLR to a classroom teacher in accordance with the Pay Policy
- 1.11.2. consider awarding a TLR3 payment in circumstances where the school requires a teacher to take on additional responsibilities for clearly time-limited school improvement projects, or one-off externally driven responsibilities, as set out in the Pay Policy.

### **Functions Delegated To Exec/ Headteacher**

1.12. As per the Pay Policy.

### **Functions Retained By The Local Governing Body**

- 1.13. Responsibility for recruitment and pay of the teachers/AHTs/DHTs/ HoSs in accordance with the Pay Policy.
- 1.14. Responsibility for the awarding of any recruitment and retention allowances or other permitted payments.

### **Appointment Of Chair And Clerk**

1.15. The appointment of the chair shall be determined by the Local Governing Body or the committee and reviewed annually. The Local Governing Body shall appoint a clerk to the committee. This clerk cannot be the Head Teacher or an employee of the school.

### **Minutes**

1.16. A written record of the meetings of the committee will be submitted to the next full Local Governing Body meeting, through the clerk to the Local Governing Body.

### **Frequency Of Meetings**

1.17. Meetings will be held bi-annually; the main meeting will be held following

completion of the school's performance review cycle and a second, mid-term review meeting half-way through the year.

### **Convening Meetings**

- 1.18. A meeting shall be convened by the clerk under the direction of the Local Governing Body and the chair of the committee. The clerk will give every member of the committee and the Head Teacher written notice of a meeting, a copy of the agenda and any papers to be considered at the meeting at least seven day's clear notice before the date of the committee meeting. If the chair of the committee considers that there are matters that demand urgent consideration, they may determine a shorter period of notice.

## 13. Appendix 2: Terms of Reference for LGB Pay Appeals Committee

### LGB Pay Appeals Committee

#### Terms of Reference

The Local Governing Body must review the delegation of functions and the establishment, terms of reference and membership of committees annually.

### 2. Composition Of Learn-AT School's LGB Pay Appeals Committee

- 2.1. At least three non-staff members of the Local Governing Body with voting rights. Members will not be permitted to serve on the Pay Committee and Pay Appeals Committee.
- 2.2. The Local Governing Body or the committee may appoint associate members to serve on the committee. Such members may have voting rights only as determined by the Local Governing Body and within the terms of the School Governance Procedures.

### QUORUM

- 2.3. The quorum for meetings and any vote will be three local governors who are members of the committee, or more, as determined by the committee.

### TERMS OF REFERENCE OF THE COMMITTEE

- 2.4. The Pay Appeals Committee will consider appeals against decisions made by the Pay Committee on the pay of school leaders and teachers. These decisions will be based on the school's Pay Policy and teacher Appraisal Policy. It is therefore important that the terms of reference are read in conjunction with these policies.
- 2.5. The Pay Appeal Committee will:
  - 2.5.1. schedule a hearing to be held within 20 working days of receipt of a written complaint;
  - 2.5.2. consider the complaint and the representations of the teacher
  - 2.5.3. consider the detail of the decision-making process as set out by the Head Teacher, chair of the Pay Committee or other relevant member of staff
  - 2.5.4. decide whether to uphold or dismiss the appeal
  - 2.5.5. inform the teacher of their decision in writing and without undue delay.
- 2.6. The decision of the Pay Appeals Committee will be final.

### Functions Delegated To Exec/Head Teacher

- 2.7. none.

### Functions Retained By The Local Governing Body

- 2.8. None.

### Appointment Of Chair And Clerk

- 2.9. The appointment of the chair shall be determined by the Local Governing Body or the committee and reviewed annually. The Local Governing Body shall appoint a clerk to the committee. This clerk cannot be the Exec/Head Teacher or an

employee of the school.

### **Minutes**

2.10. A written record of the meetings of the committee will be held on file in school.

### **Frequency Of Meetings**

2.11. Meetings will be held as necessary, in response to receipt of a written appeal following completion of the earlier stages of the appeal process.

### **Convening Meetings**

2.12. A meeting shall be convened by the clerk under the direction of the Local Governing Body and the chair of the committee. The clerk will give every member of the committee and the Exec/Head Teacher written notice of a meeting, a copy of the agenda and any papers to be considered at the meeting at least seven day's clear notice before the date of the committee meeting. If the chair of the committee considers that there are matters that demand urgent consideration they may determine a shorter period of notice.

## 14. Appendix 3: Terms of Reference for Trust Board Pay Committee (Last Verified November 2020)

Signature of Chair of Trustees

Date of Adoption: \_\_\_\_\_

Date of Review: \_\_\_\_\_

**The Trust Board must review the delegation of functions and the establishment, terms of reference and membership of committees annually.**

### 3. Composition

- 3.1. The Pay Committee will comprise at least three non-executive members of the Trust Board with voting rights. Members will not be permitted to serve on the Pay Committee and Pay Appeals Committee.
- 3.2. The Trust Board or the committee may appoint associate members to serve on the committee. Such members may have voting rights only as determined by the Trust Board and within the terms of the Trust Governance Procedures.

### Quorum

- 3.3. The quorum for meetings and any vote will be three trustees who are members of the committee, or more, as determined by the committee.

### Terms Of Reference Of The Committee

- 3.4. The Pay Committee will make decisions on the pay of the CEO and Exec/Headteachers, based on the Trust's Pay Policy and Performance Management Policy. It is therefore important that the terms of reference are read in conjunction with these policies.

### Leadership Group Pay: CEO/Exec/Headteacher

- 3.5. The Pay Committee will:
  - 3.5.1. determine a seven-point individual pay range in accordance with the Pay Policy and taking account of the role of the CEO/Exec/Headteacher prior to a new appointment being made
  - 3.5.2. exercise its discretion under of the Pay Policy and pay any of the lower four points on the CEO/Exec/Headteacher pay range in order to secure the appointment of its preferred candidate
  - 3.5.3. exercise its discretion under the Pay Policy where there are recruitment issues
  - 3.5.4. review pay annually and award up to two points where evidenced
  - 3.5.5. review and, if necessary, re-determine the CEO/Exec/Headteacher pay range where there has been a significant change in the responsibilities of the serving CEO/Exec/Headteacher in accordance with the Document (or the principles outlined in the Document in the case of the CEO)

- 3.5.6. consider using its discretion to determine the CEO/Exec/Headteacher pay range at any time, in accordance with the Pay Policy, to maintain differentials.

### **Leadership Group Pay: Acting Allowances**

3.6. The Pay Committee will:

- 3.6.1. within a four-week period of the commencement of unplanned acting duties, determine whether or not the acting post holder will have their salary and contract reviewed on a temporary basis.

### **CEO/Exec/Headteachers: Leadership Pay Range**

3.7. From 1 September 2017 each CEO/Exec/Headteacher will have their pay reviewed by the Pay Committee. The Pay Committee will:

- 3.7.1. receive recommendations and advice on pay progression for each Exec/Headteacher from the CEO.
- 3.7.2. Receive recommendations on pay progression for the CEO from the CEO's PM Review Panel
- 3.7.3. make decisions on pay progression for the CEO and each Exec/Headteacher that are clearly attributable to the performance of the leader in question, with decisions being rooted and justifiable in evidence
- 3.7.4. ensure that arrangements are made for the CEO and all Exec/Headteachers to be provided with a written statement from the CEO setting out their salary and any other financial benefits to which they are entitled
- 3.7.5. consider all pay recommendations with reference to supporting evidence. The committee will examine in particular detail any pay recommendation which includes an accelerated increase beyond one full point or no increase in pay for individual leaders
- 3.7.6. make final decisions relating to pay progression for the CEO and all Exec/Headteachers

### **Appointment Of Chair And Clerk**

3.8. The appointment of the chair shall be determined by the Trust Board or the committee and reviewed annually. The Trust Board shall appoint a clerk to the committee. This clerk cannot be the CEO/Exec/Head Teacher or an employee of the Trust.

### **Minutes**

3.9. A written record of the meetings of the committee will be submitted to the next full Trust Board meeting, through the clerk to the Trust Board.

### **Frequency Of Meetings**

3.10. Meetings will be held bi-annually; the main meeting will be held following completion of the Trust's performance review cycle and a second, mid-term review meeting half-way through the year.

### **Convening Meetings**

3.11. A meeting shall be convened by the clerk under the direction of the Trust Board

and the chair of the committee. The clerk will give every member of the committee and the CEO/Exec/Headteacher written notice of a meeting, a copy of the agenda and any papers to be considered at the meeting at least seven day's clear notice before the date of the committee meeting. If the chair of the committee considers that there are matters that demand urgent consideration, they may determine a shorter period of notice.

## **15. Appendix 4: Terms of Reference for Trust Board Pay Appeals Committee**

**The Trust Board must review the delegation of functions and the establishment, terms of reference and membership of committees annually.**

### **4. Composition of Learn-AT Trust Board Pay Appeals Committee**

- 4.1. At least three non-executive members of the Trust Board with voting rights. Members will not be permitted to serve on the Pay Committee and Pay Appeals Committee.
- 4.2. The Trust Board or the committee may appoint associate members to serve on the committee. Such members may have voting rights only as determined by the Trust Board and within the terms of the Trust Governance Procedures.

### **5. Quorum**

- 5.1. The quorum for meetings and any vote will be three trustees who are members of the committee, or more, as determined by the committee.

### **6. Terms Of Reference Of The Committee**

- 6.1. The Pay Appeals Committee will consider appeals against decisions made by the Pay Committee on the pay of the CEO and Exec/Headteachers. These decisions will be based on the Trust's Pay Policy and Performance Management Policy. It is therefore important that the terms of reference are read in conjunction with these policies.
- 6.2. The Pay Appeal Committee will:
  - 6.2.1. schedule a hearing to be held within 20 working days of receipt of a written complaint;
  - 6.2.2. consider the complaint and the representations of the Trust leader
  - 6.2.3. consider the detail of the decision-making process as set out by the CEO/Exec/Head Teacher, chair of the Trust Pay Committee or other relevant member of staff
  - 6.2.4. decide whether to uphold or dismiss the appeal
  - 6.2.5. inform the Trust leader of their decision in writing and without undue delay.
- 6.3. The decision of the Pay Appeals Committee will be final.

### **7. Functions Delegated To CEO**

- 7.1. None.



## **8. Functions Retained By The Trust Board**

- 8.1. None.

## **9. Appointment Of Chair And Clerk**

- 9.1. The appointment of the chair shall be determined by the Trust Board or the committee and reviewed annually. The Trust Board shall appoint a clerk to the committee. This clerk cannot be the CEO/ Exec/Head Teacher or an employee of the Trust.

## **10. Minutes**

- 10.1. A written record of the meetings of the committee will be held on file at the Trust's central office.

## **11. Frequency Of Meetings**

- 11.1. Meetings will be held as necessary, in response to receipt of a written appeal following completion of the earlier stages of the appeal process.

## **12. Convening Meetings**

- 12.1. A meeting shall be convened by the clerk under the direction of the Trust Board and the chair of the committee. The clerk will give every member of the committee and the CEO/Exec/Head Teacher written notice of a meeting, a copy of the agenda and any papers to be considered at the meeting at least seven day's clear notice before the date of the committee meeting. If the chair of the committee considers that there are matters that demand urgent consideration they may determine a shorter period of notice.

## **16. Appendix 5: Upper Pay Range Progression Criteria**

### **13. Professional attributes**

- 13.1. Contribute significantly, where appropriate, to implementing workplace policies and practice and to promoting collective responsibility for their implementation.

### **14. Professional knowledge and understanding**

- 14.1. Have an extensive knowledge and understanding of how to use and adapt a range of teaching, learning and behaviour management strategies, including how to personalise learning to provide opportunities for all learners to achieve their potential.
- 14.2. Have an extensive knowledge and well-informed understanding of the assessment requirements and arrangements for the subjects/curriculum areas they teach, including those related to public examinations and qualifications.
- 14.3. Have up-to-date knowledge and understanding of the different types of qualifications
- 14.4. and specifications and their suitability for meeting learners' needs.
- 14.5. Have a more developed knowledge and understanding of their subjects/curriculum areas and related pedagogy including how learning progresses within them.
- 14.6. Have sufficient depth of knowledge and experience to be able to give advice on the Management and wellbeing of children and young people.

### **15. Professional skills**

- 15.1. Be flexible, creative and adept at designing learning sequences within lessons and across lessons that are effective and consistently well-matched to learning objectives and the needs of learners and which integrate recent Managements, including those relating to subject/curriculum knowledge.
- 15.2. Have teaching skills which lead to learners achieving well relative to their prior attainment, making progress as good as, or better than, similar learners nationally.
- 15.3. Promote collaboration and work effectively as a team member.
- 15.4. Contribute to the professional management of colleagues through coaching and mentoring, demonstrating effective practice, and providing advice and feedback.

**17. Appendix 7: School Staffing Structure 2019-2020**

<b>Designation and Responsibility</b>	<b><u>Perm/ Temp</u></b>	<b><u>Full- time/ Part- time</u></b>	<b><u>FTE if Part- time</u></b>

**18.**

## 19. Appendix 8: Learn-AT Appeals Procedure

This appeals procedure applies to all school-based staff.

It was agreed with the Teachers' Trade Unions and professional associations On XXXXX.

It was agreed with the Support Staff unions on XXXXX

Adopted by ..... on .....

### Purpose

This procedure is designed to

- A) Assist CEO/Exec/Headteachers/Local Governors/Learn-AT Trustees with their responsibility to ensure consistent and fair treatment of all staff and to comply with relevant legislation and the ACAS Code of Conduct. This procedure covers the following policies:
- Disciplinary
  - Grievance
  - Attendance Management
  - Staffing Reductions
  - Pay Policy
  - Performance Management
  - Dignity at work
  - Capability
- B) Provide a clear structure for staff to request a formal decision or sanction to be reviewed by parties not involved in the original decision.
- C) Be used as the standard appeal procedure for all future policies where access to an appeal procedure is included.

### Scope

This procedure is recommended for all school leaders, teaching and support staff in academies for whom trustees have responsibility for HR and personnel. It also covers centrally employed teaching staff where Learn-AT HR policies and procedures are applicable. This does not include contractors' employees. This procedure will apply to all Learn-AT Human Resources policies and procedures except where they specifically provide for an alternative appeals process.

## Principles

- Staff members have the right to appeal against any formal action or decision taken by the employer as a result of a formal process.
- The staff member shall be informed of this right at the point of the original decision and have this confirmed in writing, with details of how and with whom the appeal should be lodged.
- All appeals should be dealt with as soon as practicable
- The staff member has the right to be accompanied by his/her trade union representative or fellow worker. e)
- If the staff member, their trade union representative, or fellow worker cannot attend on a proposed date the employee can suggest an alternative date as long as it is reasonable and not more than five working days after the original date.
- All proceedings and information shall be confidential and held in private.
- Notes of the meeting will be taken and copies provided to the staff member and their representative or fellow worker.
- The advice and support of the CYPS HR Services should be taken in dealing with any appeal.
- Appeal hearings where possible will take place within the working day of the employee
- The decision of the Appeal Panel is final.
- It is recommended that at least one member of the appeals panel should be trained in the hearing process. The CYPS HR Team can be contacted to arrange suitable training.

## Appeals Panel

The Appeals Panel will comprise three Members of the school's Local Governing Body where the appeal is against a decision made at school level, or of the Trust Board if the appeal is against a decision made at Trust Board level. Panel members will not have been involved in the original hearing/decision. An HR Advisor not involved in the original hearing may advise the panel on procedural and technical issues but will not contribute to the final decision. If, because of a shortage of Members of the Local Governors or Trust Board or because of the nature of the case, it is not possible to identify three previously uninvolved Trustees or Local Governors, then one or more Local Governors from any other Learn-AT school may be invited to sit on Appeals Panels to ensure independence, balance and objectivity. Advice may be sought from the LTS HR Team.

## Roles and Responsibilities

When dealing with HR policies and procedures it is important to establish from the outset, who will undertake the necessary roles under that particular procedure. This will avoid any conflict of interest or misunderstanding at a later stage.

## **Chair of Appeal Panel**

When dealing with an appeal the Chair of the Appeal Panel will ensure that a panel is convened. The Chair will also ensure that the necessary arrangements are made to identify a time and venue for the hearing. He/she will also ensure that all relevant parties are invited to attend, including arranging a note taker.

Support may also be sought from the CYPs HR team to advise the Appeal Panel.

Members of the Appeal Panel should also consider whether any participant needs any adjustments e.g. hearing loop, disabled access. The Chair of the Appeal Panel may delegate the responsibility for the administrative arrangements of the Appeal Hearing.

## **Chair of Original Panel or Committee**

The Chair of the original panel/committee will ensure that all relevant paperwork from the original hearing is provided to the Appeal Panel, the staff member, Trade Union

Representative or staff member's representative and the schools HR provider. The Chair of the Original Panel/Committee may be required to attend the hearing as a witness.

## **Management Representative**

The Management Representative (Exec/Head Teacher) will present the management case at the appeal hearing. In the case of the CEO, this role would be undertaken by a Trustee.

The Management Representative/Exec/Head Teacher will be decided by the nature of the Appeal (e.g. an appeal against a disciplinary warning will require the Chair of the Disciplinary Panel to attend the appeal) and may be a different management representative (e.g. Chair of Original Panel) than the manager who presented the case previously.

## **Procedure - Registering an Appeal**

All appeals must be registered with the Chair of the Original Panel/Committee within the time limits applying to each policy. The Chair of the Original Panel will liaise with fellow Trustees/ Local Governors and HR to ensure the Appeal is addressed promptly.

## **Timescales for an Appeal**

An appeal against a decision for all policies listed in section 1 above, shall be submitted no later than 10 working days from the receipt of the outcome letter.

A meeting will be arranged within 10 working days of receipt of the appeal.

## **Convening an appeal meeting**

Staff will be given 10 working days' notice of an appeal hearing date.

The invitation to the appeal hearing should also include any supporting documentation to be considered by the panel such as:

- The format of the meeting
- Notes of the original hearing
- The documents used at the original hearing
- Copy of the letter confirming the original outcome
- Copy of the letter of appeal and any supporting documents, including any new evidence
- A statement from the original presenting officer/chair of original panel in response to the points raised in the appeal

The Chair of the original panel may also approach HR for support in preparing for the appeal. The names of any witnesses either party wishes to call to the Appeal Panel should also be submitted no later than 5 working days prior to the Appeal Hearing.

## Grounds for Appeal

When completing the appeal form the staff member should specify the grounds on which they are appealing the original decision or sanction. Grounds for appeal will include such things as:

- procedural flaws in the original hearing or investigation,
- the imposition of an unreasonable sanction and/or that it was unreasonable to find the employee blameworthy and/or that new evidence was available.

Members of staff should also specify what outcome they are seeking from the appeal.

If the staff member, their Trade Union Representative or fellow worker cannot attend on a proposed date the employee can suggest an alternative date as long as it is reasonable and not more than 5 working days after the original date. Normally when an employee or their representative is unable to attend an appeal the panel will provide one alternative hearing date for the member of staff to state their case. When the member of staff is unable to attend they can elect to ask their representative to present a written / oral statement on their behalf, or submit written evidence on their own behalf.

If an employee fails to attend the Appeal Hearing without giving an acceptable reason the hearing will proceed in their absence.

## New Evidence

Any new evidence submitted by the staff member or the management representative should explain why it would influence the original decision and why it was not available at the original hearing.

The Management Representative or Chair of the original panel/committee may, in

response to the submission of an appeal against the original decision, submit new evidence for consideration at the Appeal Hearing.

If in the view of the Appeal Panel the new evidence requires further investigation before it can be properly considered at an Appeal Hearing they will consult with the staff member, their representative and the management representative to adjourn the hearing whilst this is undertaken. The investigation should be completed within 20 working days or as soon as possible thereafter with agreement from all parties and the Appeal Panel reconvened at the earliest opportunity. It is the responsibility of the Chair of the Appeal Panel to ensure that timelines are met.

## Conducting the Appeal Hearing

In conducting an appeal, the panel will decide whether the original decision and sanction imposed, or action taken were appropriate in all the circumstances.

The following format shall apply when the Appeal is a review of the original decision:

- The Chair will outline the process and protocols of the hearing
- The staff member/representative will outline their case, along with any new evidence and witnesses
- The Management representative(s) will question the staff member and witnesses
- Members of the Panel will question the staff member and any witnesses.
- Management will present its case
- Staff member/representative will question management and any witnesses
- Panel will question management and any witnesses
- Staff member summarises
- Management summarises
- Hearing will adjourn for panel to consider its decision
- Hearing will reconvene for panel to deliver its decision
- The Chair of the Appeal Panel will ensure all necessary paperwork is sent to staff member/representative and any other relevant parties

## Appeal Outcomes

Possible outcomes open to the panel are:

- Uphold the original decision - the panel may decide to uphold the original decision taken and maintain any sanction
- Overturn the original decision - the panel may decide to overturn the original decision (in whole or part) and implement a new decision along with any appropriate sanction / action. The original sanction cannot be increased
- Additional Recommendations - the Panel may also wish to make recommendations on other implications arising from the appeal e.g. training, issuing of guidance



## **Record of Hearing**

It is essential that a comprehensive record be made of the meeting. The notes do not need to be verbatim however they need to be an accurate reflection of the conversation that took place. The notes must be typed after the meeting and sent to the individual for them to sign and return. If the individual disputes the content of the minutes they must put their comments in writing and the panel can either amend the minutes accordingly or add the comments to the original minutes to keep on file.

## **Notification of Decision**

The decision must be sent, in writing, within 3 working days, stating each point of appeal, the information that was considered and the decision taken. The minutes of the meeting must be enclosed with the letter. There will be no further right of appeal against the decision of the Appeals Panel.