

Pay Policy



St Francis of Assisi Catholic Academy Trust

Signed off by: Trust Board

Date from: September 2023

Review Date: November 2024

1. Introduction

All employees are valued as individuals, whether teachers or support staff.

There are statutory provisions specifically for teachers that apply nationally and therefore it is necessary that some aspects of pay arrangements for teachers differ from those for support staff. This Policy addresses both the principles and provisions that apply to all employees, and also the arrangements specifically for teachers (Part A), support staff. (Part B) the Trust Executive (Part C).

PART A – School Teachers

This section sets out the framework for how decisions on pay are made across our schools following the School Teachers' Pay and Conditions Document (STPCD) for Teachers.

In adopting this pay policy the aim is to:

- maximise the quality of teaching and learning at the school
- support the recruitment and retention of a high quality workforce
- recognise and reward teachers for their contribution to school improvement
- ensure that pay and performance appraisal arrangements enable the current and future delivery of the curriculum and school improvement plans
- ensure that pay decisions are made in a fair and transparent way
- ensure that available financial resources are allocated appropriately and sustainably.

Pay decisions at this school are made by the Local Governing Body where the value of a post is set in the structure (school leadership ranges, TLR and SEN allowances). Each individual school will publish their specific school staffing structure and pay structure as part of this policy. (Appendix 1)

Decisions on progression within an established range and progression to the Upper Pay Range, where appropriate, are made by the pay committee of the Local Governing Body taking note of by the recommendations of the Senior Leadership Team (SLT).

Where an employee has contractual entitlement to enhanced terms to those provided in this policy owing to rights carried with them under a TUPE transfer, the employees' contractual terms will apply.

Reference in this policy to Teachers includes Early Career Teachers (ECT's). ECT induction will have no adverse impact upon pay or career progression opportunities. ECT's will be subject to pay progression in line with the provisions of this policy.

2. Basic Pay Determination on Appointment

On appointment, school leaders will determine the starting salary within the prescribed range, set in the structure by the Local Governing Body, to be offered to the successful candidate.

In making such determinations, a number of factors will be taken into account which may include:

- the nature of the post
- the level of qualifications, skills and experience required
- market conditions
- the wider school context

Pay will be set in line with any specific restrictions set out in the relevant terms and conditions and this policy.

There is no assumption that any employee will be paid at the same rate as they were being paid by a different employer.

3. Leadership Pay Group

The Local Governing Body has assigned individual pay ranges for each leadership group post which have been calculated in accordance with the STPCD and are set out in Appendix 1 of this policy.

These will be reviewed on determining the pay range for a vacancy prior to it being advertised taking account the needs of the school and skills and experience of a new appointment.

These ranges will only change:

1. Where the accountability and responsibility of the post significantly increase since it was last reviewed.
2. In order to reflect a change in value of a post following a recruitment exercise which warrants a review of the leadership group ranges in order to maintain a suitable pay differential.

The pay range for the Headteacher will normally be kept within the range attributed to the school group size in the STPCD. Any pay for Headteachers beyond the STPCD group size will need to be subject to a business case submitted in advance to the Trust Board through the CEO (this does not apply to any Headteacher pay levels covered by TUPE on transference to the Academy Trust). Any other leadership group post will not overlap with the pay range of the Headteacher.

4. Pay Reviews

The Local Governing Body will ensure that each Teacher's salary is reviewed annually and any changes in pay will take effect from 1 September each year. Reviews will be undertaken in the autumn term and will usually be completed by 31 October each year. The Headteacher reviews will usually be completed first, and ideally by 30 September each year.

Reviews may take place at other times of the year to reflect any significant change in circumstance or job description that leads to a change in the basis for calculating an individual's pay

All Teachers will be given a written statement setting out their salary and any other financial benefits to which they are entitled as soon as reasonably practicable following each pay determination and no later than one month after the date of the determination.

5. Pay Progression Based on Performance

Teachers can expect to receive regular, constructive feedback on their performance and be subject to annual appraisal that recognises their strengths, informs plans for their future development, and helps to enhance their professional practice. The arrangements for appraisal are set out in the appraisal policy.

Decisions regarding pay progression for teachers will be made with reference to their appraisal reports and the pay recommendations that they contain. It will be possible for a 'no progression' determination to be made without recourse to the capability procedure.

To be fair and transparent, assessments of performance will be properly rooted in evidence.

Pay decisions will always be clearly attributable to the performance of the individual, there should be no expectation of automatic pay progression for any reason other than to ensure pay is within the applicable range set out in the STPCD.

The Local Governing Body will ensure fairness by annually sampling anonymised appraisal reports to moderate the process to ensure reviews and associated pay recommendations are consistent.

The Local Governing Body will seek to minimise the impact on workload for individual teachers, line managers and Headteacher throughout the process.

Decisions on performance pay progression will be based on an assessment of the overall performance of the individual.

A teacher will be eligible for annual performance pay progression where they:

1. have been assessed as meeting all of the teaching standards, throughout the assessment period
2. have had their teaching assessed as at least good overall during the assessment period
3. Upper Pay Range teachers will be expected to demonstrate increasing levels of outstanding teaching overall
4. Lead Practitioners will be expected to demonstrate outstanding teaching overall
5. have been assessed as meeting the requirements of their job description/job role;
6. meet their individual performance appraisal objectives (consideration will be given where factors beyond the teacher's control have impacted on their ability to meet objectives);
7. have demonstrated a personal responsibility for identifying and meeting their CPD need;
8. are performing in line with the skill level/behaviour descriptors/career grade expectations.

The evidence which will be considered in assessing performance may include:

- quality of teaching against the Teaching Standards, including formally observed practice
- professional dialogue
- received feedback
- performance appraisal statements
- pupil progress data
- analysis of examination results
- CPD records showing an impact on the teacher's practice
- self-assessment
- wider contribution to school life

In the case of Upper Pay Range teachers and Lead Practitioners: evidence of their contribution beyond their own classroom and their impact on the wider school.

Teachers' appraisal reports will contain pay recommendations. Final decisions about whether or not to accept a pay recommendation will be made by the Local Governing Body, having regard to the appraisal report and taking into account advice from the senior leadership team.

There are no automatic annual incremental pay rises.

Judgements of performance will be made against objectives set, meeting relevant professional standards, performance considerations set out in this policy and for teachers relevant career level expectations linked to pay value within ranges.

For those on the Main, Upper and Unqualified Pay Ranges, pay progression in this school will follow incremental progression up the Advisory Pay Points contained with the STPCD, where all criteria are met.

Those on the Leadership Pay Range, and Leading Practitioner Pay Ranges will follow incremental progression up reference points determined by the Local Governing Body where all criteria are met. These reference points should be considered unique to this school. Whilst the Local Governing Body may on occasion have reference points which

mirror those published by other organisations there is no requirement to do so and annual reviews will consider the circumstances of this school including, but not limited to, affordability.

Progression is usually limited to one reference point per annum, biennially in the case of the Upper Pay Range.

Accelerated Progression

A teacher may, as part of their annual appraisal meeting, request to be considered for accelerated pay progression either within the pay band or to the next pay band at the end of that review cycle. This will be subject to review of performance against the school's skills level descriptors and may require additional or more challenging objectives to be set for the appraisal period as set out in the school's appraisal policy.

6. Movement to the Upper Pay Range

6.1. Applications and Evidence

Any qualified teacher, having previously demonstrated competency to progress to Band 2 of the schools' pay range as an accomplished teacher, may apply to be paid on the upper pay range. Any such application must be assessed in line with this policy. It is the responsibility of the teacher to decide whether they wish to apply to be paid on the upper pay range.

Applications may be made once per year and must:

- be made on the appropriate application and submitted to the Headteacher, outlining a summary of performance, which can be evidenced if required, that demonstrates the required standards
- be submitted no later than the end of 30 September in each year for consideration to move to the Upper Pay Range in that academic year (consideration will be given to accepting late applications where exceptional circumstances exist). The Local Governing Body encourage an early indication be given at the objective setting stage so that teachers may be supported to look at progress toward the standards during the appraisal cycle prior to the application being reviewed.

If a teacher is simultaneously employed at another school, they may submit separate applications to each. This school will not be bound by any pay decision made by another school.

Where evidence is reduced due to maternity or disability related absence(s) the Local Governing Body will consider the evidence available and base a determination on what would have been the outcome following appraisal assuming that performance continued.

6.2. The Assessment

An application will be successful, if the Headteacher and the Pay Committee are satisfied that:

- the teacher is highly competent in all elements of the teaching standards
- the teacher's achievements and contribution to the school are substantial and sustained
- the teacher has fulfilled the schools' skills level descriptors/career grade expectations for Band 3.

In this school, this means that the teacher has consistently:

- demonstrated that they meet all teaching standards, both in terms of teaching and personal and professional conduct, over a sustained period;
- been assessed as meeting their performance appraisal objectives over a sustained period;

and in addition that:

- teaching has been rated as good overall, with some outstanding, over a sustained period
- the teacher has demonstrated over a sustained period an ability to support pupils to exceed expected levels of progress/achievement
- the teacher has consistently taken responsibility for identifying and meeting their own professional development needs and used their learning to improve their own practice and pupils' learning

- the teacher has demonstrated that they have made an impact on the school beyond their own class/group(s) over a sustained period. This may include;
 - demonstrating an ability to coach, mentor, advise and demonstrate best practice to, other teachers to enable them to improve their teaching practice
 - contributing to policy and practice which has improved teaching and learning across the school

Sustained means maintained continuously over a period of at least two school years.

6.3. Processes and Procedures

The school will exercise its discretion to consider performance over a lesser period where a teacher has been absent for some of the relevant period due to maternity, adoption, shared parental leave or ill health.

The Headteacher or another assigned member of the senior leadership team (SLT) will assess all applications to be paid on the Upper Pay Range and their recommendation will be considered by the Pay Committee.

The Headteacher or another assigned member of the SLT will use the evidence contained in the teachers' performance appraisal review paperwork to make their assessment.

A teacher may, if they wish, provide additional evidence to support their application, but is not obliged to do so.

The Headteacher or assigned member of the SLT will discuss their recommendation with the teacher and the Pay Committee will confirm the decision no later than 31 December.

Where the application is approved, the teacher will progress to the minimum of the Upper Pay Range backdated to the 1 September (this will in effect be the beginning of the new appraisal year following the submission in the previous appraisal year).

Where the application is not successful, the Headteacher or an assigned member of the SLT will provide verbal and written feedback which may be used to inform the ongoing performance appraisal process to help develop their skills to work toward a future successful application.

7. Teaching and Learning Responsibility (TLR) payments

TLR payments will be awarded to the holders of the relevant posts included in the approved staffing structure. TLR1 and TLR2 payments will be paid pro-rata to part-time teachers, but a TLR3 allowance awarded will be paid in full.

TLR payments will be awarded to a teacher on the main range or upper pay range where a teacher is required to undertake a sustained additional responsibility within the schools' staffing structure for ensuring the continued delivery of high quality teaching and learning for which they are accountable.

i.e. where a post:

- is focused on teaching and learning
- requires the exercise of a teacher's professional skills and judgment
- requires the teacher to lead, manage and develop a subject or curriculum area; or to lead and manage pupil development across the curriculum
- has an impact on the educational progress of pupils other than the teacher's assigned classes or groups of pupils
- involves line management, leading, developing and enhancing the teaching practice of others
- must be a significant responsibility that is not required of all classroom teachers.

In order to qualify for a TLR1 payment, the post holder's role must include line management responsibility for a significant number of people.

A TLR payment will not be awarded in respect of teaching duties in Special Educational Needs or pastoral care.

TLRs will not generally be awarded in a primary setting for subject coordination, as all teachers, where not otherwise restricted from doing such work, will have the same responsibility and are not therefore eligible for a TLR.

The Local Governing Body will award TLR payments within the range prescribed in the School Teachers' Pay and Conditions Document.

In accordance with the STPCD a teacher is not entitled to be awarded more than one TLR of any value, with the exception of a TLR3.

The Local Governing Body may award a fixed-term TLR3s to a classroom teacher for clearly time-limited school improvement projects, one-off externally driven responsibilities, or where teachers are undertaking planning, preparation, coordination of, or delivery of tutoring to provide catch-up support to pupils on learning lost to the pandemic, and where that tutoring work is taking place outside of normal directed hours but during the school day. The fixed-term for which they are to be awarded must be established at the outset of the award. Consecutive TLR3s for the same responsibility will not be awarded unless that responsibility relates to tutoring, as set out above. TLR3s are not subject to salary safeguarding.

TLR1 and TLR2 payments may not be temporarily be added to the structure so will only be applied on a temporary basis to those acting up in the absence of a colleague. There will be no salary safeguarding of any fixed term/temporary TLR payments.

8. Special Educational Needs (SEN) Allowances

The Local Governing Body will award SEN allowances in accordance with the criteria and provisions set out in the current STPCD.

9. Unqualified Teacher Allowance

The Local Governing Body may determine that an allowance be paid to a unqualified teacher where, in the context of the staffing structure, the teacher has taken on a sustained additional responsibility which is:

- focussed on teaching and learning; and
- requires the exercise of a teachers' professional skills and judgement: or
- qualifications or experience which bring added value to the role s/he is undertaking.

10. Recruitment and Retention Allowance

The Local Governing Body may, on the advice of the Headteacher, consider the award of a recruitment and retention payment to a teacher where there is clearly demonstrated evidence that such a payment is:

- required to attract suitable candidates for a post which it has been or it is considered difficult to fill
- required to retain the skills and expertise of a teacher, particularly in a specialist area or where it is considered that the subsequent vacancy would be difficult to fill.

The value of any recruitment or retention payment will be determined according to the circumstances of each case but will take into account salary levels within the structure.

The duration of the payment will be determined according to the circumstances of the payment. Such payments will be reviewed annually at which time the allowance may be withdrawn. Such allowance may never be seen as permanent and does not require advance notice be given when withdrawn.

Recruitment and retention payments are not payable to any employee on the leadership pay range.

11. Provision of Service to Another School(s)

The Local Governing Body may authorise the Headteacher to provide services relating to the raising of standards in another school. Where such an agreement is authorised, the Local Governing Body will determine, what, if any, proportion will be paid to the Headteacher and/or other staff, of additional income received by the school as part of the agreement. Any such payments will be made in accordance with the terms of the STPCD and will be temporary with no entitlement to safeguarding on cessation.

12. Honoraria Payments

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, recognising that there is no provision within the STPCD for the payment of bonuses or honoraria.

13. Part-time Teachers

Teachers employed on an ongoing basis at the school but who work less than a full working week are deemed to be part-time. The Local Governing Body will give them a written statement detailing their working time obligations and the standard mechanism used to determine their pay, subject to the provisions of the statutory pay and working time arrangements and by comparison with the school's timetabled teaching week for a full-time teacher in an equivalent post, using the pro-rata principle as per the STPCD.

14. Short Notice/Supply Teachers

Teachers employed on a day-to-day or other short notice basis will be paid on a daily basis calculated on the assumption that a full working year consists of 195 days; periods of employment for less than a day being calculated pro-rata.

The Agency Workers Regulations Provide for an agency Teacher who has worked in the same school for more than twelve weeks to have the right to be paid in accordance with the normal terms and conditions applied by the school for the post undertaken. This will normally be limited to payment within the main pay range as agency teachers will not usually be expected to meet the requirements of an upper pay range teacher.

15. Pay Increases Arising from Changes to the STPCD

The increase to the national framework as set out in the STPCD will only apply to the minima and maxima of individual pay ranges and allowances.

Teachers on the minima of the pay range, who are not due to receive performance-related progression, will have their salary uplifted by the relevant percentage to ensure compliance with the framework set out in the STPCD.

Teachers will not automatically have their pay increased in accordance with uplifts to the STPCD; any individual increase will be on the basis of performance and in line with the criteria for pay progression set out in this policy.

16. Salary Safeguarding/Protection

The Local Governing Body will operate salary safeguarding arrangements in line with the provisions of the STPCD applicable at the time of safeguarding being applied.

17. Appeals

Pay recommendations will be contained within Performance Appraisal Review Statements and these will be discussed with employees at the review meeting. Where an employee has concerns about the pay recommendation which cannot be resolved at the review meeting, they should include these on the review statement for consideration by those responsible for making pay decisions.

An employee may make a formal appeal against a decision on pay, which must be submitted in writing within seven calendar days of receipt of written notification of that decision setting out the grounds for their appeal in full.

The grounds of appeals will likely be based on one or more of the following; the decision maker(s):

- incorrectly applied the provisions of the Teachers' Pay & Conditions Document / national / local terms and conditions
- incorrectly applied the provisions of the school's pay policy
- failed to have proper regard for statutory guidance
- failed to take proper account of relevant evidence and/or took account irrelevant or inaccurate evidence
- were biased

- otherwise unlawfully discriminated against the employee.

Appeals will be heard by the Pay Appeals Committee of the Local Governing Body.

The Appeals will be heard at a meeting, normally within twenty working days of receipt of the written appeal. The employee will be entitled to attend the appeal meeting, to make representations and to be accompanied by a work colleague or a member of a Professional Association or Trade Union.

Any written submissions relevant to the appeal must be circulated to all parties at least three working days prior to the meeting.

The decision of the appeal committee will be notified in writing. The decision of the Local Governing Body's Pay Appeals Committee is final and there is no recourse to the grievance procedure.

The Headteacher shall be entitled to attend, for the purposes of providing information and advice (except in the case of his/her own salary), all proceedings of the Pay Appeals Committee.

The role of the Pay Appeal Committee is not to make judgement about the effectiveness of individual staff. It is to satisfy themselves that any recommendation/decision has been made on the basis of evidence and has been made taking proper account of equal opportunities.

18. PART B- Support Staff Pay

Section B sets out the framework for how decisions on pay for support staff employees are made in this school. It has been developed to comply with current legislation and take account of the requirements of each of the terms and conditions in use at the school.

In adopting this pay policy the aim is to:

- maximise the quality of teaching and learning at the school
- support the recruitment and retention of a high-quality workforce
- recognise and reward staff for their contribution to school improvement
- ensure that pay and performance appraisal arrangements enable the current and future delivery of the curriculum and school improvement plans
- ensure that pay decisions are made in a fair and transparent way
- ensure that available financial resources are allocated appropriately and sustainably.

Pay decisions at this school are made by the Local Governing Body with grades set in the school structure.

Where an employee has contractual entitlement to enhanced terms to those provided in this policy owing to rights carried with them under a TUPE transfer, the employees' contractual terms will apply.

19. Basic Pay Determination on Appointment

The Local Governing Body will review the pay for a vacancy prior to advertising it, this will take account of the determination of the evaluation framework used by the school. Currently the school follow the Hay evaluation framework.

Pay will be set in line with any specific restrictions set out in the relevant terms and conditions and this policy.

There is no assumption that any employee will be paid at the same rate as they were being paid in a previous school, pay will be offered in accordance with the value of the post.

The Local Governing Body will consider paying above the evaluated grade where there is clear evidence of market forces dictating a higher rate of pay.

20. Pay Progression

For support staff the terms and conditions allow for an automatic increment up the spinal column points within each H or M grade band. These will occur automatically on 01 April. Cost of living awards are still applied to under the support staff terms and conditions. No increment will occur in circumstances where an individual is the subject of formal capability proceedings.

For support staff cost of living awards will be applied as soon as reasonably practicable, in accordance with national pay settlements, usually but not always in April, and only once settled.

21. Processes and Procedures

The application of pay increases will occur automatically save where an individual is subject to formal capability proceedings.

22. Honoraria Payments

Such awards may, in exceptional circumstances, be made to support staff. Honoraria payments can be used when an individual is undertaking work that is part but not all of a higher graded position for a period of 4 weeks or more.

Honoraria payments may also be used to reward additional or onerous tasks or a specific piece of project work at the same grade or lower, for a specific period over 4 weeks or more. The Local Governing Body will consider the difference in monthly salary of the post holder and the level of work they are undertaking.

Where the full duties of a higher grade are undertaken this will be treated as acting up.

23. Salary Protection

Changes in pay for those covered by Local Government Terms and Conditions are covered by a Collective Agreement with Unison. This provides protection of one H or M grade above the grade of the new post for the period of 2 years. The protected grade is frozen and not subject to cost-of-living awards however the substantive grade would continue to have awards applied.

24. Appeals

As pay progression is automatic save for where an employee is subject to formal capability proceedings there is little scope to require a pay appeal.

Disputes relating to the pay grade of a member of support staff should be brought to the attention of the Local Governing Body.

Where informal discussion does not allow for a satisfactory conclusion to be reached the Local Governing Body will agree for the role to be re-evaluated. At the conclusion of the evaluation process the outcome will be final and the pay determination applied. In circumstances where this results in the grade being reduced the provisions of the 2010 Collective Agreement covering pay protection will be applied.

25. PART C- The Trust Executive

Setting Executive Pay

26. Executive Pay Decisions

The Board will ensure that its decisions about executive pay are transparent, proportionate and justifiable. Decisions will reflect the Nolan principles and the Framework for Ethical Leadership in Education.

Executive pay decisions will comply with the Academy Trust Handbook 2022, following a robust evidence-based process, ensuring the approach is transparent, proportionate and justifiable.

The board of trustees must ensure its decisions about levels of executive pay (including salary and any other benefits) follow a robust evidence-based process and are a reasonable and defensible reflection of the individual's role and responsibilities. No individual can be involved in deciding their remuneration.

27. Discharge of Responsibilities

The board must discharge its responsibilities effectively, ensuring its approach to pay and benefits is transparent, proportionate and justifiable, including:

- **process** – that the procedure for determining executive pay and benefits, and keeping them proportionate, is agreed by the board in advance and documented
- **independence** – decisions about executive pay and benefits reflect independent and objective scrutiny by the board and that conflicts of interest are avoided
- **robust decision-making** – factors in determining pay and benefits are clear, including whether educational and financial performance considerations, and the degree of challenge in the role, have been taken into account
- **proportionality** – pay and benefits represent good value for money and are defensible relative to the public sector market
- **commercial interests** – ensuring the board is sighted on broader business interests held by senior executives, and is satisfied that any payments made by the trust to executives in relation to such interests do not undermine the transparency requirements for disclosing pay in accordance with the Academies Accounts Direction
- **documentation** – the rationale behind the decision-making process, including whether the level of pay and benefits reflects value for money, is recorded and retained
- A basic presumption that executive pay and benefits should not increase at a faster rate than that of teachers, in individual years and over the longer term
- Understanding that inappropriate pay and benefits can be challenged by ESFA, particularly in instances of poor financial management of the trust.

28. Among other things, the following will be considered:

- Roles and responsibilities of the Leadership Team;
- Best practice and guidance with the School Teachers Pay and Conditions Document and ESFA guidance;
- Remuneration package overall, including pensions, etc;
- Sustainability and affordability in the medium to long term;
- The complexities of the CAT (including number of sites, pupils, staffing levels);
- Recognition that any differentials are explained solely on the basis of experience and no other factors;
- Recruitment and retention issues;
- Benchmarking against similar CATs and MATs;

29. Annual Appraisal

Performance will be managed by means of an annual appraisal – see Trust Appraisal Policy. When setting executive pay for the CEO, performance against the agreed objectives as determined by the Trust's CEO Performance Management Committee (consisting of three Directors), will also be considered.

Any pay appeal submitted by the CEO will be considered prior to approval by the Pay Committee;
The Recommendation of the Pay Committee will be ratified by the Trust Board.

30. Monitoring the Impact of this Policy

The Local Governing Body will monitor the outcomes and impact of this policy on an annual basis, including trends in progression across specific groups of teachers to assess its effect and the school's continued compliance with equalities legislation.