

MODEL PAY POLICY FOR MAINTAINED SCHOOLS IN SOUTH EAST WALES

September 2013

INTRODUCTION

This pay policy provides a framework for making decisions on teachers' pay. It has been developed to comply with current legislation and the requirements of the School Teachers' Pay and Conditions Document (STPCD) and has been consulted on with the recognised trade unions.

STATEMENT OF INTENT

The prime statutory duty of governing bodies in Wales, as set out in paragraph 21(2) of the Education Act 2002 is to "...conduct the school with a view to promoting high standards of educational achievement at the school." The pay policy and related performance management policy is intended to support that statutory duty.

The governing body of _____ School will act with integrity, confidentiality, objectivity and honesty in the best interests of the school; will be open about decisions made and actions taken, and will be prepared to explain decisions and actions to interested persons. Its procedures for determining pay will be consistent with the principles of public life: objectivity, openness and accountability. The policy will support recruitment and retention and reward head teachers and teachers appropriately; and ensure accountability, transparency, objectivity and equality of opportunity

EQUALITIES LEGISLATION

The governing body will comply with relevant equalities legislation:

Employment Relations Act 1999

Equality Act 2010

Employment Rights Act 1996

The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000

The Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002

The Agency Workers Regulations 2010

The governing body will promote equality in all aspects of school life, particularly as regards all decisions on advertising of posts, appointing, promoting and paying staff, training and staff development.

EQUALITIES AND PERFORMANCE RELATED PAY

The governing body will ensure that its processes are open, transparent and fair. All decisions will be objectively justified. Adjustments will be made to take account of special circumstances, e.g. an absence on maternity or long-term sick leave. The exact adjustments will be made on a case-by-case basis, depending on the individual head teacher's or teacher's circumstances and the school's circumstances.

JOB DESCRIPTIONS

The Governing Body will ensure that each member of staff is provided with a job description in accordance with their agreed staffing structure. Job descriptions will identify key areas of responsibility. Other than through a staffing restructure, where a job description is reviewed it can only be changed by agreement.

ACCESS TO RECORDS

The head teacher will ensure access for individual members of staff to their own employment records.

APPRAISAL

The responsibility for the appraisal of teachers is devolved to the Welsh Government. The responsibility for teachers' pay is not devolved, and decisions concerning pay for teachers for both Wales and England remain the responsibility of the DfE. (The School Teachers' Pay and Conditions Document 2013 ("the Document") sets out the relevant provisions in relation to pay.)

The governing body will comply with School Teacher Appraisal (Wales) Regulations 2011 concerning the appraisal of head teachers and teachers through the application of the schools performance management policy.

DIFFERENTIALS

The Governing Body will keep under review the differential in the pay structure taking full account of the provisions of the School Teachers' Pay and Conditions Document and ensure that they are maintained between posts within the school, recognising accountability and job weight, and the governing body's need to recruit, retain and motivate sufficient employees of the required quality at all levels.

DISCRETIONARY PAY AWARDS

Criteria for the use of pay discretions are set out in this policy and discretionary awards of additional pay will only be made in accordance with these criteria.

SAFEGUARDING

Where a pay determination leads or may lead to the start of a period of safeguarding, the governing body will comply with the relevant provisions of the Document and will give the required notification as soon as possible and no later than one month after the determination.

PROCEDURES

The governing body will determine the annual pay budget on the recommendation of the pay committee, taking into account paragraph 22.2(e) of the Document.

The governing body has delegated its pay powers to the pay committee. Any person who has a pecuniary interest in the pay review of an employee of the school must withdraw from a meeting at which the pay or appraisal of that employee is under consideration. The head-teacher must withdraw from that part of the meeting where the subject of

consideration is his or her own pay. A relevant person must withdraw where there is a conflict of interest or any doubt about his/her ability to act impartially.

No member of the governing body who is employed to work in the school shall be eligible for membership of this committee.

The pay committee will be attended by the head-teacher in an advisory capacity. Where the pay committee has invited either a representative of the Local Authority to attend and offer advice on the determination of the head-teacher's pay, that person will withdraw when the committee starts to consider its decision. Any member of the committee required to withdraw will do so.

The terms of reference for the pay committee will be determined from time to time by the governing body. The current terms of reference are:

- to achieve the aims of the whole school pay policy in a fair and equal manner;
- to review the school's pay policy on an annual basis in consultation with the relevant trade unions, ensuring that appropriate arrangements for linking appraisal to pay are in place, can be applied consistently and that pay decisions can be objectively justified.
- to apply the criteria set by the whole school pay policy in determining the pay of each member of staff at the annual review;
- to observe all statutory and contractual obligations;
- to minute clearly the reasons for all decisions and report the fact of these decisions to the next meeting of the full governing body;
- to advise the governing body regarding the likely annual budget needed for pay, bearing in mind the need to ensure the availability of monies to support any exercise of pay progression;
- to keep abreast of relevant developments and to advise the governing body when the school's pay policy needs to be revised;
- to work with the head-teacher in ensuring that the governing body complies with the Appraisal Regulations 2011 (teachers);
- to monitor the outcomes of pay decisions ensuring the school's continued compliance with equalities legislation, and provide an annual report on the operation of the pay policy, recording pay decisions taken and the equality impact. This report will be made available to staff and their trade union representatives.

The report of the pay committee will be placed in the confidential section of the governing body's agenda and will either be received or referred back.

Annual determination of pay

All teaching staff salaries, including those of the head-teacher, deputy head-teacher(s) and assistant head-teacher(s) will be reviewed annually to take effect from 1 September. The governing body will complete teachers' annual pay reviews by 31 October and the head-teacher's annual pay review by 31 December. They will complete the process without undue delay, and all teachers, including the head-teacher, will be given a written statement setting out their salary and other financial benefits to which they are entitled.

Notification of pay determination

Decisions will be communicated to each member of staff by the Pay Committee in writing in accordance with paragraph 3.4 of the Document and will set out the reasons why decisions have been taken. An instruction to amend pay from the relevant date will be issued immediately after the time limit for the lodging of an appeal has passed, or immediately after an appeal has been concluded.

Appeals procedure

The governing body has an appeals procedure in relation to pay in accordance with the provisions of paragraph 2.1(b) of the STPCD. It is set out as an appendix to this pay policy.

LEADERSHIP PAY**Pay on appointment**

The Governing Body has established the following pay ranges for the head-teacher, deputy head-teacher[s] and assistant head-teacher[s]:

Head-teacher pay range:

[Insert the school's 7 point range for head-teacher]

Deputy head-teacher pay range

[Insert the school's 5 point range for deputy head-teachers]

Assistant head-teacher pay range

[Insert the school's 5 point range for assistant head- teachers]

HEAD-TEACHERS PAY

For appointments on or after 1 September 2013, the governing body will determine the pay range to be advertised and agree pay on appointment, taking account of the full role of the head-teacher (Part 6 paragraphs 45.1 to 48.3) and in accordance with paragraphs 11 and 6.2(e) and paragraphs 11 to 26 of the section 3 guidance:

- the governing body may review the school's head-teacher group and the head-teacher's Individual School Range (ISR) in accordance with paragraphs 6,7, 8 and 10 (ordinary school), or paragraphs 6, 7, 9 and 10 (special school);
- if the head-teacher takes on permanent accountability for one or more additional schools, the governing body will take account of the provisions of paragraphs 11.5 and 6.2(e) in setting an ISR.
- the governing body may have regard to the provisions of paragraph 11.7 and will also take account of any other permanent payments, made to staff within the school to ensure that appropriate differentials are created and maintained between posts of differing responsibility and accountability;
the governing body will normally appoint new head-teachers at the bottom point of the relevant pay range, but may consider exercising its discretion under paragraph 6.2 (e) and pay on any of the bottom four points on the ISR, in order to secure the appointment of its preferred candidate.
- the pay committee may consider exercising its discretion to award a discretionary payment under 12.3 (b) where the governing body consider the school would have difficulty recruiting to the vacant head-teacher post;
- the pay committee may consider the need to award any further discretionary payments to a head-teacher in line with paragraph 12.1 to 12.5;
- The pay committee may consider using its discretion, in wholly exceptional circumstances, to exceed the 25% limit on discretionary payments, as set out in paragraph 12.2. However, before agreeing to do so, it will seek the agreement of the governing body which in turn will seek external independent advice before providing such agreement.

Serving head-teachers

The governing body will determine the salary of a serving head-teacher in accordance with paragraph 6 of the Document.

- the pay committee will review the head-teacher's pay in accordance with paragraph 6.2 of the Document i.e. head-teacher(s) to be awarded additional scale points must demonstrate, through their performance review in accordance with paragraph 6.2. (b)(ii) of the Document, sustained high quality of performance in respect of school leadership and management and pupil progress¹.

¹ The Professional Standards that apply to headteachers comprise the Practising Teacher Standards and the Leadership Standards as listed in Welsh Government Circular No: 020/2011 Revised Professional Standards for education practitioners in Wales and must be viewed and applied in the context of Welsh Government Guidance Document no: 074/2012 Performance management for head teachers

- in accordance with paragraph 6.2 (d) of the Document save to the extent that a movement up the pay spine is necessary to ensure that the salary of the head-teacher equals the minimum of the individual school range, the pay committee must not increase a head-teacher's salary by more than two points in the course of one school year.
- the Governing Body may determine the head-teacher's ISR, within the group range for the school, as at 1 September or at any time if they consider it is necessary (paragraph 11 of section 3 guidance);
- if the Governing Body makes a determination to change the ISR, it will determine the head-teacher's ISR within the group range for the school, in accordance with paragraph 11; and paragraphs 12 of the section 3 guidance;
- if the head-teacher takes on temporary accountability for one or more additional schools, the pay committee will consider awarding a discretionary payment under paragraph 12.
- the pay committee may consider the use of discretionary payments, as per the provisions of paragraph 12.
- The pay committee may consider using its discretion, in wholly exceptional circumstances, to exceed the 25% limit on discretionary payments, as set out in paragraph 12.2. However, before agreeing to do so, it will seek the agreement of the governing body which in turn will seek external independent advice before providing such agreement.

DEPUTY/ASSISTANT HEAD-TEACHERS

The Governing Body will pay teachers as deputy or assistant head-teachers only where the Governing Body is satisfied that, in the context of the teacher's duties, the role includes a significant responsibility that is not required of all classroom teachers or TLR holders.

In the case of a deputy head-teacher post, the Governing Body must also be satisfied that this significant responsibility features a job weight which exceeds that expected of an assistant head-teacher employed in the same school, including responsibility for discharging in full the responsibilities of the head in the absence of the head-teacher.

Pay on appointment

The 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 pay committee will determine a pay range in accordance with paragraph 14 of the Document, taking account of the role of the deputy/assistant head-teacher set out at paragraph 49 of the Document;

- The pay committee will normally appoint new deputy and assistant head-teachers at the bottom point of the relevant pay range, but may consider exercising its discretion under paragraph 13.3 of the Document, and pay any of the bottom three points on deputy head-teacher pay range, in order to secure the appointment of its preferred candidate.
- the pay committee will record its reasons for the determination of the deputy/assistant head-teacher pay range, in accordance with paragraph 29 of the section 3 guidance;
- the pay committee may consider exercising its discretion under paragraph 41 of Document where there are recruitment issues.

Serving deputy/assistant head-teachers

- the pay committee will review the deputy head-teacher(s) and/or assistant head-teacher(s) pay in accordance with paragraph 13.2 of the Document i.e. deputy or assistant head-teacher(s) to be awarded additional scale points must demonstrate, through their performance review in accordance with paragraph 13.1 of the Document, sustained high quality of performance in respect of school leadership and management and pupil progress².
- in accordance with paragraph 13.2 (d) of the Document save to the extent that a movement up the pay spine is necessary to ensure that the salary of the deputy or assistant head-teacher(s) equals the minimum of the relevant pay range, the pay committee must not increase a deputy or assistant head-teacher(s)'s salary by more than two points in the course of one school year.
- the pay committee should consider reviewing and, if necessary, re-determine the deputy/assistant head-teacher pay range where there has been a significant change in the responsibilities of the serving deputy/assistant head-teacher (paragraph 29 of section 3 guidance);
- the pay committee may determine the deputy head-teacher pay range at any time in accordance with paragraph 29 of the section 3 guidance pursuant with the discretionary provisions of that paragraph and to maintain differentials;

ACTING ALLOWANCES

Acting allowances are payable to teachers who are assigned and carry out the duties of head-teacher, deputy head-teacher or assistant head-teacher in accordance with paragraph 29 of the Document. The pay committee will, within a four week period of the

² The Professional Standards that apply to deputy or assistant head-teachers are the Practising Teacher Standards as listed in Welsh Government Circular No: 020/2011 Revised Professional Standards for education practitioners in Wales and must be viewed and applied in the context of Welsh Government Guidance Document no: 073/2012 Performance management for teachers

commencement of acting duties, determine whether or not the acting postholder 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.

Any teacher, who carries out the duties of head-teacher, deputy head-teacher, or assistant head-teacher, for a period of four weeks or more, will be paid at an appropriate point of the head-teacher's ISR, deputy head-teacher range or assistant head-teacher range, as determined by the pay committee. Payment will be backdated to the commencement of the duties.

CLASSROOM TEACHERS

The pay scale for main pay range teachers in this school is:

Main pay point 1	£21,804
Main pay point 2	£23,528
Main pay point 3	£25,420
Main pay point 4	£27,376
Main pay point 5	£29,533
Main pay point 6	£31,868

The pay scale for upper pay range teachers in this school is:

Upper pay point 1	£34,523
Upper pay point 2	£35,802
Upper pay point 3	£37,124

The Governing Body will take account and apply any change to this scale as a result of any pay award.

Pay on appointment

The governing body will not restrict the pay range advertised for, or starting salary and pay progression prospects available for classroom teacher posts, other than the minimum of the Main Pay Range and the maximum of the Upper Pay Range.

When determining the starting pay for a classroom teacher taking up their first appointment, as a qualified classroom teacher, the Governing Body will pay the teacher on the Main Pay Range, and will allocate pay scale points, as a minimum, on the following basis:

- one point for each one year of service as a qualified teacher in a maintained school, Academy, City Technology College or independent school;
- one point for each one year of service as a qualified teacher in higher education or further education including sixth form colleges, or in countries outside England and Wales in a school in the maintained sector of the country concerned;

The Governing Body will also consider allocating one point for each three years of non-teaching experience spent working in a relevant area, including industrial or commercial training, time spent working in an occupation relevant to the teacher's work at the school, and experience with children/young people;

The governing body will, if necessary, use its discretion to award a recruitment incentive benefit to secure the candidate of its choice.

The governing body is committed to the principle of pay portability and will apply this principle in practice when making all new appointments.

This means that when determining the starting pay for a classroom teacher who has previously worked in a Local Authority maintained school or academy in England and Wales, the Governing Body will pay the teacher on the Main Pay Range or Upper Pay Range at a scale point which at least maintains the teacher's previous pay entitlement plus any pay progression which they would have received had they remained in their previous post.

The Governing Body will also pay classroom teachers who are "post-threshold teachers" as defined by the 2012 STPCD on the Upper Pay Range.

Classroom teachers in their induction year will be awarded pay progression on the successful completion of induction.

Pay determinations based on performance for existing main-scale teachers,

September 2013

Pay progression for September 2013 will be in line with the provisions of the STCPD 2012.

September 2014

To be fair and transparent, assessments of performance will be properly rooted in evidence. Fairness will be assured by annual monitoring of the application of the pay policy and pay decisions.

The evidence used will be only that available through the performance management/appraisal process in accordance with the Appraisal Regulations 2011.³ Classroom teachers will be awarded pay progression on the main pay range following each successful performance management/appraisal review. Pay progression will occur unless significant concerns about the standards of performance have been raised in writing with the teacher during the annual performance management/appraisal cycle and

³ The Professional Standards that apply to teachers are the Practising Teacher Standards as prescribed in Welsh Government Circular No: 020/2011 Revised Professional Standards for education practitioners in Wales and must be viewed and applied in the context of Welsh Government Guidance Document no: 073/2012 Performance management for teachers

have not been sufficiently addressed through support provided by the school by the conclusion of that process.

Where teachers have joined the school part way through a performance management/appraisal cycle, the Governing Body may ask teachers to provide evidence from the appraisal process in their previous school.

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

The governing body will award a point on the mainscale pay range (paragraph 16.2), unless the teacher has been notified that their service has been unsatisfactory for the previous academic year. The pay committee will normally exercise this discretion only in the context of the capability procedure. Where requested, the pay committee will give consideration to restoring the withheld point at the conclusion of the capability procedure. However, pay progression will not be applied retrospectively.

Where the teacher is subject to the Appraisal Regulations 2011, the pay committee will award one additional point provided the teacher's performance in the previous school year was successful, having regard to the results of the most recent appraisal (paragraph 22.2 (a))

Where the teacher is not subject to the Appraisal Regulations 2011, the pay committee will award one additional point where the teacher's performance in the previous 12 months was successful having regard to all aspects of his/her professional duties and the Practising Teacher Standards, but in particular classroom teaching, in accordance with paragraph 22.2 (c)

UPPER PAY RANGE

APPLICATIONS TO BE PAID ON THE UPPER PAY RANGE

Applications for September 2013

For teachers applying to progress to the upper pay range from 1st September 2013, the process is as set out in STPCD 2012, and the post-threshold standards applicable at the time.

Applications from September 2013

From 1 September 2013, the School Teachers Terms and Conditions Document allows for any main scale teacher to apply for UPS progression, however it is expected that the

teachers at the upper end of the main scale will be those with sufficient evidence to support an application.

If a teacher is simultaneously employed at another school(s), they may submit separate applications if they wish to apply to be paid on the UPR in that school(s). This school will not be bound by any pay decision made by another school.

All applications should include the results of the two most recent appraisals, under the Appraisal Regulations 2011. Where such information is not applicable or available, e.g. those returning from maternity or sickness absence, a written statement and summary of evidence designed to demonstrate that the applicant has met the assessment criteria must be submitted by the applicant.

In order for the assessment to be robust and transparent, it will be an evidence-based process only. Those teachers who are not subject to the Appraisal Regulations 2011, or who have been absent, through sickness, disability or maternity, may cite written evidence from a 3 year period before the date of application in support of their application.

Process

One application may be submitted annually. The closing date for applications is normally 31st August each 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:

- Complete the school's application form, see appendix 3
- Submit the application form to the head-teacher by the cut-off date of 31st August
- The head-teacher will assess all applications to ensure consistency
- The head-teacher will make a recommendation to the pay committee
- The pay committee will make the final decision, advised by the head-teacher;
- Teachers will receive written notification of the outcome of their application by 31st October
- 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' below) and the right to make representations and appeal the decision.
- If requested, oral feedback which will be provided by the head-teacher. 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 UPR on 1 September in the academic year following application, backdated as necessary
- Unsuccessful applicants can appeal the decision. The appeals process is set out at the back of this pay policy.

Assessment:

For teachers applying to progress to the upper pay range from 1st September onwards one application can be submitted per year (by 31st August). An application will be successful where the Governing Body is satisfied, through the appraisal statement and pay recommendation, that:

- (a) the teacher is highly competent in all elements of the relevant standards⁴; and
- (b) the teacher's achievements and contribution to an educational setting or settings are substantial and sustained⁵.

The Governing body will be satisfied that the teacher has met these expectations for progression to the upper pay range where the criteria set out at Appendix 2 have been satisfied as evidence by two consecutive performance management reviews. Pay progression will occur unless significant concerns about the standards of performance have been raised in writing with the teacher during the annual performance management/appraisal cycle and have not been sufficiently addressed through support provided by the school by the conclusion of that process.

Pay determinations based on performance for Upper Pay Range teachers

Progression on the Upper Pay Range for September 2013,

The pay committee will determine movement on the Upper Pay Range In accordance with of the provisions of the Document **2012**

Pay determinations based on performance for Upper Pay Range teachers from September 2014

The pay committee will determine whether there should be any movement on the Upper Pay Range. In making such a determination, it will only take into account the evidence available through the performance management/appraisal process.

The evidence based on the performance management/appraisal process, should show that the teacher has had a successful appraisal and has made good progress towards objectives.

The pay committee will determine whether the evidence shows that the teacher has maintained the criteria set out Appendix 2, namely that the teacher is highly competent in the relevant standards; and that the teacher's achievements and contribution to the school are substantial and sustained.

⁴ The Professional Standards that apply to teachers are the Practising Teacher Standards as prescribed in Welsh Government Circular No: 020/2011 Revised Professional Standards for education practitioners in Wales and must be viewed and applied in the context of Welsh Government Guidance Document no: 073/2012 Performance management for teachers

⁵ This criteria is defined in Appendix 2

Pay progression on the Upper Pay Range will be clearly attributable to the performance of the individual teacher. The pay committee will be able to objectively justify its decisions.

Further information, including sources of evidence is contained within the school's performance management policy.

The pay committee will be advised by the head-teacher in making all such decisions.

UNQUALIFIED TEACHERS

The Governing Body has established the following pay scale for unqualified teachers employed in classroom teacher posts:

Main pay point 1	£15,976
Main pay point 2	£17,834
Main pay point 3	£19,692
Main pay point 4	£21,550
Main pay point 5	£23,409
Main pay point 6	£25,267

Pay on appointment

The pay committee will pay any unqualified teacher in accordance with paragraph 20 of the Document. The pay committee will determine where a newly appointed unqualified teacher will enter the scale, having regard to any qualifications or experience s/he may have, which they consider to be of value. The pay committee will consider whether it wishes to pay an additional allowance, in accordance with paragraph 27.

Pay determinations based on performance

The governing body will follow the provisions of the STPCD and award a point on the unqualified teacher scale (paragraph 22), unless the teacher has been notified that their service has been unsatisfactory for the previous academic year. The pay committee will normally exercise this discretion only in the context of a formal capability procedure. Where requested, the pay committee will give consideration to restoring the withheld point at the conclusion of the capability procedure. However, pay progression will not be applied retrospectively.

The assessment will follow the same process and the same standards as set out above for Qualified Teachers.

LEADING PRACTITIONER POSTS

Such posts may be established for teachers whose primary purpose is the modelling and leading improvement of teaching skills, where those duties fall outside the criteria for the TLR payment structure. Any additional posts that are created will be subject to consultation with the school staff and trade union representatives.

When determining the pay scales for such posts, the Governing Body will do this by reference to the weight of the responsibilities of the post and will bear in mind the need to ensure pay equality where posts are equally onerous and will ensure fair pay relativities between posts of differing levels of responsibility.

(The policy of the Governing Body would be to appoint any new Leading Practitioner teacher at the bottom point of the pay range.)

(or) :-

(The Governing Body has decided not to appoint Teachers to leading practitioner posts. The Governing Body will review this position on an annual basis.)

TEACHING AND LEARNING RESPONSIBILITY PAYMENTS

TLR1 and 2

The pay committee may award a TLR to a classroom teacher in accordance with paragraph 24 of the Document and paragraphs 35 to 41 of the section 3 guidance. TLR 1 or 2 will be for clearly defined and sustained additional responsibility in the context of the schools staffing structure 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 responsibilities for which a TLR is awarded,

In the school the following levels and values will apply:

TLR 1:

[Insert the school's pay range and pay points for any TLR1 posts]

TLR 2:

[Insert the school's pay range and pay points for any TLR2 posts]

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

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

- a) is focused on teaching and learning;
- b) requires the exercise of a teacher's professional skills and judgement;
- c) requires the teacher to lead, manage and develop a subject or curriculum area;
- or to lead and manage pupil development across the curriculum;

- d) has an impact on the educational progress of pupils other than the teacher's assigned classes or groups of pupils; and
- e) involves leading, developing and enhancing the teaching practice of other staff.

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

Teachers will not be required to undertake permanent additional responsibilities that meet the above criteria without payment of an appropriate permanent TLR1 or TLR2 payment

TLR 3

The pay committee may award a TLR3 of between the value of £505 and £2525 in accordance with paragraph 24.3 of the Document.

Before making any TLR3 payment, the Governing Body must be satisfied that the responsibilities meet a, b and d of the above criteria; that they are being awarded for clearly time limited school improvement projects or externally driven responsibilities; and that the responsibilities are not a permanent or structural requirement which should instead be rewarded by means of a permanent TLR payment

Where the Governing Body wishes to make TLR3 payments, the proposed responsibilities, level of payment and the duration of payment will be set out clearly and subject to consultation with staff and trade unions.

The governing body will advertise the position internally setting out in writing the duration of the fixed term, and the amount of the award will be paid in monthly instalments.

Although a teacher cannot hold a TLR1 and a TLR2 concurrently, a teacher in receipt of either a TLR1 or TLR2 may also hold a concurrent TLR3.

No safeguarding will apply in relation to an award of a TLR3

The pro rata pay principle does not apply to part-time teachers in receipt of TLR3 payments.

SPECIAL NEEDS ALLOWANCE

The pay committee will award an SEN spot value allowance on a range of between £2022 and £3994 to any classroom teacher who meets the criteria as set out in paragraph 26 of the Document.

When deciding on the amount of the allowance to be paid, the governing body will take into account the structure of the school's SEN provision, whether any mandatory qualifications are required for the post, the qualifications or expertise of the teacher relevant to the post; and the relative demands of the post (paragraph 26.3 of the

Document). The governing body will also establish differential values in relation to SEN roles in the school in order to reflect significant differences in the nature and challenge of the work entailed so that the different payment levels can be objectively justified. The governing body will take account of paragraphs 42 to 47 of the section 3 guidance.

SUPPORT STAFF

The pay committee notes its powers to determine the pay of support staff in accordance with paragraph 15 [or 27] of the Staffing of Maintained Schools (Wales) Regulations 2006. The pay committee will determine the pay grade of support staff on appointment in accordance with the scale of grades, currently applicable in relation to employment with the Local Authority, which the pay committee consider appropriate for the post. In reaching its determination, the pay committee will consider the advice of the Local Authority, but will not consider itself bound by that advice.

PART-TIME EMPLOYEES

Teachers: The governing body will apply the provisions of the Document in relation to part-time teachers' pay and working time, in accordance with paragraph 36 and 37, and paragraphs 61-67 and 86-93 of the section 3 Guidance.

All staff: The governing body will ensure that all part-time employees are treated no less favourably than a full-time comparator in accordance with their legal obligations.

TEACHERS EMPLOYED ON A SHORT NOTICE BASIS

Such teachers will be paid in accordance with paragraph 38 of the Document.

RESIDENTIAL DUTIES (remove if not applicable)

The pay committee will take account of agreements reached in the National Joint Council for Teachers in Residential Establishments in determining payments for residential duties.

ADDITIONAL PAYMENTS

In accordance with paragraph 40 of the Document and paragraphs 70-80 of the section 3 Guidance, the relevant body may make payments in accordance with the criteria set out in the policy to a teacher, including a head-teacher in respect of:

- continuing professional development undertaken outside the school day;
- activities relating to the provision of initial teacher training as part of the ordinary conduct of the school;
- participation in out-of-school hours learning activity agreed between the teacher and the head-teacher or, in the case of the head-teacher, between the head-teacher and the relevant body;

- additional responsibilities and activities due to, or in respect of, the provisions of services by the head-teacher relating to the raising of educational standards to one or more additional schools.

The Governing Body recognises that such activities are entirely voluntary and that some teachers commitments will make it difficult for them to undertake such activities. Where teachers cannot attend CPD organised outside the school day, the school will endeavour to offer suitable alternative training arrangements within directed time in line with its commitment to equal opportunities.

The pay committee will make additional payments to teachers in accordance with the provisions of paragraph 40 of the Document where advised by the head-teacher.

Payment will be calculated at a daily or hourly rate with reference to each teacher's actual pay spine position or, where appropriate and following consideration by the Pay Committee, at a higher level reflecting the responsibility and size of commitment.

The 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 2013 STPCD for the payment of bonuses or honoraria in any circumstances.

RECRUITMENT AND RETENTION INCENTIVE BENEFITS

The governing body can award lump sum payments, periodic payments, or provide other financial assistance, support or benefits for a recruitment or retention incentive (paragraph 41 of the Document and paragraphs 81 -84 of the section 3 Guidance).

The pay committee will consider exercising its powers under paragraph 41 of the Document where they consider it is appropriate to do so in order to recruit or retain relevant staff. It will make clear at the outset, in writing, the expected duration of any such incentive or benefit, and the review date after which they may be withdrawn.

The governing body will, nevertheless, conduct an annual formal review of all such awards.

In relation to a head-teacher, any 'additional payments' under this section will form part of the 25% limit on the use of all discretions, unless the governing body choose to use the 'wholly exceptional circumstances' discretion. The governing body will not award a recruitment or retention payment under paragraph 41 if they have already made an award under paragraph 12 or have taken such reason (recruitment or retention) into account when determining the ISR under an earlier Document (paragraph 12.1 of the Document).

SALARY SACRIFICE ARRANGEMENTS

Where the employer operates a salary sacrifice arrangement, a teacher may participate in any arrangement and his gross salary shall be reduced accordingly, in accordance with the provisions of paragraph 43 of the Document.

Appendix 1

Pay Hearings and Appeal Procedure

Stage One – the Pay Hearing

As part of the pay determination process, the appraiser will make a recommendation to the head-teacher as required by the Performance Management process. The head-teacher will then make a recommendation to the Pay Review Committee.

On determining a teacher's pay, the Pay Review Committee will write to the teacher advising them of the pay decision, the reasons for it and will, at the same time, confirm their right to make representations to the pay review committee regarding the decision and their right to be represented by a trade union representative or a work colleague.

If the teacher wishes to make representations regarding the decision, they must do so in writing to the pay review committee, within 10 school working days. The letter must include a statement, in sufficient detail, of the grounds of their representations. In the event that a teacher confirms that they wish to make representations the pay review committee must then arrange to meet the teacher to hear the representations within 20 school working days⁶. The head-teacher and the appraiser (if different from the head-teacher) should also be invited to the meeting, as witnesses, to clarify the basis for the original recommendation.

All parties will have the opportunity to ask questions following the presentations/representations.

The Pay Review Committee will reconsider the decision in private and write to the teacher to notify them of the outcome of the review and of the teacher's right of appeal to the Governing Body's Pay Review Appeals Committee and their right to be represented by a trade union representative or a work colleague.

If the teacher wishes to exercise their right of appeal, they must write to the Clerk of the Governing Body at the earliest opportunity and normally within 10 school working days, including a statement of the grounds of the appeal and sufficient details of the facts on which they will rely.

This will invoke the Second Stage of the Pay Hearings and Appeal Process

Stage Two – the Appeal

On receipt of the written appeal, the Clerk to the Governing Body will convene a meeting of the Pay Review Appeals Committee within 20 school days of the date on which the

⁶ A mutually convenient time and date for the meeting will be agreed with the appraisee and/or his/her representative,

appeal was received⁷. The Pay Review Appeal Committee should consist of three governors, none of whom are employees in the school or have been previously involved in the relevant pay determination process. Both the head-teacher and the appraiser may be required to attend the meeting as witnesses.

The Chair of the Pay Review Committee will be invited to take the Pay Review Appeal committee through the procedures that were observed in arriving at their decision. Both the head-teacher and the appraiser may be required to attend the meeting as witnesses. The Chair of the Pay Review Appeal Committee will invite the employee and/or their representative to set out their case.

All parties will have the opportunity to ask questions following the presentations/representations.

Following the conclusion of presentations by all relevant parties, the Appeal Committee will then consider all the evidence in private and reach a decision. The Appeal Committee will write to the teacher notifying them of their decision and the reasons for it. Other attendees at the meeting will also be notified of the decision. The decision of the Appeal Committee is final.

Format for Stage 1 and 2 Pay Review Hearings and Appeal Meetings

Stage 1 – Pay Review Committee Representations meetings

- (i) Chair of the Pay Review Committee will outline the process followed by the Committee in making their decision, and provide the reasons for refusal of pay progression.
- (ii) Employee (or their representative) will have the opportunity to question the Chair of the Pay Review Committee.
- (iii) Employee (or their representative) will make their representations.
- (iv) The Pay Review Committee will have the opportunity to question the employee.
- (v) Head-teacher/Appraiser may be called upon to clarify the basis for the original recommendation.
- (vi) Head-teacher/Appraiser may be asked questions by either the employee (or their representative) or the Pay Review Committee.
- (vii) Employee (or their representative) will have the opportunity to sum up their case if they so wish.
- (viii) Employee, their representative and the Head-teacher/Appraiser will withdraw while Pay Review Committee considers the representations made by the employee and reaches a decision.
- (ix) Employee, their representative and the Head-teacher will be recalled to be given the Committee's decision. The Committee will either accept the representations made or confirm the original decision. If the Committee determines to confirm the original decision, the employee will be advised of their right of appeal.

⁷ A mutually convenient time and date for the meeting will be agreed with the appellant and/or his/her representative.

- (x) The decision will be confirmed in writing to the employee, advising of their right of appeal where applicable.

Stage 2 – Pay Review Appeals Committee Meeting

- (i) Chair of the Pay Review Committee will outline the process followed in making their decision and provide reasons for refusal of pay progression
- (ii) Appeal Committee and employee (or their representative) will have the opportunity to question the Chair of the Pay Review Committee.
- (iii) Employee (or their representative) will present information regarding their appeal.
- (iv) Appeal Committee and the Chair of the Pay Review Committee will have the opportunity to question the employee.
- (v) Head-teacher/Appraiser may be called upon to clarify the basis for their original recommendation.
- (vi) Head-teacher/Appraiser may be asked questions by either the employee (or their representative) or the Appeals Committee.
- (vii) The head-teacher/appraiser will withdraw after presenting their evidence and answering any questions.
- (viii) Chair of the Pay Review Committee and the employee (or their representative) will have the opportunity to sum up their case if they so wish.
- (ix) Employee and their representative and the Chair of the Pay Review Committee will withdraw while Appeal Committee considers the information and reaches a decision.
- (x) Employee and their representative, the head-teacher and the Chair of the Pay Review Committee will be recalled to be given the Appeal Committee's decision. If the Appeal Committee determines to confirm the original decision the employee will be advised that they have no further right of appeal.
- (xi) The decision will be confirmed in writing to the employee.

APPENDIX 2

UPPER PAY RANGE PROGRESSION CRITERIA

Professional attributes

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

Professional knowledge and understanding

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.

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.

Have up-to-date knowledge and understanding of the different types of qualifications and specifications and their suitability for meeting learners' needs.

Have a more developed knowledge and understanding of their subjects/curriculum areas and related pedagogy including how learning progresses within them.

Have sufficient depth of knowledge and experience to be able to give advice on the development and wellbeing of children and young people.

Professional skills

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 developments, including those relating to subject/curriculum knowledge.

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.

Promote collaboration and work effectively as a team member.

Contribute to the professional development of colleagues through coaching and mentoring, demonstrating effective practice, and providing advice and feedback.

APPENDIX 3

UPPER PAY RANGE APPLICATION FORM

Teacher's Details:

Name _____

Post _____

PM/Appraisal Details:

Years covered by planning/review statements Schools covered by planning/review statements

Declaration:

I confirm that at the date of this request for assessment to cross the threshold I meet the eligibility criteria and I submit performance management/appraisal planning and review statements covering the relevant period.⁸

Applicant's signature _____ Date _____

⁸ Providing any further supporting information in addition to your appraisal statements is optional