



## Pay Policy 2019-20 (Teachers)

Approved by Trust Board on tbc  
Applicable from 01 September 2019

**Note: elements of this Policy with respect to pay awards being made in Autumn 2020 have been superseded by changes agreed in light of Covid. See Annex 5.**

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## 1.0 PURPOSE

1.1 Co-op Academies Trust believes that a fair, transparent and consistent pay policy which recognises and rewards teachers as highly skilled professionals is a key element in effective school improvement. This pay policy will help to recruit, retain and motivate teachers, provide the basis for sound financial and personnel planning and minimise the risk of grievance and discrimination.

**1.2 This policy relates to the 2019/20 academic year** and applies to all teaching staff employed by Co-op Academies Trust, including unqualified teachers, teachers on the main and upper pay scales, leading practitioners and senior leaders paid under the School Teachers' Pay & Conditions Document (STPCD). It does not apply to agency teacher who may be working within the school, but are not directly employed by the school.

1.3 It is consistent with the STPCD published in September 2019, and is reviewed annually.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/832634/School\\_teachers\\_pay\\_and\\_conditions\\_2019.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/832634/School_teachers_pay_and_conditions_2019.pdf)

## 2.0 INTRODUCTION

2.1 This policy sets out the framework for making decisions on teachers' pay. It has been developed to comply with current legislation and the requirements of the STPCD and has been consulted on with the recognised trade unions. A copy of this policy, and any other relevant documents on pay and conditions, will be made available to staff by the school.

2.2 In adopting this pay policy the aim is to:

- assure the quality of teaching and learning at the academy
- support recruitment and retention, and reward teachers appropriately; and
- ensure accountability, transparency, objectivity and equality of opportunity.

2.3 Pay decisions are made by each Academy's Governing Body, which will establish a Committee with fully delegated powers to deal with decisions on performance related pay progressions and other matters relating to pay (referred to throughout this document as the Pay & Remuneration Function).

2.4 Pay decisions relating to the Headteacher/Principal are made by the Trust's CEO on behalf of the Trust Board, in conjunction with the Chief Education Officer and Chair of Governors for the relevant academy.

2.5 Employees of the Academy who are members of the Governing Body (or Pay & Remuneration Function if delegated) should not participate in discussions or decisions relating to the pay of individual members of staff. The Headteacher/Principal is responsible for advising the Pay & Remuneration Function on its decisions, and may have certain responsibilities delegated where the Headteacher/Principal makes a decision and then reports back (e.g. salary offer within agreed pay scale on recruitment, recruitment & retention payments). Further details are at **Annex 1**.

### 3.0 PAY REVIEWS

3.1 The Pay & Remuneration Function will ensure that each teacher's salary is reviewed annually between 1 September and 31 October, and that each teacher is notified of the outcome by no later than 30 November each year in a written statement setting out their salary and any other financial benefits to which they are entitled. **It is a statutory requirement to provide an annual salary statement to all teachers, even if their salary has not changed.** An example template letter is given at **Annex 2**. Further information can be found in the Co-op Academies Trust's Performance Management (Teachers) policy and in section 5.0 of this policy.

3.2 Reviews may take place at other times of the year to reflect any changes in circumstances or job description that lead to a change in the basis for calculating an individual's pay. A written statement will be given after any interim review and where applicable will give information about the basis on which it was made

3.3 Where a pay determination leads or may lead to the start of a period of safeguarding (protection of salary), the Pay & Remuneration Function will give the required notification as soon as possible and no later than one month after the date of the determination.

### 4.0 BASIC PAY DETERMINATION ON APPOINTMENT

4.1 The Pay & Remuneration Function will determine the pay scale for a vacancy prior to advertising it, wherever practical and in conjunction with the Headteacher/Principal. For Headteacher / Principal roles see 4.13..

4.2 On appointment the Pay & Remuneration Function will determine the starting salary within the advertised scale to be offered to the successful candidate, and any additional recruitment & retention allowance. In making such determinations, the Pay & Remuneration Function will apply the principles and pay scales set out in this policy, and take in to account the nature of the post, the level of qualifications, skills and experience required.

4.3 Co-op Academies Trust will maintain teachers' previous pay entitlements in accordance with the principle of pay portability within the national teachers' pay scale, and will seek information from a teacher's previous school to enable them to do this.

#### Qualified teacher posts (main pay scale and upper pay scale)

4.4 Co-op Academies Trust has established the following pay scales for classroom teacher posts paid on the Main Pay Scale and Upper Pay Scale.

<b>Main Pay Scale</b>	
1 (minimum)	£24,373
2	£26,298
3	£28,413
4	£30,599
5	£33,010

6 (maximum)	£35,971
<b>Upper Pay Scale</b>	
1 (minimum)	£37,654
2	£39,050
3 (maximum)	£40,490

It is expected that all NQTs will not be paid less than MPS1, including Teach First colleagues in their second year (who have achieved NQT status).

### Leading Practitioner teacher posts

4.5 Co-op Academies Trust has established the following pay scale for Leading Practitioner teacher posts.

<b>Leading Practitioner Pay Scale</b>	
1 (minimum)	£41,267
2	£41,844
3	£42,653
4	£43,465
5	£44,273
6	£45,084
7	£45,893
8	£46,704
9	£47,512
10	£48,324
11	£49,176
12	£50,030
13	£50,886
14	£51,741
15	£52,596
16 (maximum)	£53,451

4.6 Leading Practitioner posts may be established for teachers:

- whose primary purpose is the modelling and leading improvement of teaching skills in their Academy and the wider Trust community which impact significantly on pupil progress and the effectiveness of staff/colleagues
- who undertake sustained additional leadership responsibilities for this, where those duties fall outside the criteria for the TLR payment structure, which may include but is not limited to
  - coaching, mentoring & induction of teachers
  - sharing and advising on practice, research and continuing professional development provision
  - assessment and impact evaluation, including through demonstration lessons and classroom observation
  - helping teachers who are experiencing difficulties.

4.7 The Pay & Remuneration Function should determine the individual post pay range for such roles, the maximum of which may be at any point as long as it does not exceed the maximum stated above and allows for performance related progress over time. In doing so, the Pay & Remuneration Function should consider the weight of the responsibilities of the post and bear in mind the need to ensure pay equality between the Trust's Academies and fair pay relativities between posts of differing levels of responsibility.

4.8 Leading Practitioners must demonstrate high quality performance in light of their agreed performance criteria. Pay progression for these posts is not automatic and Leading Practitioners will be subject to a review of performance before any pay increase is awarded.

4.9 There is no requirement for an Academy to establish Leading Practitioner teacher posts.

4.10 The STPCD provides for the Leading Practitioner pay scale to go up to a maximum of £62,735. If the Pay & Remuneration Function of an academy wishes to exceed the maximum stated in section 4.5 they should contact the Head of HR who will refer the request to the Trust Board for consideration.

### **Unqualified teachers**

4.11 Co-op Academies Trust has established the following pay scale for unqualified teachers employed in classroom teacher posts. It is expected that salaried trainee teachers will be paid at the lower end of this pay scale, to enable salary progression to MPS upon gaining NQT status.

<b>Unqualified Teacher Pay Scale</b>	
1 (minimum)	£17,682
2	£19,739
3	£21,794
4	£23,851
5	£25,909
6 (maximum)	£27,965

4.12 Upon obtaining qualified teacher status the teacher must be transferred to a salary within the main pay scale, at a salary which is the same or higher than their unqualified teacher salary.

### **Headteachers / Principals, and other leadership group roles**

4.13 The pay range, and pay on appointment, for Headteacher / Principal posts will be determined by the Trust CEO on behalf of the Trust Board in conjunction with the relevant Chief Education Officer and Chair of Governors, taking into consideration the criteria specified in the 2019 STPCD and ensuring fair pay relativities.

4.14 The Pay & Remuneration Function will determine the size and composition of the leadership group including, but not limited to, Vice Principals / Deputy Headteachers & Assistant Vice Principals / Assistant Deputy Heads, and Heads of Faculty (where Heads of Faculty are part of the leadership group within an Academy), and will review its membership annually. All members of the leadership group will have substantial strategic responsibilities for Academy leadership and management.

4.15 The Pay & Remuneration Function will continue to use a 5 point remuneration pay range for leadership group posts when they propose to make new appointments or where there is a significant change in responsibilities of serving leadership group members, taking into consideration the criteria specified in the STPCD and ensuring fair pay relativities within the Academy and between academies.

4.16 For payroll purposes, and to help monitor fairness and consistency, it is recommended that academies define leadership group pay ranges and/or pay points with reference to the scale set out below. Should there be a need to go beyond the top of the scale then additional points may be added at similar intervals, subject to agreement with the Trust CEO and Chief People OfficerR.

<b>Leadership</b>			
L1	£41,065	L23	£70,556
L2	£42,093	L24	£72,306
L3	£43,144	L25	£74,103
L4	£44,218	L26	£75,936
L5	£45,319	L27	£77,818
L6	£46,457	L28	£79,748
L7	£47,707	L29	£81,723
L8	£48,808	L30	£83,757
L9	£50,026	L31	£85,826
L10	£51,311	L32	£87,960
L11	£52,643	L33	£90,145
L12	£53,856	L34	£92,373
L13	£55,202	L35	£94,669
L14	£56,579	L36	£97,013
L15	£57,986	L37	£99,424
L16	£59,528	L38	£101,885
L17	£60,895	L39	£104,368
L18	£62,426	L40	£106,972
L19	£63,975	L41	£109,644
L20	£65,561	L42	£112,392
L21	£67,183	L43	£114,060
L22	£68,851		

## 5.0 PAY PROGRESSION BASED ON PERFORMANCE

5.1 The arrangements for the performance management of teachers are set out in the Co-op Academies Trust's Performance Management Policy (Teachers).

5.2 Decisions regarding pay progression will be made with reference to the teachers' Planning & Review Reports and the pay recommendations they contain, which are subject to moderation to ensure fairness and consistency. The Pay & Remuneration Function of each Academy will consider annually whether or not to increase the salary of teachers who have completed a year of employment since the previous annual pay determination, based on the assessment of a teacher's performance during the year.

5.3 In the case of NQTs, pay decisions will be made by means of the statutory induction process; salary progression will be awarded following successful completion of the NQT year.

5.4 Where teachers have joined an Academy part way through a performance management cycle, the Principal/Headteacher will, where necessary, seek evidence from the previous schools to supplement evidence from their current role and assist the Pay & Remuneration Function with pay decisions. If the Teacher's previous school does not assist with the relevant evidence, the Teacher can provide evidence.

5.5 A decision may be made to award accelerated progression where performance has been exceptional.

5.6 A decision may be made not to award any progression, whether or not the teacher is subject to capability proceedings, where performance criteria have not been met. Where this is the case, the concerns regarding performance should have been raised and recorded in writing with the teacher during the performance management cycle and support should have been provided to address the concerns: this should not be left until the end of year review. The review should be deemed to be successful unless significant concerns about standards of performance have been raised in writing with the teacher during the annual performance management cycle and have been addressed through support provided by the school by the conclusion of that process.

5.7 Final decisions about whether or not to accept a pay recommendation will be made by the Pay & Remuneration Function, having regard to the Planning & Review Report.

5.8 Pay changes as a result of the annual pay review will be with effect from 1 September. The Pay & Remuneration Function will ensure that appropriate funding is allocated for pay progression for all eligible teachers.

### **Teachers on unqualified, main and leading practitioner pay scales**

5.9 All teachers on the unqualified teacher, main and leading practitioner pay scales can expect progression towards the top of their pay scale as a result of successful performance management outcomes.

### **Teachers on the upper pay scale**

5.10 Teachers on the upper pay scale can expect progression towards the top of their pay scale on a biennial basis where achievements and contributions to the school, throughout the relevant period, have continued to be substantial and sustained (see Annex 3) and may be progressed on an annual basis where performance is considered to be particularly strong. The decision on whether or not to award progression will take into account the performance review(s) that has/have taken place since movement to, or through, the UPS was last reviewed. The review(s) should demonstrate successful performance against robust objectives set at an appropriate level -see Performance Management (Teachers) Policy for further guidance.

In certain cases, such as when a teacher has been absent due to maternity, paternity, adoption or parental leave, or long term sickness absence, the review may be based on supporting evidence covering the reduced period of time that they were in school; this may mean on the basis of only one performance review. The expectation remains that achievements and contributions will be substantial and sustained for the period worked. Reasonable adjustments should be considered for teachers with a disability.



A teacher transferring to join the Trust at UPS1/2 may be progressed after one year's employment with the Trust if otherwise eligible, and may present a combination of evidence from their time in the Trust and from their previous school (e.g. previous performance reviews). The Trust undertakes to review the evidence from a previous school and make clear whether or not it is considered strong enough. The Trust does not wish colleagues to be disadvantaged by changing employers, but is also mindful of the need to consider and maintain performance expectations within the Trust. Colleagues are therefore recommended to discuss this evidence with their manager at the earliest opportunity.

## **Headteachers / Principals**

5.11 Pay progression is not automatic. The Headteacher/Principal must demonstrate sustained high quality performance, with particular regard to leadership, management and pupil progress and attainment at the school and will be subject to a review of performance against robust performance objectives before any pay progression will be awarded.

## **Other leadership group roles**

5.12 Pay progression is not automatic. Staff working in leadership group roles must demonstrate sustained high quality performance in respect of school leadership and management, and pupil progress and attainment, and will be subject to a review of performance against robust performance objectives before any pay progression will be awarded.

## **6.0 MOVEMENT TO THE UPPER PAY SCALE**

6.1 The Upper Pay Scale (UPS) is separate to the main pay scale, and is intended to reward teachers who are able to demonstrate that they are both:

- highly competent in terms of the quality of their teaching, with regard to all elements of the relevant standards, and
- working at a level where their achievements and contribution to the education setting(s) are “substantial” and “sustained” [see Annex 3].

It should not be seen as a payment to reward taking on specific additional duties.

### **Notification and Evidence**

6.2 Any qualified teacher may give notice that they wish to be paid on the UPS and any such notification must be assessed in line with this policy; it is expected that the majority of teachers wishing to be considered for UPS will already have reached M6 on the main pay scale, however this is not a requirement.

6.3 Notifications may be given once a year. It is the responsibility of the teacher to decide whether or not they wish to put themselves forward to be paid on the Upper Pay Scale, and notifications should be submitted to the Headteacher/Principal between 1 September and 31 October each year.

6.4 Where a teacher is intending to seek progression in the future, it is strongly recommended that they discuss this at an early stage with their Reviewer so that the performance management process can

include robust and appropriate objectives which, once successfully completed, will help the teacher to evidence the standards required for progression.

6.5 Where a teacher wishes to be considered for UPS they should notify the Headteacher/Principal in writing, and may wish to refer to supporting evidence that will usually cover the two years leading up to the date of notification (in order to demonstrate “sustained”), and provide confirmation that they meet the eligibility criteria set out in **Annex 3**. The notification should be appended to the Planning & Review Report.

6.6 The evidence to be used will be only that available through the performance management process, which may include relevant pupil/student data, evidence of teaching & learning observations, evidence of continuing CPD, evidence of significant contributions to the life of the Academy.

6.7 In certain cases, such as where a teacher has been absent due to maternity, paternity, adoption or parental leave, or on long term sickness absence, teachers will only be required to submit supporting evidence covering the reduced period of time they were at school: this may mean the teacher only has evidence from one performance review to submit. Reasonable adjustments should be considered for teachers with a disability.

A teacher transferring to join the Trust at MPS may present a combination of evidence from their time in the Trust and their previous school. The Trust undertakes to review the evidence from a previous school and make clear whether or not it is considered strong enough. The Trust does not wish colleagues to be disadvantaged by changing employer, but is also mindful of the need to consider and maintain performance expectations within the Trust. Colleagues are therefore recommended to discuss this evidence with their manager at the earliest opportunity.

6.8 In exceptional cases, where the nature of absence or absences means the teacher does not have any results from performance management reviews to allow them to be considered fairly, they will be able to cite evidence drawn from a shorter time frame (one year preceding the assessment date) and will also be permitted to present evidence which aggregates to two years drawn from a period of up to five years immediately before the date of their notification.

6.9 If a teacher is simultaneously employed at another school(s) outside of the Trust, they must submit a separate notification if they wish to apply to be paid on the Upper Pay Scale in that school. Co-op Academies Trust will not be bound by any pay decision made by another school.

6.10 If a teacher is simultaneously employed at more than one Co-op Academies Trust school, this should be made clear in their notification. The Headteacher/Principal receiving the notification should seek advice from their Hub HR Manager.

## **The Assessment**

6.11 Movement on to or through the UPS is not automatic, and it should not be seen as an extension of the main pay scale.

6.12 A notification from a qualified teacher will be successful where the Headteacher/Principal is satisfied that the teacher has met the expectations for progression to the UPS, including the criteria set out in **Annex 3**, and:

- (a) the teacher is working at the UPS level on an ongoing basis and is highly competent in all elements of the relevant standards; and
- (b) the teacher’s achievements and contribution are substantial and sustained (usually evidenced through two years’ of successful performance reviews); and

(c) there is evidence within the performance management review to support contribution to teaching & learning with the wider Academy; and

6.13 The evidence to support progression to and within UPS should be considered separately to leadership responsibilities that are remunerated through a TLR allowance, although the two may overlap (i.e. holding a TLR does not automatically lead to UPS progression, or visa versa). Applications to progress to UPS will be considered on their merits and against the criteria in Annex 3.

6.14 The evidence provided will normally be assessed by the Headteacher/Principal and a recommendation made to the Pay & Remuneration Function.

### **Pay determination on appointment to UPS**

6.15 In making its final decision on whether and where to place a teacher on the UPS, the Pay & Remuneration Function will have regard to the two most recent performance management reviews and take into account advice from the Headteacher/Principal.

6.16 In making a pay determination on appointment to the UPS, the Pay & Remuneration Function will take into account a range of factors including the nature of the post and the responsibilities it entails, the level of qualifications, skills and experience of the teacher.

6.17 The teacher will be informed of the decision no later than 20 working days following the Pay & Remuneration Function's receipt of the Headteacher/Principal's initial recommendation.

6.18 If successful the teacher will move to the UPS from the previous 1 September.

6.19 If unsuccessful, feedback will be provided by the Headteacher/Principal to the teacher no later than 10 working days following communication of the decision. The feedback will cover the reasons for the decision, and make specific reference to any areas for further development; the teacher should also be informed of the appeals process (**Annex 4**).

6.20 UPS salary levels are permanent within the Trust.

## **7.0 PART-TIME TEACHERS**

7.1 Teachers employed by Co-op Academies Trust on permanent, fixed term or long term temporary basis and who work less than a full working week are deemed to be part-time.

7.2 The salary and allowances, if any, of any person appointed as a part-time teacher must be determined in accordance with the pro-rata principle as set out in the STPCD 2019.

7.3 The Headteacher/Principal will give them a written statement detailing their working time obligations and the mechanism used to determine their pay, subject to the provisions of the statutory pay and working time arrangements.

7.4 When a Pay & Remuneration Function is required to review pay progression recommendations for a part-time teacher, they should do so with due regard to those hours that the teacher is employed to work under their contract of employment and any additional hours worked from time to time by the Headteacher/Principal or Pay & Remuneration Function.

## **8.0 SHORT NOTICE/SUPPLY TEACHERS**

8.1 Teachers employed directly by Co-op Academies Trust on a day to day or other short notice basis will be paid on a daily or hourly basis for the role they are performing.

8.2 Teachers paid on a daily basis will have their salary paid at  $1/195 \times$  annual salary, which includes an element of holiday pay. Teachers who work less than a full day will be paid at the daily rate above, then divided again by the proportion of the full pupil day which they teach to arrive at the hourly rate.

8.3 Teachers should be paid for all the hours they are required to be on school premises, and consideration should be given to their entitlement to PPA time.

8.4 A short notice teacher employed either by an individual Academy, or across a number of Trust Academies, throughout a 12 month period beginning in August or September must not be paid more in respect of that period than they would have received had they been in regular employment with the Trust throughout the period.

## **9.0 PAY INCREASES ARISING FROM CHANGES TO THE STPCD 2019**

9.1 Co-op Academies Trust has uplifted all existing pay points and allowances for all teachers in line with the recommendations of the STPCD 2019. This has been implemented with effect from 01 September 2019 (backdated as necessary).

## **10.0 DISCRETIONARY ALLOWANCES AND PAYMENTS**

### **Teaching & Learning Responsibility Payments (TLRs)**

10.1 Each Governing Body must keep under review how many leadership group posts and other posts are needed in its staffing structure and whether a TLR1 or TLR2 is an appropriate part of that structure and, if so, the appropriate cash values in light of the criterion and factors set out below. The responsibilities for which a TLR1 or TLR2 is awarded should be clearly set out in the job description for the post.

10.2 TLRs will be awarded to a teacher whose post requires them to undertake a sustained additional responsibility in the context of the Academy's staffing structure for the purpose of ensuring the continued delivery of high quality teaching and learning for which they are accountable.

10.3 TLR payments must be made on objective criteria, with consideration to fairness and consistency across Co-op Academies Trust, and equal pay legislation.

10.4 TLR payments should not be used for recruitment and retention purposes.

### **TLR1 and TLR2**

10.5 The Trust pays TLR 1 and 2 payments to teachers in accordance with the pay scales specified in the 2019 STPCD, as updated from time to time, and the following levels and values will apply:

TLR 2A (minimum)	£2,796
TLR 2B	£4,656
TLR 2C	£6,517
TLR 2D (max)	£6,829
TLR 1A (minimum)	£8,069
TLR 1B	£9,929
TLR 1C	£11,791
TLR 1D (max)	£13,654

10.6 Before awarding any TLR 1 or 2 payment, the Pay & Remuneration Function must be satisfied that the duties of a post 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.

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

10.8 Teachers will not be required to undertake substantial permanent additional responsibilities without payment of an appropriate permanent TLR1 or TLR2 payment.

10.9 A TLR1 or TLR2 is a payment integral to the responsibilities of a permanent post within an Academy's staffing structure and therefore:

- must be paid pro-rata to part time teachers (see section 7)
- may be shared between two people when job-sharing a post
- may be paid on a temporary basis, with no safeguarding, where a teacher occupies a post attracting the allowance in the temporary absence of the post-holder (for example, cover for secondment, maternity or sick leave, or vacancies pending permanent appointment)

10.10 TLR1 and TLR2 allowances are permanent while the teacher remains in the same post in the staffing structure. If a teacher moves to a different post, the Governing Body must determine whether a different TLR (or no TLR) applies.

10.11 Teachers may not hold more than one TLR1 or TLR2 payment, but a single TLR payment can be based on a job description that itemises several different areas of significant responsibility. A teacher can hold one or more TLR3 payments in addition to a TLR1 or TLR2 payment.

### **TLR3**

10.12 Before making any TLR3 payment, the Headteacher/Principal must be satisfied that the responsibilities meet the at least two of the criteria listed in section 10.6 above; that they are being awarded for clearly time limited academy improvement projects or externally driven responsibilities where there is a

genuine development or operational need; and that the responsibilities are not a permanent or structural requirement which should instead be rewarded by means of a permanent TLR payment.

10.13 Wherever possible and appropriate, TLR3 opportunities should be advertised before being awarded.

10.14 Where the Headteacher/Principal wishes to make TLR3 payments, the proposed responsibilities, level of payment (within the scale of £555 to £2,757 per annum, paid prorata for the duration of the fixed term) and the duration of payment will be set out clearly in writing.

10.15 Under the terms of STPCD 2019, TLR3 payments are not subject to usual pro-rata treatment for part time staff. Someone taking on the advertised remit will be expected to undertake the full responsibilities and will therefore receive the full payment.

10.16 The Headteacher/Principal will report any such payments at the next meeting of the Pay & Remuneration Function, who are responsible for ensuring that the criteria of the payment have been met.

10.17 TLR3s can only be made to qualified classroom teachers. They may be made to existing TLR1 or TLR2 post-holders, where it is clear that the additional temporary responsibilities fall outside those already rewarded via the TLR1/2.

10.18 TLR3 payments will not be used to replace or otherwise limit teachers' pay progression on the Main, Upper or Leading Practitioner Pay Scales. There is no safeguarding of TLR3 payments.

### Special educational needs (SEN) allowances

10.19 The Pay & Remuneration Function will award SEN allowances in accordance with the criteria and provisions set out in the 2019 STPCD, and the following levels and values will apply (pro rata for part time staff):

SEN Min	£2,209
SEN Mid	£3,284
SEN Max	£4,359

10.20 When awarding SEN allowances the Pay & Remuneration Function should take in to account the structure of the Academy's SEN provision and:

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

10.21 SEN allowances should be reviewed annually by the Pay & Remuneration Function to ensure the criteria for the allowance are still met in light of the role performed by the post-holder. Holders of SEN allowances:

- must have the relevant responsibilities clearly specified in their job description
- should be clearly identified in the academy's published staffing structure
- must not be receiving a SEN allowance for something that would be more appropriately rewarded via a TLR payment instead (they should not receive both a SEN and TLR allowance for the same responsibilities)

- should not be carrying out tasks that would be more appropriately undertaken by support staff

10.22 SEN allowances may be held at the same time as TLRs, but should not be used for the purposes of recruitment and retention. SEN allowances are not subject to salary protection (safeguarding).

### **Acting allowances**

10.23 Where any teacher is required to act as Headteacher/Principal, Deputy Headteacher/Vice Principal, Assistant Deputy Headteacher/Assistant Vice Principal, or other post of responsibility for a period in excess of four weeks, s/he may receive an additional allowance which may be backdated to the day on which the teacher assumed those duties.

10.24 The Pay & Remuneration Function will determine whether or not an acting allowance is to be paid and, if so, the appropriate point on the pay scale which shall not be lower than the minimum of the pay scale for the role in question.

10.25 The Governors will also consider any 'knock-on' effects, e.g. whether further Acting Allowances would be payable to other teaching staff, including the award of any TLR3s.

## **11.0 OTHER PAYMENTS**

11.1 The Pay & Remuneration Function, upon the recommendation of the Headteacher/Principal, may approve other payments as they see fit. Where possible, an Academy should document the rates and circumstances when such payments would be made.

### **Continuing professional development outside directed time**

11.2 Additional payments will be made to teachers (including the Headteacher/Principal) who agree to undertake such activities, where payment of these is agreed in advance with the Headteacher/Principal (or Chair of the Governing Body & Chief Education Officer for the Headteacher/Principal).

11.3 Additional payments will be paid following consideration by the Pay & Remuneration Function, at a level reflecting the responsibility and size of the commitment.

11.4 The Trust 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, Academies will endeavour to offer suitable alternative training arrangements within directed time in line with the Trust's commitment to equal opportunities.

### **Initial teacher training activities**

11.5 Activities that may attract payment include planning an initial teacher training course, supervising and observing teaching practice, giving feedback on performance and acting as a professional mentor.

11.6 Teachers who undertake initial teacher training activities which are not seen as part of the ordinary running of the school should be given separate contracts of employment to cover areas of work that are not part of their substantive teaching job.

## **Out of school learning activities**

11.7 Activities that may attract payment at a rate determined in accordance with local needs include (but are not limited to) breakfast and homework clubs, summer schools, sporting activities, other activities and clubs linked to curricular, arts and hobby interest areas.

## **Provision of services to other academies**

11.8 The Trust and/or Pay & Remuneration Function(s) have discretion to make payments to Headteachers/Principals/SLT/Teachers who provide a service relating to raising educational standards in one or more additional schools, and also to any of the Academy's teachers whose post acquires additional responsibilities as a result. Payments are not automatic.

## **Recruitment and retention incentives and benefits**

11.9 Recruitment and retention incentives and benefits can be used where a Headteacher/Principal believes this is necessary to:

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

They should not be made for carrying out specific responsibilities or to supplement pay for any other reasons.

11.10 Governing Bodies are free to determine the value of any award, within the powers delegated to them for managing their Academy's budget, according to the circumstances of each case but taking into account salary relativities across the Academy's structure and known staffing changes in the future and would normally not exceed £4,350 per annum.

11.11 The duration of the payment, and whether it is monthly, periodic, or one-off will be determined according to the circumstances of the case. Initially this may be for a maximum period of two years, but will be subject to annual review which may extend the period if appropriate.

11.12 Where a Pay & Remuneration Function decides to make recruitment and retention payments to teachers, the level, duration and criteria for such payments will be set out clearly. The written notification should include:

- Whether the award is for recruitment or retention
- The nature of the award (for example, cash sums, travel, housing costs)
- When and how it will be paid (if applicable)
- The start date and expected duration of the incentive (unless it is a one-off payment)
- The review date after which it may be withdrawn
- The basis for any uplifts which will be applied (if applicable).

11.13 Each Academy's Pay & Remuneration Function will conduct a formal annual review of all such awards.

11.14 Normally a recruitment or retention payment will be financial, but where appropriate, Governing Bodies may consider other benefits e.g. relocation expenses, payment for a travel season ticket, health care, sports membership, childcare provision. These benefits may be taxable, and advice and should therefore be sought prior to considering the introduction of such benefits.



11.15 Headteachers/Principals should not be awarded any recruitment or retention payments other than as reimbursement of reasonably incurred housing or relocation costs. All other considerations must be taken into account when determining the pay scale for the role.

### **Honoraria**

11.16 The Pay & Remuneration Function 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 2019 STPCD for the payment of bonuses or honoraria in any circumstances.

## **12.0 SAFEGUARDING**

12.1 Co-op Academies Trust will operate salary safeguarding arrangements in line with the provisions of the 2019 STPCD. There will be no safeguarding of TLR3 payments.

## **13.0 APPEALS**

13.1 The arrangements for considering appeals on pay determination are set out in Annex 4 of this policy.

## **14.0 MONITORING THE IMPACT OF AND REVIEWING THE POLICY**

14.1 Co-op Academies Trust and its Governing Bodies will monitor the outcomes and impact of this policy on a regular basis in conjunction with union representatives.

14.2 An annual written report on the operation of the pay policy, recording pay decisions taken and equality impact, will be provided by each Pay & Remuneration Function/Governing Body to the Chief Education Officer and the Chief People Officer / Hub HR Manager, including trends in progression across specific groups of teachers to assess its effect and the Academy's continued compliance with equalities legislation. The outcomes of these reviews will be shared with union representatives through the JCNC.

14.3 The Trust will consult trade union representatives when reviewing this policy and its provisions.

14.4 Local union representatives will be consulted where an academy reviews its staffing structure and the payments made under it.

## **ANNEX 1 - REMIT FOR THE PAY & REMUNERATION FUNCTION OF THE GOVERNING BODY**

The Pay & Remuneration Function will comprise at least three governors, elected at a meeting of the full Governing Body at which a minimum of 50% of those Governors holding office at that time were present. All governors, including those employed at the Academy, will be eligible for membership of the Pay & Remuneration Function and will be eligible to take part in any discussions (excluding those relating to individuals' pay and allowances) where their interest is no greater than that of the generality of employees at the academy.

**However, in relation to decision-making around individuals' pay, there should be a minimum of three governors present none of whom should be employed by the Academy.**

### **The Governing Body is responsible for:**

- ensuring that the Trust's Pay Policy is implemented within the Academy;
- 

### **The Headteacher/Principal is responsible for:**

- ensuring that pay recommendations for all staff covered by the terms of the Pay Policy are made and submitted to the Pay & Remuneration Function in accordance with the terms of the policy;
- advising the Pay & Remuneration Function on its decisions;
- ensuring that staff are informed of the outcome of decisions of the Pay & Remuneration Function, and of the right of appeal;
- providing an annual report on implementation of the policy and decisions taken in accordance with the terms of the policy to the Chief People Officer / Hub HR Manager.
- 

### **The Pay & Remuneration Function is responsible for:**

- implementing the Pay Policy within the Academy;
- taking decisions regarding the pay of the Vice and Assistant Deputy Headteacher/Vice Principal(s), classroom teachers and support staff following consideration of the recommendations of pay reviewers and the advice of the Headteacher/Principal;
- taking decisions regarding the pay of the Headteacher/Principal following consideration of the recommendations of the Trust CEO, Chief Education Officer and Governor(s) responsible for the Headteacher/Principal's performance review;
- submitting reports of these decisions to the Governing Body;
- ensuring that the Headteacher/Principal is informed of the outcome of the decision of the Pay & Remuneration Function and of the right of appeal.
- reviewing implementation of the policy annually, in consultation with the Headteacher/Principal, and submitting their review and annual report of decisions taken in accordance with the terms of the policy to the Governing Body for approval.

### **The Appeals Committee of the Governing Body is responsible for:**

- taking decisions on appeals against the decisions of the Pay & Remuneration Function, in accordance with the terms of the appeals procedure contained in this policy.

## ANNEX 2 - TEMPLATE LETTER FOR NOTIFYING PAY DECISIONS (ANNUAL SALARY STATEMENT)

Name  
Address

Date

Dear (Name),

### Performance related pay increase

Following your annual performance management review with (name of reviewer), I am writing to confirm your pay with effect from 1 September 2019:

	Current	New (if different)
Pay scale / pay point (e.g. MPS 3)		
Full time equivalent salary		
Allowances (e.g. TLRs)		

If applicable, your backdated pay will be in the (insert month) payroll run.

You have the right of appeal in respect of this pay decision, which you should exercise within 10 working days of receiving this letter. Further details can be found in Annex 4 of the Trust's Pay Policy.

Thank you for your continued hard work.

Yours sincerely

Name  
Job Title

## ANNEX 3 - UPPER PAY SCALE PROGRESSION CRITERIA

Movement on to, or through, the UPS is not automatic. The Headteacher/Principal must be satisfied that the teacher is working at the UPS level, as set out in the criteria below, on an ongoing basis and that their expertise has continued to grow over the relevant period.

Teachers on the UPS are:

- expected to be highly competent in all elements of the relevant standards, and
- working at a level where their achievements and contribution to the education setting(s) are “substantial” and “sustained”.

The criteria set out below are provided to assist decision-making, and to help engender fairness and consistency of approach across the Trust. Whilst these “post-threshold standards” are no longer contained in current versions of STPCD, they continue to provide a useful guide.

These standards illustrate an expectation that a teacher on the UPS will have excellent depth and breadth of knowledge, skill and understanding, which they will be able to use to support the professional development of other colleagues and so make a wider contribution to teaching & learning outside their own classroom.

### (1) Professional attributes

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

### (2) Professional knowledge and understanding

- 2.1 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.
- 2.2 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.
- 2.3 Have up to date knowledge and understanding of the different types of qualifications and specifications and their suitability for meeting learners’ needs.
- 2.4 Have a more developed knowledge and understanding of their subjects/curriculum areas and related pedagogy including how learning progresses within them.
- 2.5 Have sufficient depth of knowledge and experience to be able to give advice on the development and wellbeing of children and young people.

### (3) Professional skills

- 3.1 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 developments, including those relating to subject/curriculum knowledge.

- 3.2 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.
- 3.3 Promote collaboration and work effectively as a team member.
- 3.4 Contribute to the professional development of colleagues through coaching and mentoring, demonstrating effective practice, and providing advice and feedback.

## ANNEX 4 - APPEAL PROCESS

### Introduction

The Trust is committed to ensuring that appeals against pay decisions are appropriately considered. As the Planning & Review process is closely related to decision making around pay, the same appeals process applies to both.

### Step One: Informal resolution

A reviewee who is dissatisfied with a performance rating / pay recommendation should have the opportunity to discuss the recommendation with the reviewer and/or Headteacher/Principal **before** the recommendation is made to the pay & remuneration function. This stage in the process will help to ensure that pay decisions are transparent and fair. The opportunity to discuss a pay decision before it is made may also help to mitigate the need for a more formal appeal.

### Step Two: Formal representations

If it is not possible to resolve matters informally and the reviewee believes that an incorrect pay recommendation has been made, s/he may make a formal representation to the pay & remuneration function who will be making the decision. If they wish to do this, the reviewee should submit a formal written statement to the Governing Body setting out the grounds for not agreement with the pay recommendation and including any evidence / witness statements that they wish the pay & remuneration function to consider prior to making their determination.

### Step Three: Formal appeal

Once a pay determination has been made and communicated, the reviewee has the right to raise an appeal against any determination in relation to their pay or Planning & Review statement by the pay & remuneration function (or individual acting with delegated authority). The right of appeal exists whether or not the reviewee chooses to make formal representations (step two).

The following list, which is not exhaustive, includes the usual reasons for seeking a review of a pay determination: That the person or committee by whom the decision was made:

- a) incorrectly applied any provision of the STPCD / Trust policy (as applicable);
- b) failed to have proper regard for statutory guidance;
- c) failed to take proper account of relevant evidence;
- d) took account of irrelevant or inaccurate evidence;
- e) was biased; or
- f) otherwise unlawfully discriminated against the teacher.

### Order of proceedings

1. The teacher receives the written Planning & Review report / written confirmation of the pay determination and where applicable the basis on which the decision was made.
2. The teacher should set down in writing the grounds for the appeal and send it to the person (or committee) who made the determination, within ten working days of the notification of the decision being appealed.
3. For appeals against pay determinations, the appeal should be heard by a panel of three governors who were not involved in the original determination, normally within 20 working days of the receipt of the written appeal notification. Where the appeal relates to the content of a Planning & Review

statement it will be heard by a more senior manager than the one making the original determination, or a panel of three governors if applicable.

4. The teacher will be given the opportunity to make representations in person, to call witnesses (if relevant in circumstances) and to ask questions (see below). The decision of the appeal panel will be given in writing, and where the appeal is rejected will include a note of the evidence considered and the reasons for the decision.
5. The appeal panel's decision is final and there is no recourse to the general staff grievance procedure.

### Notes

- For any formal meeting the teacher is entitled to be accompanied by a colleague or union representative; this person may help to present the case but should not answer questions on behalf of the employee.
- Each step and action of this process must be taken without unreasonable delay.
- The timing and location of formal meetings must be reasonable.
- Formal meetings must allow both parties to explain their cases.

### Suggested procedure for conduct of formal meetings

*The outline below is intended as guidance only, and should be adapted depending on circumstances.*

#### **Chair introduces everyone and what their role is:**

- Purpose of the meeting
- Self as Chair and other panel member(s) (if applicable)
- colleague and colleague representative, and any witnesses for the colleague side
- management representative who will state the management case, and any witnesses for the management side
- person who will clerk the meeting, and HR manager to give advice to the panel

#### **Chair goes over the order of the hearing:**

- Colleague will state their case
- Management side asks questions
- Chair asks questions of the colleague, and then invites panel (if applicable) to ask questions
- Management will state their case
- Colleague asks questions
- Chair asks questions of the management, invites panel (if applicable) to ask questions
- Both sides have opportunity to sum up
- Chair to adjourn hearing to deliberate

#### **Colleague (or their representative) presents their case:**

- what is the evidence that supports their case
- introduces any witnesses
- Management representative can question
- Chair asks questions, then opens the discussion to the panel (if applicable).

#### **Management representative presents management case:**

- what is the evidence that supports the disputed pay / performance management decision
- introduces any witnesses
- Colleague can ask questions
- Chair asks questions, then opens the discussion to the panel (if applicable).

### **End of hearing**

- **Chair give both sides the opportunity to sum up**
- Chair ends the hearing and advises colleague that will let them have the panel's decision in writing within timescale
- If applicable (only for appeal heard by original decision maker) advise colleague that they have a right of appeal and that the letter will contain full details

### **Decision-making**

- Clerk notes main points of panel discussion and their decision
- Panel obtains HR advice if required to inform their decision making
- Colleague is notified of the decision. Decision, and reason for the decision, confirmed in writing.



## ANNEX 5 - PERFORMANCE REVIEWS FOR 2019/20

Issued 06/05/20

In light of Covid-19, the Trust's leadership team has reviewed how to approach the 2019/20 performance year, and further details are set out below. This includes giving all teaching colleagues eligible for a performance related pay increase in Autumn 2020 a one-step increase, unless they are subject to one of the exceptions stated.

We have consulted with our recognised trade unions, and they are supportive of the approach outlined. The approach has also been agreed by the Chairs' Committee of the Trust Board as it represents a change to usual policy and practice.

We are in exceptional times, and we think this is a fair and sensible approach when we have no way of knowing what would have happened in terms of a colleague's performance against objectives had Covid-19 not happened. We hope that this approach will enable everyone to focus on the work still required to support pupil/student learning at home and as we start to look towards a phased reopening.

The points below in relation to mid and end of year reviews, informal catch ups, raising concerns about performance, support plans and capability proceedings apply to both teaching and support staff.

### Teachers' pay

1. Performance related pay decisions will be suspended for the 2019/20 year and all colleagues eligible for a performance related pay increase in Autumn 2020 will receive a one-step increase, unless:

- they were already on a documented support plan (informal or formal) on 23 March 2020. For these colleagues, the increase will be withheld until they come off the informal support plan / formal capability procedure post-reopening, and will then be backdated to 01 September.

or

- they had been notified in writing that they were subject to a disciplinary procedure prior to 23 March 2020, and this has been suspended during school closure. For these colleagues, the increase will be withheld until the disciplinary procedure is concluded post-reopening, and will then be backdated to 01 September unless the procedure results in an outcome of dismissal or downgrading, or there is an agreed exit.

or

- they are applying to move from the Main Pay Scale to the Upper Pay Scale (see point 3 below).

The above applies to eligible colleagues who are currently on the:

- Unqualified teacher pay scale
- Main pay scale 1 to 5
- UPS 1 and 2 colleagues who are in year 2 of the two year UPS cycle
- Lead practitioner pay scale
- Leadership pay scale

2. No accelerated (2-step progression) will be given.

3. The process of applying for progression to M6 to UPS1, and the standards required, will remain the same. However, given the current unique circumstances:

- for applications made by 31 October (increases backdated to 01 September), a flexible approach to considering a breadth of evidence from the previous two academic years will be taken, without adhering rigidly to the requirement to only use evidence from the performance management process
- additional application windows will be allowed during the latter part of the autumn term (submit by 31 December for increases back-dated to 01 January) and latter part of the spring term (submit by 30 April for increases back-dated to 01 May). This will give colleagues an opportunity to gather additional evidence without having to wait for a full year to progress.

## Performance management

4. Divorcing pay from performance management gives an opportunity for colleagues to use the closure period to spend time on their own CPD, which could help to put them in the best position for September. Online learning, coaching discussions, etc, should continue wherever possible.

5. Where mid-year review meetings have already taken place, these should be written up and filed. End of year reviews should still take place, to reflect the period of time since then, but may substantially draw on the mid-year review documentation. These end of year reviews may take place in June / July, or in the Autumn term.

6. Where mid-year review meetings have not already taken place due to being postponed as a result of Covid-19, the review of performance can be incorporated into the end of year review. If taking this approach, the review of the 2019/20 year must take place and be written up before the end of the summer term. Reviews can take place via telephone, Google Hangout or face to face (with appropriate social distancing measures in place).

7. Informal catch-ups with line managers should still happen during the academy closure period, but the focus should be on wellbeing, support for the new way of working, and personal development.

8. If a manager has concerns regarding a colleague's performance during the closure period, having fully taken into consideration any constraints of the current context, these should still be raised with the individual concerned (rather than ignored) as they may be an indicator of welfare issues.

9. The expectation is that an end of year review will still take place to make a record of the 2019/20 year (as above). When recording whether or not 2019/20 objectives have been met, there will be a new category "unable to meet objective due to Covid-19". This may happen in a separate meeting to the one taking place in September / October to agree objectives for 2020/21.

## Capability issues

10. Where colleagues are on a support plan (either informal, or part of a formal procedure), review periods will be suspended with effect from Monday 23 March and restarted when academies fully reopen. Where support / development was being provided as part of a plan, this may continue (if this is relevant / feasible in the circumstances) during the closure period, e.g. if it was around online learning, expanding knowledge, and can be done remotely.

11. No capability procedure meetings (informal or formal) will be held during the closure period; however, if capability concerns are already known and were being discussed between management & colleagues, it will be made clear that these will be picked up again when academies fully reopen.