

# MARISH



## Academy Trust

# Marish Academy Trust Pay Policy for Teachers

**Date:** December 17

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## 1. Scope

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This policy applies to all teachers employed in Marish Academy Trust schools. It does not apply to non-teaching staff employed with the Trust.

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

It covers pay arrangements for teachers who are being paid on the unqualified, main and upper pay ranges and the pay range for leading practitioners.

Currently provisions are made in the policy to cover:

- Those who are on the leadership scale
- Safeguarding pay arrangements
- Allowances and additional payments
- Arrangements for handling grievances or appeals

This document sets out how Marish Academy Trust determines the salary of its teachers on the specified pay ranges from 1<sup>st</sup> September 2017 and should be read in conjunction with the School Teachers' Pay and Conditions Document.

## 2. Context

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The School Teachers' Pay and Conditions Document (STPCD) ('The Document') requires schools and academies to have a pay policy which sets out the basis on which they determine teachers' annual pay review; and the procedures for determining appeals. Schools must stay within the legal framework set out in the Document and in other relevant legislation that affects all employers (for example, legislation on equality, employment protection and data protection). All procedures for determining pay should be consistent with the principles of public life – objectivity, openness and accountability.

The 2017 School Teachers' Pay and Conditions Document (referred to as 'the 2017 Document' for the purposes of this policy) makes a number of changes to how teachers' pay will be determined from September 2017.

This policy has been developed to reflect these changes. It provides a structure for all Marish Academy Trust schools to follow and covers the key areas of pay discretion that we need to consider.

All pay progression from September 2017 should be linked to performance. Both our pay and appraisal policies comply fully with equalities legislation.

## 3. Introduction

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

In adopting this pay policy Marish Academy Trust aims to:

- Maximise the quality of teaching and learning at all Trust schools
- Support the recruitment and retention of a high quality teacher workforce
- Enable the Trust to recognise and reward teachers appropriately for their contribution to the school
- Help to ensure that decisions on pay are managed in a fair, just and transparent way

Pay decisions for the majority of teachers at this school are made by the Leadership Team in conjunction with the Executive Headteacher. However where the progression of a particular teacher deviates from the norm, either because of poor or exemplary performance, the Executive Headteacher will present the case to the Strategic Board of the Governing Body for their advice and approval. Moreover pay awards for the Executive Headteacher will be negotiated by the team of two Governors and an external representative, set up for this purpose. Their decision will then be ratified by the strategic Board of the Governing Body.

### 3.1 Pay Reviews

The Governing Body will ensure that each teacher's salary is reviewed annually, with effect from 1st September and no later than 31st October each year, and that all teachers are given a written statement setting out their salary and any other financial benefits to which they are entitled.

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 review and where applicable will give information about the basis on which it was made.

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

## 3.2 Basic Pay Determination on Appointment

The Academy Leadership Team will determine the pay range for a vacancy prior to advertising it. For all leadership team appointments the Strategic board of the Governing Body will also be consulted prior to advertising a post. On appointment it will determine the starting salary within that range to be offered to the successful candidate.

In making such determinations, the Governing Body may take into account a range of factors, including those on the list below:

- the specific nature of the post
- the level of qualifications, skills and experience required
- market conditions, including recruitment and retention issues
- the wider Academy Trust context

Please note that this is not an exhaustive list, and may not apply to all appointments.

There is no assumption that a teacher will be paid at the same rate as they were being paid in a previous school.

## 3.3 Pay Progression based on Performance

At Marish Academy Trust all teachers can expect to receive regular, constructive feedback on their performance and are subject to annual appraisal that recognises their strengths, informs plans for their future development, and helps to enhance their professional practice. The arrangements for teacher appraisal are set out in the Trust's Performance Management/ Appraisal Policy.

Decisions regarding pay progression will be made with reference to the teachers' performance management/appraisal reports and the pay recommendations they contain. In the case of NQTs, whose appraisal arrangements are different, pay decisions will be made by means of the statutory induction process. It will be possible for a 'no progression' determination to be made without recourse to the capability procedure.

To be fair and transparent, assessments of performance will be properly rooted in evidence. At Marish Academy Trust, we will ensure fairness by triangulating the evidence base for individual teacher performance each term. To do this we will average termly grades for class room observation, work scrutiny and progress over time to provide a best fit overall grade for each teacher. The grades given for observations, progress over time and work scrutiny to individuals will also be anonymised and moderated once each term by senior leaders.

The evidence base we use to assess performance may also include: self-assessment, peer review possibly using a 360 degree feedback tool, pupil progress data analysis, and the views of pupils and parents.

Teachers' appraisal reports will contain pay recommendations. Final decisions about whether or not to accept a pay recommendation will be made by the Academy Leadership Team for the majority of teachers. However those individuals whose appraisal report recommends either 'no pay progression' or 'accelerated progression' will have their cases referred to the Strategic board of the Governing Board for a final decision. The Governing Body will consider its approach in the light of the Trust's ongoing budget and ensure that appropriate funding is allocated for pay progression at all levels.

Please see Appendix 1 which outlines:

- The levels of performance that will be required for progression to be awarded
- How progression will be differentiated so that the very highest performers can progress faster.

At Marish Academy Trust, judgments of performance will be made against agreed objectives (targets set early each academic year) and the relevant teacher standards. Teachers will be eligible for pay progression if they achieve or exceed their targets and are meeting the majority of the relevant teacher standards. In exceptional circumstances a teacher may still be recommended for pay progression when they have only partly met a target or standard but can produce evidence in mitigation.

### 3.4 Teachers on the Main Pay Range

Teachers on the Main Pay Range will be paid on a point in the above pay range as determined following an appropriate performance appraisal review. The pay range will need to reflect an increase on the minimum and maximum point. All other pay points and the criteria which will determine incremental enhancement and/or salary enhancement will be for the school to decide.

The school's Main Pay Range is as given in Appendix 1.

### 3.5 Movement to the Upper Pay Range

Teachers paid on Upper Pay Range must be within the minimum and maximum of the Upper Pay Range set out in the 2017 Document (Appendix 1)

The pay range will need to reflect an increase on the minimum and maximum of the range. All other pay points and the criteria which will determine incremental enhancement and/or salary enhancement will be for the Executive Headteacher to decide. There is no automatic provision for a teacher to "step down" from the Upper Pay Range, once they have been assessed at this level, if employed in the same

school.

### 3.5.1 Applications and Evidence

Any qualified teacher may apply to be paid on the upper pay range and any such application must be assessed in line with this policy. It is the responsibility of the teacher to decide whether or not they wish to apply to be paid on the upper pay range.

Applications may be made once a year and submitted to the Executive Headteacher for consideration between 1st July and 30th September in any year. This is to allow those teachers who start working for the Trust at the start of any academic year the opportunity to apply to be paid on the upper pay range, as well of those who are already working at the Trust at the end of the previous academic year.

If a teacher is simultaneously employed at more than one Trust school, they must submit their application to the Executive Headteacher.

All applications should include the results of reviews or appraisals under the 2016 or 2017 regulations, including any recommendation on pay (or, where that information is not applicable or available, a statement and summary of evidence designed to demonstrate that the applicant has met the assessment criteria). Applications should contain evidence from previous two academic years, but in when a teacher has had a break in service the evidence should be for the most recent two years that they were working. The application should be written as a letter with the evidence attached showing the teacher has met their targets and relevant standards for the previous two years and as appropriate, evidence showing that they have exceeded expectations of teachers on the main pay scale for a sustained period.

### 3.5.2 The Assessment

An application from a qualified teacher will be successful where the Academy Leadership Team is satisfied that:

- a) The teacher is highly competent in all elements of the relevant standards; and
- b) The teacher's achievements and contribution to the school are substantial and sustained

For the purposes of this pay policy:

- 'highly competent' means that their performance in all relevant areas is at least good, but also they can demonstrate their ability to impact positively on the performance of colleagues through coaching, mentoring and modelling best practice across the school or Trust.
- 'substantial' means that the teacher's contribution to the school goes beyond the requirements of a teacher on the main pay scale, is linked to a Trust/school improvement priority and has had a demonstrable impact on pupil outcomes.
- 'sustained' means the teacher's substantial contribution has been maintained continuously over a considerable period of at least two school years.

### 3.5.3 Processes and Procedures

The application will be assessed by the Executive Headteacher initially and then reviewed by the Academy Leadership Team and finally the Strategic board of the Governing Body will decide whether to ratify the recommendation of the Academy Leadership Team before 31st October in any year.

Pay awards approved after 1st September will be back dated to the start of the academic year and in the majority of cases successful teachers will be placed on the first point on the upper pay range. In exceptional circumstances, the Executive headteacher in consultation with the Strategic Board of the Governing Body will decide where on the upper pay range a successful teacher is placed and this will be based on considerations including:

- The nature of the post and the responsibilities it entails
- The level of qualifications, skills and experience of the teacher

If unsuccessful, feedback will be provided by the Executive headteacher within 10 working days of decision.

Any appeal against a decision not to move the teacher to the upper pay range will be heard under the Trust's general appeals arrangements. (See paragraph 3.8.2 below)

## 3.6 Unqualified Teachers

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Unqualified teachers will be paid on a point within the range as determined by the Governing Body and subject to the appropriate performance appraisal process. The pay range must be within the minimum and maximum of the Unqualified Teachers Pay Range set out in the 2017 Document (Appendix 1)

Upon obtaining qualified teacher status, an unqualified teacher will be transferred to a salary within the Main Pay Range which is the same or higher than the sum of salary paid on the Unqualified Teachers Pay Range. The pay range will need to reflect an increase on the minimum and maximum of the range.

## 3.7 Part-time Teachers

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



## 3.8 Short Notice/Supply Teachers

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

## 3.9 Pay increases arising from changes to the Document

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All teachers are paid in accordance with the statutory provisions of the Document as updated from time to time.

### 3.9.1 Pay increases for those on leadership scale

The Strategic board of the Governing body will determine the salary of a serving Executive, Deputy or Assistant headteacher in accordance with the Document.

Executive, Deputy and Assistant headteachers must demonstrate sustained high quality of performance in respect of school leadership and management and pupil progress and will be subject to a review of performance against their performance objectives before any performance points will be awarded. The clarification of the application of the criteria for Leadership Group progression will be taken fully into account.

## 3.10 Appeals Process

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A teacher may seek a review of any determination in relation to his pay or any other decision taken by the governing body (or a committee or individual acting with delegated authority) that affects his pay.

The following list 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 Document;
- 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.

The order of proceedings is as follows:

1. The teacher receives written confirmation of the pay determination and where applicable the basis on which the decision was made.
2. If the teacher is not satisfied, they should seek to resolve this by discussing the matter informally with the decision-maker within 10 working days of the decision.
3. Where this is not possible, or where the teacher continues to be dissatisfied, they may follow a formal appeal process.
4. The teacher should set down in writing the grounds for questioning the pay decision and send it to some above the person who made the determination e.g., if the Headteacher made the determination, then the matter should be addressed to the Chair of Governors, within 10 working days of the notification of the decision being appealed against or of the outcome of the informal discussion referred to above.
5. The person should provide a hearing, within 10 working days of receipt of the written appeal, to consider the appeal and give the teacher an opportunity to make representations in person. At this stage it would be appropriate to invite the person who made the determination and possibly the appraiser who would have made the initial recommendation to provide evidence. Following the hearing the employee should be informed in writing of the decision and the right to appeal.
6. If the teacher remains dissatisfied they can lodge an appeal within 10 working days of being notified of the outcome of the hearing.
7. Any 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.

The teacher will be given the opportunity to make representations in person. 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.

For any formal meeting the teacher is entitled to be accompanied by a trade union representative or a colleague. 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 case.

## 3.11 Additional Allowances

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In accordance with the Document the Strategic Board of the Governing body may make payment to a teacher, including an executive headteacher in respect of:

Participation in out-of-school hours learning activity agreed between the teacher and executive headteacher or, in the case of the executive headteacher, between the head and the Strategic Board.

This payment will only be made where prior approval has been given by the Strategic board.

### 3.11.1 Teaching and Learning Responsibility (TLR) Payments

The Executive Headteacher or Governing Body can award a TLR1 or TLR2 to a classroom teacher for undertaking a sustained additional responsibility in the context of its staff structure to ensure the continued delivery of high quality teaching and learning and for which the teacher is made accountable.

The values of the TLRs to be awarded are set out below:

TLR1 Range: £7,699 to £13,027

TLR2 Range: £2,667 to £6,515

A TLR3 will be awarded to a classroom teacher undertaking a clearly time-limited school improvement project or one-off externally driven responsibilities.

The annual value of the TLR3 will be between £529 and £2,630.

The duration of the fixed term will be established at the outset and payment will be made on a monthly basis for the duration of the fixed term.

A teacher cannot be in receipt of a TLR1 and TLR2 at the same time; however, they can receive a TLR3 in addition to either TLR1 or TLR2.

Before awarding any TLR the Executive Headteacher or 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 teachers' assigned classes or groups of pupils; and
- e) involves leading, developing and enhancing the teaching practice of other staff

For payment of TLR1, the significant responsibilities must include line management responsibility for a significant number of people.

Posts attracting the level of TLR1 or TLR2 will be identified in the school's staffing structure.

In establishing appropriate values for TLR allowances, the Executive Headteacher or Governing Body will ensure that values chosen are properly positioned between the established minimum and maximum values.

### 3.11.2 Special Educational Needs (SEN) Allowance

An SEN allowance of no less than £2,106 and no more than £4,600 is payable to: select as appropriate

Where a SEN allowance is to be paid, the Executive Headteacher or Governing Body will determine the spot value of the allowance, taking into account the structure of the school's SEN provision and following factors:

- a) Whether any mandatory qualifications are required for the post;
- b) The qualifications or expertise of the teacher relevant to the post; and
- c) The relative demands of the post

SEN allowances can be held at the same time as TLRs. The Executive Headteacher or Governing Body will, when keeping their staffing structures under review:

- a) Ensure that, in the light of remodelling and the move of administrative tasks from teachers to support staff, holders of SEN allowances are not carrying out tasks that would be more appropriately undertaken by support staff;
- b) Consider whether, if teachers have responsibilities that meet all the criteria for the award of TLR payments, it would be more appropriate to award a TLR payment instead of a SEN allowance of a lower value;
- c) not continue to award new SEN payments solely for the purposes of recruitment and retention; and
- d) ensure that any SEN responsibilities are clearly specified in individual teachers' job descriptions

In establishing appropriate values for SEN allowances, the Executive Headteacher or Governing Body will ensure that values chosen are properly positioned between the established minimum and maximum values. Differential values relating to SEN roles in the school will be established to properly reflect the significant differences in the nature and challenge of the work entailed so that the different payment levels can be objectively justified.

The teacher will be given written notification at the time of the award specifying the amount of the award and the reason for the award.

## 3.12 Recruitment and Retention Allowances - Removal of the 3 Year Time Limit

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The payment of a recruitment and retention allowance may be used as an incentive for the recruitment of new teachers and the retention of existing teachers. Whilst the time limit has been removed, Marish Academy Trust considers carefully whether to offer such allowances and reviews them as part of annual performance management and appraisal process. These allowances will only ever be made for one year at a time and may be withdrawn in subsequent years if a performance review does not indicate expected

progress towards targets. If performance management review shows expected progress or progress exceeding targets the recruitment and retention allowance will be awarded for a further year.

### 3.13 Monitoring the impact of the policy

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

# Appendix 1

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## **Marish Academy Trust's pay progression based on Performance for teachers**

At Marish Academy Trust, judgments of performance will be made against the extent to which teachers have met their individual objectives and the relevant standards and how they have contributed to impact on pupils progress; impact on wider outcomes for pupils; improvements in specific elements of practice, such as leadership and management across the Trust, or curriculum developments; impact on effectiveness of teachers or other staff; wider contribution to the work of the school.

Marish Academy Trust Teachers' Pay structure 2017. (This will be updated annually):

### **Main Pay Scale**

MPS 1	£24,018
MPS 2	£25,828
MPS 3	£27,815
MPS 4	£29,878
MPS 5	£32,139
MPS 6	£34,934

### **Upper Pay Scale**

UPS 1	£37,017
UPS 2	£38,346
UPS 3	£39,725

### **Unqualified Teachers Pay Scale**

UT 1	£17,718
UT 2	£19,650
UT 3	£21,584
UT 4	£23,517
UT 5	£25,451
UT 6	£27,384

The rate of progression will be differentiated according to an individual teacher's performance and will be on the basis of absolute criteria so that:

Teachers will be eligible for a pay increase of the equivalent of one incremental point on the Teachers pay structure if they meet:

1. The majority of their performance management targets, (given that these will be aspirational objectives.)

2. Are assessed as fully meeting the relevant teaching standards

3. Their overall best fit teaching grade (which includes observations, pupil progress data over an academic year and work scrutiny), is assessed as at least good.

Teachers will be eligible for a pay increase of the equivalent of two incremental points on the Teachers pay structure, if they exceed:

4. The majority of their performance management targets, (given that these will be aspirational objectives.)

5. Are assessed as fully meeting the relevant teaching standards

6. Their overall best fit teaching grade (which includes observations, pupil progress data over an academic year and work scrutiny), is assessed as outstanding.

Teachers who do not meet the majority of their performance management targets or the relevant teaching standards or whose overall best fit teaching grade is requiring improvement or worse will not be eligible for a pay rise and prompt action will be taken to address their performance issues.

## Revision History

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Version	Date	Author	Comments
1.0	19/08/2011	HT	
2.0	Sep 2012	EHT	
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## Approval History

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Version	Approved	Comments
1.0	Jan 2011	
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