



# Orchard Partnership Academies Teachers Pay Policy



Reviewed: Autumn 2022

Mr Alex Davies

## **1. Introduction**

- 1.1 This policy sets out the framework for making decisions on teachers' pay. It has been developed to provide teaching staff with clarity on how their pay will be determined in a fair and consistent manner.
- 1.2 This policy is linked to the Academy's appraisal system. However, the Academy is not bound by the Academy Teachers' Pay and Conditions Document (STPCD) and the Education (School Teachers' Appraisal) (England) Regulations 2012.
- 1.3 Unless preserved under the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE), Academy staff terms and conditions of employment do not adopt the STPCD or the Burgundy/Green Book. However, the Academy may choose to follow elements of the STPCD as part of this policy.
- 1.4 This policy is not incorporated into an employee's contract of employment with the Academy and is not intended to have contractual effect. The Academy reserves the right to amend or vary this policy and will notify employees within 1 month of any such changes taking effect.
- 1.5 Pay decisions are made by the Board of Trustees. The Board of Trustees has authorised the Head Teacher to administer this policy on its behalf.

## **2. Purpose**

- 2.1 The purpose of this policy is to:
- Guide and assist the Trustees and Head Teacher in the strategic and day-to-day management of the Academy and its staff.
  - Adopt a 'whole school' approach to pay issues, with pay decisions taken in the context of full consideration of the resources available to the Academy.

- Enhance the effectiveness of the Academy by ensuring that all staff are treated fairly, objectively and consistently in recognising and rewarding their contribution to the Academy.
- Support the Academy Improvement Plan and to supplement other staff related policies relating to equal treatment, appointment and selection, performance management and staff development.
- Support the recruitment and retention of a high-quality workforce which will maximise the quality of learning at the Academy.
- Provide a framework for making all staff aware of the Academy policies in relation to pay and to encourage their participation in developing these policies through consultation.
- Support the Academy to remain within its budget for salaries and staffing.

### **3. Pay Panel**

3.1 The Board of Trustees will select a number of Trustees to administer and manage the Pay Policy on its behalf on a day-to-day basis.

3.2 The Academy Pay Panel is made up of three Trustees one of whom will act as Chair of the Panel. None of the Trustees serving on the Panel will be employed within the Academy, so as to avoid a conflict of interest.

3.3 The aims of the Panel are:

- To apply the Pay Policy on behalf of the Board of Trustees fairly and equitably.
- To ensure that this policy links effectively with the Academy's Staff Appraisal & Capability Policy for teachers.
- To ensure that the Academy's management team provide all members of staff with a current and accurate job description and that this document is regularly reviewed.
- To regularly review the Academy's pay scales for teaching staff.

- To make appropriate arrangements for the Head Teacher's performance management, including planning statement, moderation and review as laid down in the Academy's Staff Appraisal & Capability Policy.
- To be responsible for the annual performance related pay decisions for staff and for receiving and processing requests for the review of pay based on changed duties and responsibilities during the course of the working year.
- To make appropriate arrangements for representations from members of staff to be heard on pay related matters including salary or pay decisions and to seek whatever additional evidence, information or advice is necessary to respond to this request. The Academy's Staff Appraisal & Capability Policy will allow requests for review of the assessment of the performance of a member of staff, but not matters of pay progression. It is recognised that these factors can often be closely linked and so the Academy will advise the employee of the most appropriate route for review to follow. This will ensure that an employee will be guaranteed a fair consideration of their representations, but will not be entitled to pursue the same concerns through two separate review routes.
- To exercise the Trustees' discretionary powers as specified in this document.
- To ensure that each teacher in the Academy has an annual review of their salary and a written salary statement, no later than one month after the date of determination.
- The Trustees' have the right to delegate many of these duties to the Headteacher if deemed appropriate.

3.4 The Pay Panel will keep its work and the results of individual reviews and decisions confidential. The Chair of the Panel will report to the full Board of Trustees periodically regarding progress and the work of the Panel but will not report on the details of decisions reached to ensure that sufficient Trustees remain available to hear appeals should this be necessary. Where this work indicates that changes will have significant implications for the Academy budget an urgent report will be made direct to the Chair of Trustees.

3.5 Staff who are unhappy about a pay decision are entitled to raise an appeal in writing to the Board of Trustees which will be dealt with in accordance with the Academy's

Grievance Procedure. The appeal will be considered by a panel of Trustees who have not been involved in the Pay Panel.

#### **4. New Appointments**

4.1 A committee of the Board of Trustees will determine the pay range for a vacancy prior to advertising it – this can also be delegated and in discussion with the Headteacher. In determining the pay range the Board may take into account a range of factors, including but not limited to:

- The nature of the post.
- The level of qualifications, skills and experience required.
- Market conditions.
- The wider Academy context.

4.2 On appointment they will determine the starting salary within that range to be offered to the successful candidate. This will normally be at the bottom or lower end of the range but they may take account of the successful applicant's skills and experience and appoint at a higher point within the range. In making such determinations the Academy may take into account a range of factors, including but not limited to:

- The nature and responsibilities of the post.
- How closely the appointee meets the level of qualifications, skills and experience required.
- Pay relativities within the Academy.
- The Academy's ability to recruit and retain staff.
- The previous salary of the appointee.

#### **5. Pay progression based on performance**

5.1 The Pay Panel will consider whether or not to increase the salary of an employee who has completed a year of employment since the previous annual pay determination.

5.2 Decisions regarding pay progression will be made with reference to the employee's appraisal reports and the pay recommendations they contain. It is possible for a "no progression" determination to be made without recourse to the capability procedure.

- 5.3 In the case of NQTs, whose appraisal arrangements are different, pay decisions will be made by means of the induction process.
- 5.4 To be fair and transparent, assessments of performance will be properly rooted in evidence. The evidence we will use will include self-assessment, tracking pupil progress, lesson observations, and book scrutiny.
- 5.5 Teachers' appraisal reports will contain pay recommendations. Final decisions about whether or not to accept a pay recommendation will be made by the Pay Panel, having regard to the appraisal report and taking into account advice from the Head Teacher and any other members of the Senior Leadership Team. The Pay Panel will ensure that appropriate funding is allocated for pay decisions made under this policy.

## **6. Pay Scales**

### Main Pay Range for Teachers

- 6.1 The Head Teacher in conjunction with the Board of Trustees will review the main pay range annually taking into consideration market and inflationary factors. The Academy will have a single pay scale for qualified teachers. The current range is available from management and is communicated to staff separately to this policy.

### Upper Pay Range for Teachers

- 6.2 The Head Teacher in conjunction with the Board of Trustees will review the upper pay range annually taking into consideration market and inflationary factors. The Academy will have a single pay scale for upper pay range teachers. The current range is available from management and is communicated to staff separately to this policy.
- 6.3 Appointment to a pay band on the upper pay range will be subject to the teacher meeting the Academy's criteria for progression to the upper pay range and the

allocation of accountabilities proportionate to such a senior teaching role. To that end, progression to the upper pay range is not guaranteed for all teachers regardless of length of service.

- 6.4 Any qualified teacher may apply to be employed in the upper pay range and any such application will be assessed in line with this policy and based on the needs of the Academy. It is the responsibility of the teacher to decide whether or not they wish to apply and provide the necessary evidence.
- 6.5 The Academy will set the assessment criteria for an application to the upper pay range and review this annually in conjunction with the Board of Trustees. The assessment will consider whether a teacher is highly competent in all elements of the relevant standards and whether the teacher's achievements and contribution to the Academy are substantial and sustained. The teacher may be expected to deliver a presentation to the Board on a brief aimed at demonstrating how they meet the standards.

#### Unqualified Teachers

- 6.6 The Pay Panel will pay any unqualified teacher in the pay range set by the Academy which will be reviewed annually. The Panel will determine where a newly appointed unqualified teacher will enter the scale, having regard to any qualifications or experience they may have, which they consider to be of value.
- 6.7 If during their period of employment at the Academy, an unqualified teacher becomes qualified, the pay will be determined on the main pay range from the date of qualification.

### **7. Part-time Teachers**

- 7.1 Teachers employed on an ongoing basis at the Academy but who work less than a full working week are deemed to be part-time. A full working week constitutes 27.5 working hours. The calculation of part time proportion for teachers is as follows:

Employees Timetabled Teaching Week (ETTW)

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Academy Timetabled Teaching Week

- 7.2 The timetabled teaching week calculation excludes break times, registration and assemblies and the mandatory lunch break required under the Working Time Regulations when teachers are not required to be on duty.
- 7.3 An allowance will be made within the specified timetabled hours for a minimum of 10% planning, preparation and assessment time (PPA).
- 7.4 Part-time teachers will work a similar proportion of directed time as their full-time colleagues based on the calculation given above. For example, if the FTE of the part-time teacher is 0.6 this equates to 60% of directed time.
- 7.5 A part time teacher may be asked to attend work on a day outside their normal timetable (e.g. an inset day) and will be compensated for the extra time worked either by providing time off in lieu or by making an additional payment.

## **8. Supply Teachers**

- 8.1 Supply teachers are defined in this policy as teachers who are engaged on a short notice basis, where the Academy is not obliged to offer work and the teacher is not obliged to accept any work offered.
- 8.2 A supply teacher will only be used on those occasions when it is necessary to fill a short term and/or unexpected vacancy in situations where it would be impracticable to undertake a recruitment and selection process.
- 8.3 Supply teachers will be appointed to a pay point on the appropriate pay band according to the same criteria as those used for other newly appointed main range teachers in the Academy. Alternatively this will be decided on a daily rate by the agency.
- 8.4 Teachers required for 6 weeks or more will be employed on a temporary or fixed term contract similar to regular full or part time teachers. Contractual length will be linked to the specific reason for the appointment. Salary will be paid on a regular monthly basis and employment will be on a basis identical to the conditions that apply to other regular

staff, except for notice periods which may be determined at the start of the contract to meet the circumstances.

- 8.5 Where the appointment will be for 6 weeks or less, teachers will be employed on a day to day basis and will be paid by claim. The weekly rate of pay will be calculated using the following formula:

$$\frac{\text{Weekly Hours Worked}}{27.5} \times \frac{\text{Annual Salary}}{195}$$

- 8.6 Supply teachers will be paid for the hours that they are required to work including preparation, assessment and marking time where these activities are required by the Academy. Working requirements will be made clear and the hours to be claimed will be agreed with the supply teacher at the time the offer is made and before the commencement of their work.

- 8.7 It should be noted that the use of this calculation method enhances pay to include a 'rolled up' holiday entitlement to ensure that they receive a payment for periods when the Academy is not in session, proportionate to colleagues employed on a regular basis.

## 9. Unqualified Teachers

- 9.1 The use of unqualified teachers is limited to very specific circumstances. The Trustees will consider the use of unqualified staff in the following circumstances:

- When the unqualified teacher possesses proven specialist skills, qualifications and experience to enable the Head Teacher to guarantee a quality of performance equivalent to that of a qualified teacher.
- During a period whereby the unqualified teacher is gaining a recognised teaching qualification or qualified teachers status including the Graduate Teaching Programme (GTP) and overseas teachers. When a teacher receives notification of Qualified Teachers Status the Academy will review the teacher's salary in line with this policy.

- 9.2 Pay for an unqualified teacher will be in line with ranges given in the STPCD. The Board will determine where a newly appointed unqualified teacher will enter the scale, having regard to any qualifications or experience they may have. The Board will consider whether it wishes to pay an additional allowance in accordance with the STPCD.
- 9.3 If during their period of employment at the Academy, an unqualified teacher becomes qualified, the pay will be determined on the Main Pay range from the date of qualification.
- 9.4 In order to progress up the unqualified teacher range, unqualified teachers will need to show that they have made good progress towards their objectives. Judgments will be properly rooted in evidence. As unqualified teachers move up the scale, this evidence should show:
- an improvement in teaching skills.
  - an increasing positive impact on pupil progress.
  - an increasing impact on wider outcomes for pupils.
  - improvements in specific elements of practice identified to the teacher.
  - an increasing contribution to the work of the Academy.
  - an increasing impact on the effectiveness of staff and colleagues.
- 9.5 The Pay Panel will be advised by the Head Teacher in making all such decisions. Pay progression on the unqualified teacher range will be clearly attributable to the performance of the individual teacher. The Pay Panel should be able to objectively justify its decisions.

## **10. Senior Leadership Team (SLT)**

### Head Teacher

- 10.1 The Board of Trustees will establish the overall structure for the SLT following consultation with staff and their representatives. The Board will define and set out the specific role, responsibilities and accountabilities of the Head Teacher as well as the skills and relevant competencies required.

- 10.2 The Board will calculate the total unit score for the Academy (in accordance with the STPCD) which assigns the Academy to a Headteacher Group and determines a broad pay range. In some circumstances (e.g. difficulties in recruiting a suitable Head Teacher or the Head Teacher being Executive Head across a number of schools) the Board may decide to extend the pay range by up to 25% above the maximum.
- 10.3 Taking into account the complexities and challenge of the role in the particular context of the Academy, including any recruitment or retention considerations or other permanent responsibilities, the Board will determine a Head Teacher pay range within the broad pay range of the Headteacher group. This decision and the reasons behind it will be recorded.
- 10.4 The Pay Panel has discretion to award time limited payments to the Head Teacher for temporary or occasional responsibilities. These will be recorded and monitored and the Board will ensure that such payments in any one year do not exceed 25% above the annual salary payable to the Head Teacher and the total sum of salary and other payments made to the Head Teacher will not exceed 25% above the maximum of the Headteacher Group.
- 10.5 The Board will set the starting salary in the light of candidate specific factors such as the extent to which the candidate meets the specific requirements for the post taking into account future scope for performance related progression.
- 10.6 The Board will review the Head Teacher pay range when there is vacancy in the leadership team or a significant change in the Academy's circumstances.

#### Head of School, Deputy Head Teacher & Assistant Head Teacher

- 10.7 The Pay Panel will set a pay range for the above roles, the maximum point of which, will be below the minimum of the Head Teacher's pay range.

- 10.8 The Pay Panel will ensure that the pay range selected adequately reflects the level of duties and responsibilities required of the role.
- 10.9 The Pay Panel will review the salary range when a new appointment to such a role is to be made, and periodically under other circumstances to reflect changes in the Academy's situation.
- 10.10 In the event that the Head of School/Deputy Head Teacher/Assistant Head Teacher is required to replace the Head Teacher during an absence for a period of four weeks or more, the Board of Trustees will pay an allowance to recognise the additional responsibilities involved. The allowance will be calculated as the difference between the salary and the minimum of the Head Teacher's salary range and will be paid from the beginning of the acting appointment.
- 10.11 In the event that a Classroom Teacher agrees to act up in part or the whole of a post within the SLT, total salary will be paid no less than the minimum of the salary range for the full post involved. The allowance will be paid from the beginning of the acting up period.
- 10.12 The Academy will review the Head of School/Deputy Head Teacher/Assistant Head Teacher pay range when there is a vacancy in the leadership team, or a significant change in the Academy's circumstances.
- 10.13 The Academy will set the starting salary in the light of candidate specific factors such as the extent to which the candidate meets the specific requirements for the post taking into account future scope for performance related progression.

## **11. Additional Payments**

- 11.1 The Board of Trustees has the discretion to make payments to teachers for such matters as continuing professional development, initial teacher training activities and out of

Academy learning activities. The Board may make these payments as they see fit or in line with the STPCD.

- 11.2 The STPCD makes provision to award additional allowances to teachers under a number of circumstances. The Academy will only use such allowances under very specific circumstances where there are clear operational reasons to justify the additional payment. This reason will be clearly identified in each case. For part time staff the allowance or payment will be pro-rata.
- 11.3 The Pay Panel will conduct an annual review of all such awards. The current range is available from management and is communicated to staff separately to this policy.