

# Teachers' Pay Policy

## Introduction

This policy sets out the framework for making decisions on teachers' pay. It has been developed to comply with current legislation. Whilst South Bank Academies operates pay and conditions which are broadly in line with the School Teachers' Pay and Conditions Document (STPCD), we are not bound by it (including national pay award) nor the Burgundy Book. South Bank Academies operates its own pay scales and terms and conditions and, in setting its budget, will set its own annual pay award.

Pay decisions are made by the SBA Board, remuneration committee, CEO, Executive Principal and Principals, as set out in this policy.

## Aims

In adopting this policy the aim is to:

- maximise the quality of teaching and learning, and the wider student experience.
- support the recruitment and retention of a high quality teacher workforce.
- enable the Trust to recognise and reward teachers appropriately for their contribution.
- ensure that decisions on pay are managed in a fair, just and transparent way whilst eliminating unnecessary bureaucracy for all concerned.

Whilst 1265 hours of 'directed time' is recognised as a significant benchmark, and work-life balance will be an important consideration, the school will not be bound by the 1265 hour limit. Teachers are expected to take part in the school's enrichment programme and work such hours as may be needed to enable the effective discharge of the teacher's professional duties and to meet the educational needs of our students.

All teaching staff will be paid in accordance with the qualified, unqualified or leadership scales dependent upon qualifications and experience. We will ensure all teachers in middle leadership posts receive a clear pay differential for their additional leadership responsibilities by way of an addendum to the main contract of employment.

Those staff on the senior leadership scale will receive a leadership contract and are entitled to an annual holiday entitlement as described in their contract of employment.

South Bank Academies will not expect employees to cover for long-term employee absence. In these circumstances the school may choose at its discretion to rewrite part of, or the entire, timetable or employ additional teaching staff. The school endeavours to work towards a rarely cover situation by using a range of strategies to cover short-term absences. However, the school reserves the right to use teaching staff for cover where it believes they can employ their professional skills effectively to deliver a worth-while learning experience for students in the absence of their usual teacher.

The school will ensure PPA (planning, preparation and assessment time) is preserved and that distribution of such teaching as outlined above is applied fairly and monitored so as not to overburden individual employees.

The school reserves the right to restructure the timetable during periods of gained time or to use gained time for the use of cover where it believes teaching staff can employ their professional skills effectively to deliver a worthwhile learning experience for students.

### **Minimising workload through the appraisal and pay process**

We are committed to minimising the impact on workload for all parties involved. Our processes will be proportionate, facilitating robust evidence based decisions which are readily available from day to day practice. Our teaching staff will be treated fairly and objectives will be challenging and achievable, based on success criteria which are within their control. Furthermore, the wellbeing of our teaching staff will be considered when setting objectives and when making performance related pay arrangements and decisions. Whilst each school will organise its own distinct performance management and appraisal arrangements, these processes will be in line with this commitment.

### **Pay Reviews**

Teachers' salaries will be reviewed annually and not later than 31<sup>st</sup> October. Any changes in salary will take effect from 1<sup>st</sup> September. A written statement setting out salary and any other financial benefit will be provided to all employees.

Reviews may take place at other times of the year to reflect 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 review and where applicable will give information about the basis on which it was made.

Where pay determination leads or may lead to the start of a period of safeguarding, the Trust will give the required notification as soon as possible and no later than one month after the date of the determination. We will adopt a safeguarding period of two years in those circumstances.

### **Basic pay determination on appointment**

The Principal will determine the starting salary of a teacher, within the appropriate prescribed range. In the case of determining the starting salary of the Executive Principal or Principal, the CEO will make the decision regarding the pay range for these posts. In making such determinations, the decision makers may take into account a range of factors, including:

- the nature of the post (ie. shortage subject);
- the level of qualifications, skills and experience (including number of years' experience) required (ie. A-level teaching experience);
- market conditions;
- the wider school context.

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

### **Pay progression based on performance**

At South Bank Academies, all teachers can expect to receive regular, constructive feedback on their performance and are subject to annual appraisal which 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 school's appraisal policy.

Decisions regarding pay progression will be made with reference to 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 whilst being proportionate to be able to support robust decisions. At South Bank Academies, we will ensure fairness by ensuring objectives are set in line with teachers' standards. We will minimise the impact on workload for individual teachers, line managers and Principals throughout the process. Objectives and performance management discussions will not be based on teacher generated data and predictions, or solely on the assessment data for a single group of pupils.

The evidence we will use will be proportionate and include: regular dialogue through line management meetings and other such communications; quality assurance of marking and assessment; and observations of teaching.

Teachers' appraisal reports will contain pay recommendations from the appraiser. The decision about whether to accept a pay recommendation will be made by the Principal, having regard to the appraisal report and in taking into account other factors as listed below. An overview of the process each year, will be reported to the remuneration committee, who will make recommendations to the SBA Board.

In the case of the Principal, the Executive Principal will carry out the appraisal and will make recommendation about pay. The decision about whether to accept pay recommendation will be made by a panel comprising the Chair of the School Advisory Board, the CEO and the School Improvement Partner, having regard to the appraisal report and in taking into account other factors as listed below. The Remuneration Committee, in considering a report from this panel, will make recommendations to the SBA Board in terms of ratification of the decision making process.

In the case of the Executive Principal, the CEO will carry out the appraisal and will make recommendation about pay. The decision about whether to accept pay recommendation will be made by a panel comprising the Chair of the SBA Board, a member of the Remuneration Committee and a School Improvement Partner, having regard to the appraisal report and in taking into account other factors as listed below. The Remuneration Committee, in considering a report from this panel, will make recommendations to the SBA Board in terms of ratification of the decision making process.

In setting the school's budget, the SBA Board will ensure appropriate funding is allocated for pay progression at all levels, subject to affordability.

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 pupil progress;
- impact on wider outcomes for pupils;
- improvements in specific elements of practice, such as behaviour management or lesson planning;
- impact on effectiveness of teachers or other staff; and
- wider contribution to the work of the school.

In the case of the Principal or Executive Principal, judgments of performance will also be considered against the school's development plan(s).

The rate of progression may be differentiated according to an individual teacher's performance and will be on the basis of absolute criteria. Ordinarily, a teacher meeting their performance management targets may expect to move one increment point (unless at the top of the scale) unless their performance has been assessed to be exceptional, i.e. by exceeding the relevant standards, all teaching being exceptional, showing a strong commitment to the school, being prepared to go above and beyond the call of duty, acting as an exemplar for others and showing a commitment to improving their own performance and to continuing professional development.

There is however no obligation to increase an individual's pay unless it is warranted by performance. There are other considerations at large such as attendance and punctuality, warnings on file, and these will be factored into the final decision. Where an employee has a live warning on file, pay progression will not be granted during the first year of such a warning, but may be granted in year 2. For any employees with a live investigation in progress during pay review, pay progression will be suspended until the outcome of the investigation is known. In the case that there is no further action, and if the employee was eligible for pay progression, this would be awarded retrospectively with backpay. In such circumstances, it may be considered that such a level of performance will result in no pay progression that year.

### **Pay progression timeline**

In order to be eligible for consideration of pay progression on 1<sup>st</sup> September, an employee must have been in post for six months, ie. have commenced employment with South Bank Academies before 1<sup>st</sup> March of that appraisal cycle. Employees who join the school after 1<sup>st</sup> March will be considered in the pay progression round in the following academic year.

### **Appraisal Pay and Determination Cycle**

South Bank Academies undertakes to manage its pay and determination cycle as follows (the appraisal policy should be considered alongside this section).

#### Autumn term

- All objectives and success criteria to be finalised.
- Performance is monitored as set out in the appraisal policy (such as through ongoing professional dialogue between the relevant parties, mid-year reviews and observation).

#### Spring/Summer terms

- Performance continues to be monitored as set out in the school's appraisal policy.

#### Autumn term

- Appraisal cycles should be completed by 31<sup>st</sup> October.
- Teachers will attend an appraisal meeting with their appraiser and receive a report which includes an assessment against their objectives and success criteria, the relevant standards and a recommendation on pay progression.
- The Principal will consider recommendations and make decisions regarding pay progression for individual teachers (relevant panels for Principal and Executive Principal).
- The Principal (or panels) will present a report to the Remuneration Committee for consideration around the decision making process.
- The SBA Board shall consider the recommendations of the Remuneration Committee in ratifying the decision making processes.
- Teachers will receive an annual pay statement and a copy of the Trust's pay policy by 1<sup>st</sup> November, including the appeals procedure.
- South Bank Academies' pay and appraisal policies will be reviewed in the light of any changes to STPCD or other such considerations, including annual pay award.
- Appraisal objectives and success criteria, linked to pay progression are set for the next appraisal period.

## **Movement to the Expert Teacher Scale (ETS)**

### Application and Evidence

There are three scales within the South Bank Academies' Expert Teacher Scale. Teachers who are situated on scale M6 on the qualified teacher scale will be eligible for the expert teacher scale after two full years on M6 (application should be made during year 2). Any such application must be assessed in line with this policy and it is the responsibility of the teacher to decide whether they wish to pursue an application to this scale. Applications may be made at least once a year within the following timeline:

- 31<sup>st</sup> May – Expert Teacher Pay Range application window opens – it is advised that teachers who are about to enter this process inform their department lead and associated senior leader.
- 10<sup>th</sup> July – Expert Teacher Pay Range application window closes – submissions after this date will not be considered.

If a teacher is simultaneously employed at (an)other school(s), they may submit separate applications if they wish to apply to be paid on the upper pay range in that school or schools. South Bank Academies will not be bound by any pay decision made by another school.

All applications will likely include the results of reviews or appraisals, references or testimonials from the head of department and attached senior leader, and evidence from the duration of a teacher's continuous service with South Bank Academies amounting to two years or more. If an employee's tenure is less than two years, evidence should be sought from the previous school which should include performance management/appraisal reports, and a reference from the Principal of that institution. Further information regarding this process will be published by 1<sup>st</sup> April each year.

### The Assessment

An application will be successful where the Principal is satisfied: (a) that the teacher is highly competent in all elements of the relevant standards; and (b) with the teacher's achievements and contribution. For the purposes of this pay policy:

- 'highly competent' means performance which is not only good but also good enough to provide coaching and mentoring to other teachers, give advice to them and demonstrate to them effective teaching practice in order to help them meet the relevant standards and develop their teaching practice in the wider school context. We expect our expert teachers to take on the role of developing the skills of others.
- 'substantial' means of real importance, validity or value to the school; play a critical role in the life of the school; provide a role model for teaching and learning; make a distinctive contribution to the raising of pupil standards; take advantage of appropriate opportunities for professional development and use the outcomes effectively to improve pupils' learning). We expect our expert teachers to contribute to wider school life and the success of the school.
- 'sustained' means maintained continuously over a long period (two years or more). Progression through ETS2 and ETS3 is dependent upon the teacher being routinely exceptional and contributing to the school and profession at a local and/or national level.

The application will be assessed by the Principal. The SBA Board reserves the right to limit the number of applications to the Expert Teacher Scale in any given year, subject to affordability. Information regarding the number of places, if limited, will be published by 1<sup>st</sup> April each year.

### Processes and procedures

The assessment will be considered by the Principal and applicants will be informed of the outcome by 31<sup>st</sup> October. If successful, applicants will move to the expert teacher scale with effect from 1<sup>st</sup> September (the September immediately following application). Successful applicants will be

automatically placed on ETS1. A teacher will be eligible for the next scale on the expert teacher scale after two years, if they pass the appraisal process. There is no further movement after a teacher has reached ETS3.

Feedback will be provided by the Principal within 20 working days of the decision.

Any appeal will be heard under the school's general appeals arrangements.

### **Allowances and other payments**

#### Teaching and Learning, and SEND Responsibilities

South Bank Academies will award Teaching and Learning and SEND points for responsibility roles for teachers across its schools. These roles will be advertised, with allowance values weighted and differentiated at the time according to the responsibilities and accountabilities of the posts.

The national pay award will be taken into account in relation to any potential uplift of these values each year.

#### Additional Responsibility Allowances

South Bank Academies will award points for responsibility roles for teachers and support staff across its schools. These roles will be advertised, with allowance values weighted and differentiated at the time according to the responsibilities and accountabilities of the posts, and will be open to support staff as well as teaching staff where the person specification of the role does not require that the postholder is a teacher or holds a teaching qualification.

The national pay award will be taken into account in relation to any potential uplift of these values each year.

#### Recruitment and Retention Allowances

In order to recruit or retain teachers, in particular in shortage subject areas or in the case of sustained outstanding performance, we will consider the payment of a one-off recruitment or retention payment, not exceeding 5% of a teacher's salary. This payment may also be used in recruiting teachers to roles where relocation is necessary.

The Executive Principal will make any decision in agreeing the payment of such an allowance (the CEO in the case of the Executive Principal or Principal). Any teacher receiving such a payment would receive it in monthly instalments over the first term of employment and, if leaving SBA after less than two full years of employment, would be liable to repay the entirety of its value.

### **Part time Teachers**

Teachers employed on an ongoing basis at the school but who work less than a full working week are deemed to be part-time. South Bank Academies will provide 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 fulltime teacher in an equivalent post.

### **Short notice/Supply Teachers**

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

## Appeals

If a teacher wishes to appeal a decision regarding pay determination, they would be advised to give initial consideration to the following criteria as to the validity of such an appeal.

- Was any provision of this policy incorrectly applied?
- Did the school fail to have proper regard for statutory guidance?
- Did the school fail to take proper account of relevant evidence?
- Did the school take account of irrelevant or inaccurate evidence;
- Did the school show bias; or
- otherwise unlawfully discriminate against the teacher.

They should seek to resolve this firstly by writing to the Principal within ten working days of the decision (the Executive Principal in the case of the Principal and the CEO in the case of the Executive Principal). A meeting will be arranged with the employee within twenty working days of receipt of the written grounds to consider their representations. The decision will be given in writing within ten working days and, where the appeal is rejected, will include reasons for the decision.

Following this process, where the employee continues to be dissatisfied, they may follow a formal appeal process.

- The employee should set down in writing the grounds for questioning the pay decision and send it to the Executive Principal (CEO in the case of the Principal and the SBA Board in the case of the Executive Principal) via the HR department, within ten working days of the outcome.
- A hearing shall be convened within twenty working days of receipt of the written grounds. In the case of the Executive Principal, a panel of trustees will be convened.
- The employee shall be given the opportunity to make representations and is entitled to be accompanied by a colleague or union representative.
- The decision of the appeal panel will be given in writing, within ten working days and, where the appeal is rejected, will include a note of the evidence considered and the reasons for the decision.
- The appeal panel's decision is final.

## Monitoring, Review and National Framework

This policy shall be reviewed annually by the South Bank Academies Board, at which time consideration shall be given to the national framework. We will review our pay and appraisal policies annually to clarify our approach to making performance-based pay decisions and to set out the extent to which any uplift to the national framework will be taken into account when making any pay decisions.

Policy reviewed by Remuneration Committee: 23/07/2020

Policy reviewed and ratified by SBA Board: 31/07/2020

Next review: June 2021