

# Report to Cabinet

**24 November 2021**

<b>Subject:</b>	Schools' Model Pay Policies 2021/22
<b>Cabinet Member:</b>	Cabinet Member for Children's Services, Councillor Karen Simms
<b>Director:</b>	Interim HR Director – Sue Stanhope Interim Strategic Director Children and Education – Katharine Willmette Acting Operational Director Children and Education – Melanie Barnett
<b>Key Decision:</b>	Yes
<b>Contact Officer:</b>	Sue Stanhope, Interim HR Director <a href="mailto:Sue_stanhope@sandwell.gov.uk">Sue_stanhope@sandwell.gov.uk</a> David Briggs, Assistant HR Business Partner <a href="mailto:David_briggs@sandwell.gov.uk">David_briggs@sandwell.gov.uk</a>

## 1 Recommendations

1.1 That the September 2021 Pay Award be agreed as summarised as follows:

- a consolidated award of £250 to all teachers whose full-time equivalent basic earnings are less than £24,000

is applied to local authority Community Schools.

1.2 That the Unattached Teachers' Pay Policy 2021/22, now submitted as Appendix 1, be approved and implemented by the Council with effect from 1 September 2021.



1.3 That the Model Schools' Pay Policy 2021/22, now submitted as Appendix 2, be approved and recommended to the Governing Bodies of Schools in Sandwell for adoption and implementation with effect from 1 September 2021.

## 2 Reasons for Recommendations

2.1 So that the September 2021 Pay Award be agreed as detailed in paragraph 2.8 and applied to LA Community Schools. To note that this has been informed by the School Teachers' Pay and Conditions Document 2021.

2.2 The purpose of this report is to recommend to Cabinet the September 2021 Pay Award and seek approval for the Unattached Teachers' Pay Policy 2021/22 and the Model Schools' Pay Policy 2021/22.

2.3 The Department for Education issues the School Teachers' Pay and Conditions Document (the Document) to local authorities on an annual basis. It places a statutory duty on organisations employing teachers to have a pay policy in place by 1 September each year which sets out the basis on which the employer will determine teachers' pay, the date by which it will determine the teacher's annual pay review and to establish procedures for addressing teachers' grievances in relation to their pay.

2.4 From this the Council prepares Model Pay Policies:

- for teachers in schools, which it recommends School Governing Bodies to adopt; and
- for unattached teachers who are employed by the Council but who do not work in a school location.

These are revised annually.

2.5 The Model Policies have been subject to consultation with all appropriate trade unions in Sandwell.



2.6 The School Teachers' Pay and Conditions Document has had limited changes for 2021 and as such the Pay Policy is a general refresh only rather than representing wholesale changes.



- 2.7 Both policies are compliant with all appropriate employment legislation and with the 2021 School Teachers' Pay and Conditions Document and accompanying statutory guidance.
- 2.8 The September 2021 pay award has been agreed nationally and the recommendation for Sandwell MBC, in keeping with regional comparators for all teachers, is summarised below:
- a consolidated award of £250 to all teachers whose full-time equivalent basic earnings are less than £24,000

The Pay Policies reflect these pay changes.

### 3 How does this deliver objectives of the Corporate Plan?

	<p><b>Best start in life for children and young people</b></p> <p>Our children benefit from the best start in life and a high-quality education throughout their school careers with outstanding support from their teachers and families.</p> <p>Sandwell is a community where our families have high aspirations and where we pride ourselves on equality of opportunity and on our adaptability and resilience.</p>
	<p><b>Strong resilient communities</b></p> <p>Our workforce and young people are skilled and talented, geared up to respond to changing business needs and to win rewarding jobs in a growing economy.</p>

### 4. Context and Key Issues

- 4.1 The School Teachers' Pay and Conditions Document (STPCD) requires schools and local authorities to have a pay policy which sets out the basis on which they determine teachers' pay, the date by which they will determine teachers' annual pay review, and the procedures for determining appeals.
- 4.2 Schools and local authorities must stay within the legal framework set out within the Document and in other relevant legislation, such as equality, employment protection and data protection legislation.



The Document has been consulted on with all key stakeholders as part of the Department for Education's (DfE) normal statutory consultation process.

- 4.3 The revised arrangements for teachers set out in the 2021 Document, come into force with effect from 1 September 2021.

The purpose of the pay reform is to give Schools/Local Authorities autonomy to attract, recruit and reward teachers through an increase in pay, which can act as an incentive for continuous improvement.

The flexibility within the Document allows Schools/Local Authorities to develop pay policies that are tailored to local circumstances. The policies must be revised to reflect the statutory changes and to clarify the School's/Local Authority's approach to making pay decisions. The pay policy should be considered alongside the School's/Local Authority's appraisal policy.

The Department has published non-statutory guidance.

- 4.4 In summary, the main changes to the School Teachers Pay and Conditions Document and its accompanying guidance since 2020 make provision for the September 2021 pay award, and introduces a payment mechanism for tutoring delivered by main pay range teachers and upper pay range teachers to address learning disruption as a result of the coronavirus pandemic.

- 4.5 Otherwise, the statutory changes made to the STPCD Document 2021 have been limited and therefore only a general refresh of the Pay Policies has been necessary from this perspective.

#### 4.6 **The current position**

- 4.7 Local Authority Human Resources Management have consulted with the trade unions on this policy. Due to the DfE's late notification and confirmation of the School Teachers' Pay and Conditions Document 2021, consultation with Trade Unions could not commence prior to the start of the Autumn Term, and certainly not before the School Teachers' Pay and Conditions Document was laid before parliament.



4.8 The Schools' Model Pay Policy if agreed will be published and recommended to schools where the Local Authority is the employer for the Governing Bodies to adopt and be implemented as the Local Authority Policy for Unattached Teachers.

#### **4.9 Consultation (Customers and other stakeholders)**

4.10 In previous years, some discretion has been available within the School Teachers' Pay and Conditions Document regarding its application, and the views of head teachers have been sought specifically in relation to the application of any pay award, which may impact on staff recruitment and retention issues and also impact on School budgetary pressures.

4.11 This year, due to the nature of the pay award and other changes (see 2.8 & 4.4 above), discretion is not an option and therefore the authority will implement the changes contained within the School Teachers' Pay and Conditions Document 2021 in full.

4.12 Head Teachers have been written to informing them of this approach.

4.13 This position has also been communicated locally to trade union representatives of the Joint Union Panel (JUP).

#### **4.14 Sustainability of proposals**

4.15 The Department for Education issues the Schools Teachers' Pay and Conditions Document (the Document) to local authorities on an annual basis. It places a statutory duty on organisations employing teachers to have a pay policy in place by 1 September each year which sets out the basis on which such employer will determine teachers' pay, the date by which it will determine the teacher's annual pay review and to establish procedures for addressing teachers' grievances in relation to their pay. This annual review ensures that any proposals are affordable and sustainable pending the next review.



## 5 Alternative Options

- 5.1 The Department for Education issues the School Teachers' Pay and Conditions Document. It places a statutory duty on organisations employing teachers to have a pay policy in place by 1 September each year which sets out the basis on which the employer will determine teachers' pay.
- 5.2 There are not any alternative courses of action available that would otherwise satisfy these requirements.
- 5.3 Historical feedback has always suggested that the majority of schools do still want a consistent pay spine produced by the Local Government Association (LGA) for them across all the pay ranges.

## 6 Implications

<b>Resources:</b>	The schools and governing bodies will need to ensure the financial impact of the adoption of the September 2021 pay award is efficiently managed in order to deal with any budget pressures they may face going forward.
<b>Legal and Governance:</b>	<p>The policies have been prepared based on the School Teachers' Pay and Conditions Document 2021. The Document contains provisions relating to the statutory conditions of employment of school teachers in England and Wales and has been prepared by the Secretary of State for Education.</p> <p>The Document relates to teachers employed by a local authority or by the governing body of a foundation and voluntary aided school.</p> <p>In the event of any contradictions between the policy and the Document and guidance, the Document should take precedence.</p>
<b>Risk:</b>	The Corporate Risk Management Strategy has been complied with to identify and assess the significant risks associated with this decision/ project. This



	<p>includes (but is not limited to) political, legislation, financial, environmental and reputation risks.</p> <p>Based on the information provided, it is the officers' opinion that for the significant risks that have been identified, arrangements are in place to manage and mitigate these effectively.</p> <p>This assessment has identified there are no current "red" risks that need to be reported. The initial risk capture indicates that the current risk is low. Stakeholders including trade unions, head teachers and appropriate officers are aware of the proposals which are in line with the nationally negotiated recommended uplift.</p>
<b>Equality:</b>	The subject of this statement does not meet the criteria for undertaking an Equality Impact Assessment. If agreed, the revised pay scales will be applied equally to all employees who are entitled to this pay award, irrespective of any protected characteristic that they may or may not have.
<b>Health and Wellbeing:</b>	There will be no direct impact on the health and wellbeing of teaching staff as a result of this report being approved or not approved by Cabinet. However, the implementation of the pay award may contribute to the recruitment and retention of unqualified teaching staff in a competitive jobs market.

## 7. Appendices

Appendix 1 - Unattached Teachers' Pay Policy 2021/22

Appendix 2 - Schools' Model Pay Policy 2021/22

## 8. Background Papers

- DfE: School Teachers Pay and Conditions Document 2021 - [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/832634/School\\_teachers\\_pay\\_and\\_conditions\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/832634/School_teachers_pay_and_conditions_2021.pdf)

