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Unattached Teachers' Pay Policy 2021/2022

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SECTION 1: Teaching Staff

1. Introduction

The Statutory pay arrangements for teachers give significant discretion to employing organisations to make pay decisions. The School Teachers' Pay and Conditions Document (STPCD) places a statutory duty on organisations employing teachers to have a pay policy in place which sets out the basis on which they determine teachers' pay, and to establish procedures for determining appeals. This should ensure fair and equitable treatment for all teachers and minimise the prospect of disputes and legal challenge of pay decisions.

The local authority when taking pay decisions has regard both to their pay policy and to the teacher's particular post within the staffing structure. A copy of the authority's staffing structure for teachers is attached to this pay policy (Annex 1).

This model pay policy has been subject to consultation with all recognised teacher trade unions in Sandwell. It is a structure for management to follow and covers all key areas of pay discretion that need to be considered. This Pay Policy is compliant with all appropriate Employment Legislation.

The Pay Policy complies with the current STPCD and the accompanying statutory guidance. It should be used in conjunction with them, but, in the event of any contradictions, the STPCD and guidance take precedence.

All references to the STPCD in this policy relate to the School Teachers Pay and Conditions Document 2021 and accompanying statutory guidance. This Pay Policy will be updated and reissued on an annual basis.

Decisions concerning the pay of individual teachers are made by the Service Leads for Unattached Teachers within the framework of delegation as determined from time to time by the appropriate Director (Appendix 10).

2. Basic Principles

All teachers employed by the local authority are paid in accordance with the statutory provisions of the School Teachers Pay and Conditions Document as updated from time to time. A copy of the latest version may be found on-line at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/832634/School_teachers_pay_and_conditions_2021.pdf

This policy concerns unattached teachers as defined in the STPCD 2021 as being:

- “(a) a teacher not attached to a particular school;
- (b) a teacher employed otherwise than at a school; or

An employee is defined as a teacher for the purpose of pay and conditions if they meet the conditions set out in The Education Act 2002, Section 122:

“A person is a school teacher for the purposes of this section if—

- (a) he is a qualified teacher,
- (b) he provides primary or secondary education under a contract of employment or for services,
- (c) the other party to the contract is a local education authority or the governing body of a foundation, voluntary aided or foundation special school, and
- (d) the contract requires him to carry out work of a kind which is specified by regulations under section 133(1)”.

NB: the statutory requirements set out in the School Teachers' Pay and Conditions Document 2021 (STPCD) state that:

"All relevant bodies - both governing bodies and LAs where they are the relevant body, including for unattached teachers - must have a pay policy. This should be linked to the appraisal system. It should be reviewed annually and kept up to date to take into account and legal changes or changes in the staffing structure which have an impact of discretionary pay decisions."

On this basis if a school has its delegated powers removed, trade unions will be consulted at that point about any required changes to the school's pay policy (in line with the above extract from the STPCD).

In adopting this policy the aim is to:

- Assure the quality of teaching and learning in the Local Authority
- Support recruitment and retention of high quality teachers
- Enable the Local Authority to recognise and reward teachers appropriately
- Ensure decisions on pay are managed in a fair, just and transparency way, considering equality of opportunity and equal value.

The process for making decisions on the pay of teachers within the local authority is as follows within this document.

3 Policy Statement

The local authority will award any recommended pay awards agreed nationally to all existing pay points and allowances for all teachers as summarised below for the September 2021 pay award:

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

This Policy reflects the above.

The local authority will act with integrity, objectivity and honesty in the best interests of the service, will be open about decisions made and actions taken, and will be prepared to explain decisions and actions.

All information on which the Service Leads for Unattached Teachers base a decision on the pay of an individual will be confidential. The decision on individual salary assessments will be reported in the minutes of the Service Leads for Unattached Teachers meeting by reference to each post and not named employees.

The designated manager will attend the Service Leads for Unattached Teachers in an advisory capacity other than when his/her own salary is reviewed when he/she will leave the meeting.

3.1 Pay Policy and the Management of the Service

The local authority will:

1. Be objective, open and accountable
2. Work within employment legislation
3. Work within National and Local agreements on Pay and Conditions of Service
4. Base decisions on appraisal reports, or planning and review statements as appropriate
5. Avoid practices and decisions which may be considered discriminatory
6. Recognise the responsibility of the organisation to set and operate a balanced budget
7. Provide clear and known criteria for salary assessment
8. Ensure pay is consistent with job descriptions
9. Formally record its decisions together with the rationale for reaching them
10. Monitor the pay outcomes and impact of the policy to assess its effect and compliance to equality legislation

3.2 Monitoring the impact of the policy

The local authority will monitor the outcomes and impact of this policy on a regular basis (yearly) in conjunction with union representatives. The local authority will monitor trends in progression across specific groups of unattached teachers to assess the policy's effectiveness and the authority's continued compliance with equality legislation.

4 Pay Reviews (STPCD, Section 2, Part 2, Para 3)

The designated manager will ensure that every salary of every employee covered by the STPCD is reviewed annually with effect from 1 September and no later than 31 October (except in the case of a Headteacher for whom the deadline is 31 December), and give them a written statement setting out their salary and other financial benefits to which they are entitled by 31 October (except in the case of a Headteacher for whom the deadline is 31 December).

The timescales for appraisal planning and review meetings will be in accordance with the Education (School Teachers' Appraisal) (England) Regulations 2012 and the local authority's Appraisal Policy.

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. A revised pay statement will also be given where there are any other changes in pay arrangements during the year, this will be issued as soon as possible (and in any event within one month of the Service Lead for Unattached Teachers' determination).

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

5 Hearings and Appeals (STPCD, Section 2, Part 2, Para 2.1(b))

The arrangements for considering Hearings and Appeals are as follows:

A teacher may seek a review of any decision in relation to his/her pay. The following list, which is not exhaustive, includes the usual reasons for seeking review of a pay determination;

That the Service Leads for Unattached Teachers by whom the decision was made:

- Incorrectly applied any provision of the STPCD
- Failed to have proper regard for statutory guidance
- Failed to take proper account of relevant evidence
- Took account of irrelevant or inaccurate evidence
- Was biased; or
- Otherwise unlawfully discriminated against the teacher.

Each teacher will receive written confirmation of the pay determination and the basis on which the decision was made. This will be provided by the Service Leads for Unattached Teachers.

If the teacher is not satisfied with his/her salary assessment/performance review he/she should seek to resolve this by discussing the matter informally with the designated manager within ten working days of receiving the decision.

This discussion will:

- Give verbal clarification on the reasons why the assessor will not recommend the salary assessment/performance review
- Allow the teacher to produce further evidence for consideration
- The decision maker will then re-consider the case and inform the teacher of the decision and confirm this in writing within 3 working days

Where this is not possible or where the teacher continues to be dissatisfied with his/her salary assessment/performance review, he/she may request a formal hearing.

For any formal hearing or appeal the teacher is entitled to be represented by a work colleague or trade union representative.

Please see:

Appendix 1 - Format for the Formal Hearing process.

Appendix 2 - Format for the Appeals process.

Appendix 3 - Flow Chart for Pay Hearings and Appeals process.

6 Basic Pay Determination

6.1 Headteachers (STPCD, Section 2, Part 2, Para 9)

The Service Leads for Unattached Teachers will determine the Headteacher pay range for the Headteacher in accordance with STPCD Section 2, Part 2, Para 9.

The Headteacher pay range must consist of seven consecutive leadership spine points within the specified school group range (determined in accordance with Section 2, Para 7 to 10). See Appendix 4 for Leadership pay ranges and pay relativities.

Where the Headteacher is appointed as Headteacher of more than one school on a permanent basis the Service Leads for Unattached Teachers will determine the Headteacher pay range within the school group range of the combined total number of pupil units across all schools.

The Service Leads for Unattached Teachers will determine the Headteacher pay range when a new Headteacher appointment is to be made, if the Headteacher group changes (including where the Head becomes responsible and accountable for more than one school on a permanent basis) or if the Deputy or Assistant Headteachers' pay range is set to overlap with the Headteacher pay range. When determining the Headteacher pay range the Service Leads for Unattached Teachers shall take into account the full responsibilities of the post and the Headteacher duties set out in Part 6 of the STPCD.

The Service Leads for Unattached Teachers shall determine the salary of a newly appointed Headteacher or the salary of the serving Headteacher where the Service Leads for Unattached Teachers have raised the Headteacher pay range, in accordance with the STPCD (Section 2 Para 6).

6.1.1 Temporary Payments (Section 2, Part 2, Para 10)

The Service Leads for Unattached Teachers may determine that additional payments be made to the Headteacher for clearly temporary responsibilities or duties that have not previously been taken into account of when setting the Headteachers pay range. The total value of the salary and temporary payments in any academic year will not exceed 25 per cent of the amount that corresponds to the maximum of the appropriate Headteacher Group.

Guidance/Notes;

In exceptional circumstances the Service Leads for Unattached Teachers may award payments that exceed the 25 percent limit. This is determined by the insertion used above in 6.1.

6.2 Deputy Headteachers and Assistant Headteachers (STPCD, Section 2, Part 2, Para 9)

The Service Leads for Unattached Teachers will determine the pay range for Deputy and Assistant Headteachers when it proposes to make a new appointment or where there is significant change in the responsibilities of serving Deputy or Assistant Headteachers. The Service Leads for Unattached Teachers will take into account the responsibilities and challenges of the post and whether the post is difficult to fill.

The Deputy and Assistant Headteachers pay ranges will consist of five consecutive leadership points which will not exceed the maximum of the appropriate Headteacher Group.

Only in exceptional circumstances can the Deputy/Assistant Headteachers pay range overlap with the Headteachers. The Service Leads for Unattached Teachers will formally record the reasoning behind the determination of the pay ranges should an overlap with the Headteacher be considered necessary.

6.3 Other Teachers

The local authority will not restrict the pay range advertised other than the minimum of the main pay range and the maximum of the upper pay range.

The Service Leads for Unattached Teachers will apply the principle of pay portability when making pay determinations for all new appointees. When determining the starting salary for a classroom teacher who has previously worked in a Local Authority, Local Authority Maintained school or an Academy, the Service Leads for Unattached Teachers will pay the teacher on the main pay range or upper pay range at a point which at least maintains the teacher's previous pay entitlement plus any pay progression, which they would have received had they remained in their previous post.

A newly appointed teacher (i.e. NQT or Unqualified teacher) will usually be appointed at the minimum of the main pay range, or the unqualified pay range as appropriate. They may be appointed at a higher point in the range taking into account the teacher's previous salary and/or relevant experience as determined by the Service Leads for Unattached Teachers. An extra point or points on the scale may be awarded in the following circumstances;

- one point for three years of experience spent working in a relevant area, including industrial or commercial training, time spent working in an occupation relevant to the teacher's work at the school, and experience with children/young people
- one point for each period of one year of service as a qualified teacher in countries outside England and Wales in a school in the maintained sector of the country concerned

- one point for each period of one year of service as a qualified teacher in higher or further education

Teachers will not be appointed on the upper pay range where they have previously been paid on the upper pay range or where they have successfully been assessed as meeting the upper pay range/threshold criteria.

A teacher who was previously employed as Headteacher, Deputy Headteacher, Assistant Headteacher, leading practitioner teacher, advanced skills teacher or excellent teacher for an aggregate period of one year or more, before returning to the role of a classroom teacher, will be placed on the upper pay range at a point deemed as appropriate by the Service Leads for Unattached teachers.

6.3.1 Main Pay Range Teachers (STPCD, Section 2, Part 3, Para 13)

The Service Leads for Unattached Teachers has established the following pay range for classroom teachers on main pay range:

Point 1	£25,714
Point 2	£27,600
Point 3	£29,664
Point 4	£31,778
Point 5	£34,100
Point 6	£36,961

6.3.2 Upper Pay Range Teachers (STPCD, Section 2, Part 3, Para 14)

The Service Leads for Unattached Teachers has established the following pay range for classroom teachers on upper pay range:

Point 1	£38,690
Point 2	£40,124
Point 3	£41,604

6.3.3 Leading Practitioners Pay Range (STPCD, Section 2, Part 3, Para 16)

Leading Practitioner teacher posts may be established for teachers whose primary purpose is the modelling and leading improvement of teaching skills, where those duties fall outside the criteria for awarding a TLR payment.

The Service Leads for Unattached Teachers will determine the pay scale for Leading Practitioners with reference to the responsibility of the post.

6.4 Unqualified Teachers (STPCD, Section 2, Part 3, Paras 17-18)

The Service Leads for Unattached Teachers has established the following pay range for unqualified teachers

Point 1	£18,419
Point 2	£20,532
Point 3	£22,644
Point 4	£24,507
Point 5	£26,622
Point 6	£28,735

The local authority will pay an unqualified teacher on one of the salaried employment based routes into teaching on the unqualified teachers' pay scale.

In the case of an Unqualified Teacher who becomes qualified the Service Leads for Unattached Teachers will adhere to the STPCD (Section 2, Part 3, Para 18).

6.4.1 Unqualified Teachers Allowance (STPCD, Section 2, Part 4, Para 22)

The Service Leads for Unattached Teachers may award an additional allowance to an unqualified teacher where the teacher has:

- (a) taken on a sustained additional responsibility which is:
 - i) focussed on teaching and learning
 - ii) requires the exercise of a teachers' professional skills and judgment;

or

- (b) qualifications or experience which bring added value to the role being undertaken.

The value of any such allowance will be determined by the Service Leads for Unattached Teachers on a case by case basis.

6.5 Short notice/Supply Teachers (STPCD, Section 2, Part 6, Para 44)

Teachers who work on a day-to-day or other short notice basis will have their pay determined in line with the statutory pay arrangements in the same way as other teachers. Teachers paid on a daily basis will have their salary assessed as an annual amount, divided by 195 and multiplied by the number of days worked.

Teachers who work less than a full day will be hourly paid and will also have their salary calculated as an annual amount which will then be divided by 195 then divided again by 6.48 to arrive at the hourly rate.

The factor used for the hourly calculation is 6.48, which calculated from 1265 divided by 195.

6.6 Part Time Teachers (STPCD, Section 2, Part 6, Paras 42-43)

Teachers employed on an on-going basis by local authority but who work less than a full working week are deemed to be part-time.

In the case of unattached part-time teachers the “schools timetabled teaching week” comparator will be a full-time teacher in the same service within the local authority.

The written statement should set out the expectations of the service, and the part-time teacher, regarding the deployment of directed time both within and beyond the service day in accordance with the professional duties as stated in Part 7 of the STPCD.

Part-time teachers must be paid the pro rata percentage of the appropriate full-time equivalent salary, in accordance with the “pro rata principle” STPCD (Section 2, Part 6, Para 42). The same percentage must be applied to any allowances awarded to a part-time teacher.

Any additional hours such a teacher may agree to work from time to time at the request of the designated manager, should also be paid at the same rate.

A calculator is available on the virtual office to assist with this calculation:
Part Time Teachers Proportional Pay Calculator

http://www.sandwell.gov.uk/hrconsultancy/downloads/file/22/part_time_teachers_proportional_pay_calculator

7 Pay Progression linked to performance

The local authority agrees the budget and will ensure that appropriate funding is allocated for pay progression at all levels.

In all cases pay progression will be in line with the local authority's Appraisal Policy and the Education (School Teachers' Appraisal) (England) Regulations 2012.

Decisions regarding pay progression will be made with reference to the teachers' appraisal/performance management reports and the pay recommendations they contain. Final decisions about whether or not to accept a pay recommendation will be made by the Service Leads for Unattached teachers, having regard to the appraisal/performance management reports and taking into account advice from the appraiser(s)/designated managers.

In the case of NQTs, 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. The local authority will ensure consistency of treatment and fairness by moderation and quality assurance. This will be in accordance with the Local Authority's Appraisal Policy, i.e. the Service Leads for Unattached Teachers will moderate all the planning statements to check that the plans recorded in the statements of the unattached teachers are consistent between those who have similar experience and similar levels of responsibility, and that they comply with the local authority's appraisal policy, regulations and the requirements of equality legislation.

The evidence used for assessing performance will be in accordance with the Local Authority's Appraisal Policy.

7.1 Leadership Pay Progression (STPCD, Section 2, Part 2, Para 11)

Appraisal of performance for the Headteacher, Deputy Headteacher or Assistant Headteacher will be assessed against the extent to which they have met their individual appraisal objectives, demonstrated sustained high quality of performance, with particular regard to leadership, management and pupil progress and met the relevant standards in accordance with the Local Authority's Appraisal Policy.

Teachers on Leadership pay range will be awarded pay progression following a successful appraisal review. Reviews will be deemed to be successful unless concerns about standards of performance have been raised in writing with the teacher during the annual appraisal cycle and have not been sufficiently addressed through support provided by the conclusion of that process.

The Service Leads for Unattached Teachers will consider whether to award one or two pay progression points having regard to the most recent appraisals or reviews. Progression points may only be awarded within the appropriate leadership range confirmed in 6.1 and 6.2 of this document.

Where a teacher has been absent for some or all of the appraisal period, an assessment will be based on performance during any periods of attendance and prior performance.

The local authority has chosen not to exercise its discretion to award two pay progression points at this stage.

7.2 Other Teachers Pay Progression (STPCD, Section 2, Part 3, Para 19)

Performance will be assessed against the extent to which teachers have met their individual objectives and relevant standards in accordance with the Local Authority's Appraisal Policy.

Teachers will be awarded pay progression following a successful appraisal review on main pay range, leading practitioner pay range and unqualified pay range, or following two successful appraisal reviews on Upper Pay Range.

Reviews will be deemed to be successful unless concerns about standards of performance have been raised in writing with the teacher during the annual appraisal cycle and have not been sufficiently addressed through support provided by the school by the conclusion of that process.

The local authority has chosen not to exercise its discretion to award two pay progression points or accelerated progression at this stage.

Progression will be within a pay range, there will be no progression to the next pay range until the criteria for that range has been fully met.

Where a teacher has been absent for some or all of the appraisal period, an assessment will be based on performance during any periods of attendance and prior performance. In making pay decisions absence solely would not normally prevent pay progression.

7.3 Application to be paid on the Upper Pay Range (STPCD, Section 2, Part 3, Para 15)

Teachers will be eligible for progression to the upper pay range having reached point six on the main pay range. It is the responsibility of the teacher to decide whether or not they wish to apply to be paid on the Upper Pay Range.

The local authority should, as part of the appraisal process, inform teachers of their eligibility to apply for assessment two years ahead of their becoming eligible and inform them of the application process.

7.3.1 The Application

Applications may be made once a year. The closing date for application is normally 31 October.

Where teachers wish to be assessed they should notify their designated manager in writing using the application form in Appendix 6.

All applications should include the results of the two most recent appraisals under the Appraisal Regulations 2012, including any recommendations on pay. Where such information is not applicable or available, a written statement and summary of evidence designed to demonstrate that the applicant has met the assessment criteria must be submitted.

It is the teacher's responsibility to submit appraisal reviews that cover the two year relevant period in support of their application. Where a teacher is absent from work because of maternity, adoption, paternity or disability, the assessment will be based on performance during any periods of attendance rather than the full two year period.

If a teacher is simultaneously employed at another local authority/school(s), they may submit separate applications if they wish to be paid on the upper pay range at that setting. The Local Authority will not be bound by any pay decision made by another school.

7.3.2 The Assessment

The assessment will be made by the designated manager within 10 working days of the conclusion of the appraisal process.

An application from a qualified teacher will be successful where the Service Leads for Unattached Teachers 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.

The Service Leads for Unattached Teachers will be satisfied that the teacher has met the expectation for progression to the upper pay range where the upper pay range criteria (see Appendix 7) have been satisfied as evidenced by two consecutive successful appraisal reviews.

7.3.3 Process and procedures

If successful the teacher will move to the upper pay range from 1 September following the years' appraisal reviews submitted. For example, if the appraisal reviews cover academic years 2012/13 (main scale point 5) and 2013/14 (main scale point 6) and the application is submitted before 31 October 2014, movement to the upper pay range will be with effect from 1 September 2014.

Where the application is successful the teacher will start at the minimum of the upper pay range.

If unsuccessful, feedback will be provided by the designated manager as soon as possible and at least 10 working days of the decision, and will cover the reasons for the decision and the appeal arrangements available. Any appeal against the decision will be heard under the pay hearings and appeals procedure set out in this pay policy (Section 4).

Appendix 8 shows the application process.

8. Additional Allowances and Payments

8.1 Teaching & Learning Responsibility Payments (TLRs) (STPCD, Section 2, Part 4, Para 20)

The Service Leads for Unattached Teachers will award a TLR1 or TLR2 payment to a Main Pay Range or Upper Pay Range teacher undertaking a sustained additional responsibility in the context of their staffing structure for the purpose of ensuring the continued delivery of high-quality teaching and learning and for which they are made accountable. The award may be while a teacher remains in the same post or occupies another post in the temporary absence of the post-holder.

With the exception of sub-paragraphs (c) and (e) which do not apply to the awarding of TLR3s, the Service Leads for Unattached Teachers will apply the following factors for awarding TLR Payments:

They must be satisfied that the teacher's duties include a significant responsibility that is not required of all unattached 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.

Before awarding a TLR1, the Service Leads for Unattached Teachers must be satisfied that the significant responsibility referred to in the previous paragraph includes in addition line management responsibility for a significant number of people.

An unattached teacher may not hold more than one TLR1 or TLR2 of any value, but a TLR1 or TLR2 could be based on a job description that itemises several different areas of significant responsibility.

A TLR1 or a TLR2 is a payment integral to a post in the staffing structure and therefore may only be held by two or more people when job sharing that post.

TLRs awarded to part-time unattached teachers must be paid pro-rata at the same proportion as the unattached teacher's part-time contract.

Where a teacher is no longer entitled to a TLR1 or TLR2 award, or where the value of the TLR1 or TLR2 award is of a lower value than entitled to immediately prior to the new determination, safeguarding will be applied.

TLR1/TLR2s are awarded to the holders of the posts indicated in the staffing structure, which is attached to this policy (Annex 1).

The values of the TLRs to be awarded are set out in Appendix 9.

The TLR3 may only be awarded for clearly time limited school improvement projects or one-off externally driven responsibilities.

The Service Leads for Unattached Teachers should not award consecutive TLR3s for the same responsibility unless that responsibility relates to tutoring to deliver catch-up support to pupils on learning lost during the current pandemic, and where that tutoring work is taking place outside of normal directed hours but during the school day.

Where the Service Leads for Unattached Teachers determine that a TLR3 payment should be made, it will set out in writing the proposed responsibilities/duties, level of payment and the duration of the payment.

Full consultation with trade union representatives will be undertaken with the aim of seeking agreement before the decision is made to make any such payments.

These responsibilities are not permanent or a structural requirement which should instead be awarded by means of a permanent TLR1/TLR2 payment. They should not be responsibilities for which a TLR is already awarded.

TLR3 awards are not subject to safeguarding.

8.2 Special Educational Needs Allowances (STPCD, Section 2, Part 4, Para 21)

The Service Leads for Unattached Teachers will award a SEN allowance to a teacher:

- (a) in any SEN post that requires a mandatory SEN qualification; (i.e., those specialist teachers working with the visual/hearing impaired);
- (b) in a special school;
- (c) who teaches pupils in one or more designated special classes or units in a school. In this respect, a designated special class is defined as:

Example: Focused provision

- (d) in any non-designated setting including any PRU that is similar to a designated special class or unit, where the post:-

- (i) involves a substantial element of working directly with children with special educational needs;
- (ii) requires the exercise of a teacher's professional skills and judgement in the teaching of children with special educational needs; and
- (iii) has a greater level of involvement in the teaching of children with special educational needs than is the normal requirement of teachers throughout the school or unit or service.

Where a SEN allowance is to be paid, the Service Leads for Unattached Teachers will determine the spot value of the allowance (of no less than £2,270 and no more than £4,479), taking into account the structure of the service's SEN provision and the 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.

The Service Leads for Unattached Teachers will set out the arrangements for rewarding teachers with SEN responsibilities and the spot value of the allowance as:

- Teachers who meet the statutory criteria will receive an SEN allowance equal to the minimum of the SEN range (£2,270)
- Teachers who have two or more years' experience in the role where greater knowledge or expertise is required of the post holder will receive a SEN allowance equal to the mid-point of the SEN range. (£3,375)
- Teachers who teach a special class for which a mandatory qualification is required and who also have considerable experience and expertise will be paid at the top of the range (£4,479)

Where a teacher is no longer entitled to a SEN allowance, or where the value of the SEN allowance payable is of a lower value than entitled to immediately prior to the new determination, safeguarding will be applied.

SEN allowances may be held at the same time as TLRs.

8.3 Safeguarding Payments and Allowances (STPCD, Section 2, Part 5, Paras 31-39)

The local authority will ensure that payments and allowances will be safeguarded strictly in accordance with Part 5 of the STPCD.

8.4 Additional Payments (STPCD, Section 2, Part 4, Para 26)

The local authority will only award additional payments to teachers which are strictly in accordance with the STPCD (Section 2, Part 4, Para 26) and in the guidance contained in Section 3 Paras 59-68.

In the case of the Headteacher, the Service Leads for Unattached Teachers will only make additional payments where the activity or responsibility is temporary and has not already been taken into account of in determining the Headteacher's base pay. Any such payments will be time limited and subject to the overall limits on Headteachers' pay (see Section 6.1.1)

8.4.1 Payment for continuing professional development (CPD) undertaken outside of the service day.

Teachers (including the Headteacher) who undertake voluntary continuing professional development outside of the school day will be entitled to additional payment.

Payments so awarded will be calculated on a daily rate of 1/195th of the teacher's actual salary.

8.4.2 Activities relating to the provision of initial teacher training (ITT) as part of the ordinary conduct of the service.

Service Leads for Unattached Teachers will not exercise their discretion to pay any teaching staff for providing ITT except where sufficient funding for ITT is available. In these circumstances the Service Leads for Unattached Teachers will award teachers (including the Headteacher), who undertake voluntarily service-based initial teacher training activities, payments calculated on a daily rate of 1/195th of the teacher's actual salary.

8.4.3 Participation in directed out-of-hours learning activity agreed between the teacher and the designated manager

Teachers who voluntarily agree to provide learning activities outside of the normal service hours (not part of the 1265 hours of directed time), and whose salary range does not take account of such activity will be entitled to this payment.

Some possible activities that attract this payment include: revision/booster sessions, breakfast clubs, homework clubs; summer schools (study support, literacy and gifted and talented), sporting activities, other outdoor activities and clubs linked to curricular, arts and hobby interest areas.

Where the activity requires the professional responsibilities and duties of a teacher (i.e. development of the curriculum, assessment, monitoring or delivering classes) the activity will be paid at the teacher's hourly rate calculated with reference to the teacher's actual spine point on the pay scale.

Where the activity requires the professional responsibilities and duties of a teacher and in addition requires the teacher to undertake duties and responsibilities for which they have a TLR payment (such as the management of timetabling, co-ordination and evaluation), the activity will be paid at the teacher's hourly rate calculated with reference to the teacher's actual spine point on the pay scale and the TLR element.

Where the activity does not require a qualified teacher, such as it is not part of the teacher's substantive contractual duties, and could be undertaken by an instructor or support member of staff, the activity will be paid at the correct rate of pay for the role and will be evaluated through the normal job evaluation process.

For example:

- a teacher undertaking an activity which could be led by a dance instructor will be paid at the appropriate dance instructor rate.
- a teacher working in a breakfast club undertaking the same duties as other non-teaching staff will be paid at the appropriate rate for a breakfast club worker.

The rate of payment will be determined before the activity takes place, and the teacher notified of the rate.

Further information on payments to teachers who voluntarily undertake work outside of their normal working week can be found in the "Out of Hours Learning Activities Additional Payment Guidance for Unattached Teachers".

8.4.4 Service Provision

The local authority has discretion to make payments to Headteachers who provide an external service to one or more additional schools, and also to any of the teachers whose post accrues additional responsibility as a result of the Head's activities. e.g. as a National Leader of Education/Local Leader of Education, where they are not ultimately accountable for the outcomes in the school, but for the quality of service being provided (see STPCD, Section 3, Paras 64-67).

N.B. There is no provision within the STPCD for payment of bonuses or honoraria (Section 3, Para 3). Any such award to a teacher for their teaching work would be unlawful. Therefore, under no circumstances will the local authority award such payment to any member of the teaching staff for carrying out their professional duties as a teacher.

8.5 Recruitment and Retention Incentives and Benefits (STPCD, Section 2, Part 4, Para 27)

The local authority will consider the award of recruitment and retention payments against the background of any national guidance or advice, teacher supply and demand, curriculum areas and the retention of experienced staff, in particular where awarding a recruitment and retention allowance enables the

local authority to recruit and retain teachers of the quality required to ensure service improvement.

Payments may only be made for recruitment and retention purposes in exceptional circumstances, not for carrying out specific responsibilities or to supplement pay for other reasons.

Headteachers may not be awarded payments under Para 27, other than as reimbursement of reasonably incurred housing or relocation costs. The Service Lead's for Unattached Teachers will take into account recruitment and retention incentives and benefits for the Headteacher when determining the Headteachers pay range (subject to the overall limit on salary and temporary payments).

The Service Leads for Unattached teachers will make clear at the outset, in writing, the expected duration of any such incentive or benefit, and the review date after which they may be withdrawn. All recruitment and retention payments will be reviewed annually by the Service Leads for Unattached teachers.

The local authority will award such payments in accordance with the STPCD (Section 2, Part 4, Para 27) and the guidance contained in Section 3 (Paras 69-71).

8.6 Acting Allowances (STPCD, Section 2, Part 4, Para 23)

The local authority will award acting allowances in accordance with the STPCD (Section 2, Part 4, Para 23).

8.7 Salary Sacrifice Arrangements (STPCD, Section 2, Part 4, Para 29)

For the purposes of this paragraph "salary sacrifice schemes" means any arrangement under which the employee gives up the right to receive part of his/her gross salary in return for the employer's agreement to provide him/her with a benefit in kind, which is exempt from income tax.

Teachers who voluntarily participate in any such arrangement have their gross salary reduced accordingly for the duration of the arrangement. The salary sacrifice arrangement shall have no effect upon the determination of any safeguarded sum to which the teacher may be entitled under any provision of the STPCD.

From the salary sacrifice arrangements permitted under Paragraph 29 of the STPCD the local authority currently operates a child care voucher scheme.

Appendix 1: Formal Hearings

At any formal hearing the teacher will be entitled to be represented by a work colleague or trade union representative.

If the teacher cannot informally resolve their grievance, this procedure provides a right of a formal hearing if they continue to be dissatisfied with his/her salary assessment/review.

To exercise this right the teacher must set down in writing the grounds for questioning the pay decision and send it to the appropriate Service Manager, within 10 working days of the informal discussion or decision.

In normal circumstances the formal hearing shall be heard within 10 working days of receipt of the written notification of dissatisfaction.

The formal hearing will be heard by the Committee.

Both parties (appraiser and teacher) will explain their case; they must have the opportunity to make representation in person.

Following the formal hearing the decision must be confirmed in writing and the teacher reminded of their right of appeal.

Records

In order that comprehensive records are maintained, copies of all notes/minutes and correspondence arising out of the operation of this procedure shall be retained on the employee's personal file.

Notes and minutes of all proceedings to be kept together with the outcome of all decisions.

Procedure for the Formal Hearing:

The Committee shall hear the case in accordance with the following procedure:

- i. The Appraiser shall put the case in the presence of the teacher and his/her representative*.
- ii. The teacher (or his/her representative) shall have the opportunity to ask questions of the Appraiser.
- iii. The Committee shall have the opportunity to ask questions of the Appraiser.
- iv. The teacher (or his/her representative) shall put his/her case in the presence of the Appraiser.
- v. The Appraiser shall have the opportunity to ask questions of the teacher (or representative).
- vi. The Committee shall have the opportunity to ask questions of the teacher (or representative).
- vii. The Appraiser and the teacher (or his/her representative) shall have the opportunity to sum up their cases if they so wish.
- viii. The Appraiser and the teacher and his/her representative shall withdraw.
- ix. The Committee, with a HR Consultant present, shall deliberate in private only recalling the designated manager and the teacher (and his/her representative) to clear points of uncertainty on evidence already given. If recall is necessary both parties shall return notwithstanding only one is concerned with the point giving rise to doubt.
- x. The Committee shall announce the decision to the Appraiser and the teacher (and his/her representative) personally.
- xi. The decision of the Committee shall be notified in writing to the teacher and a copy of the letter shall be retained on the appropriate employee's personal file. The teacher will be informed of the right of appeal.
- xii. Written notification of the teacher's intention to appeal must be made within 3 days of receiving the Committee's decision.

**If the appellant is the Headteacher then where it refers to teacher above it will be the Headteacher.*

Appendix 2: Appeals

At the appeal the teacher will be entitled to be represented by a work colleague or trade union representative.

To exercise the right of appeal the teacher must set down in writing the grounds for questioning the pay decision and send it to the Service Leads for Unattached Teachers within 3 days of receiving the decision from the formal hearing.

In normal circumstances the appeal shall be heard within 20 working days of receipt of the teachers written appeal notification.

The appeal will be heard by the Appeals Committee. No person involved in the previous discussions or making the decision at the formal hearing shall be involved in the Appeal Committee.

Both parties (the teacher and the decision maker from the formal hearing) will have an opportunity to explain their case. They must have the opportunity to make representation in person.

Following the appeal the decision must be confirmed in writing including the reasons for reaching the decision. The Appeals Committee's decision is final; there is no recourse to the grievance procedure.

Records

In order that comprehensive records are maintained, copies of all notes/minutes and correspondence arising out of the operation of this procedure shall be retained on the employee's personal file.

Notes and minutes of all proceedings to be kept together with the outcome of all decisions.

Procedure for the Appeals Committee

The purpose for Appeals Committee is not to reconsider the whole case, only the aspects which are identified as the reason for the appeal.

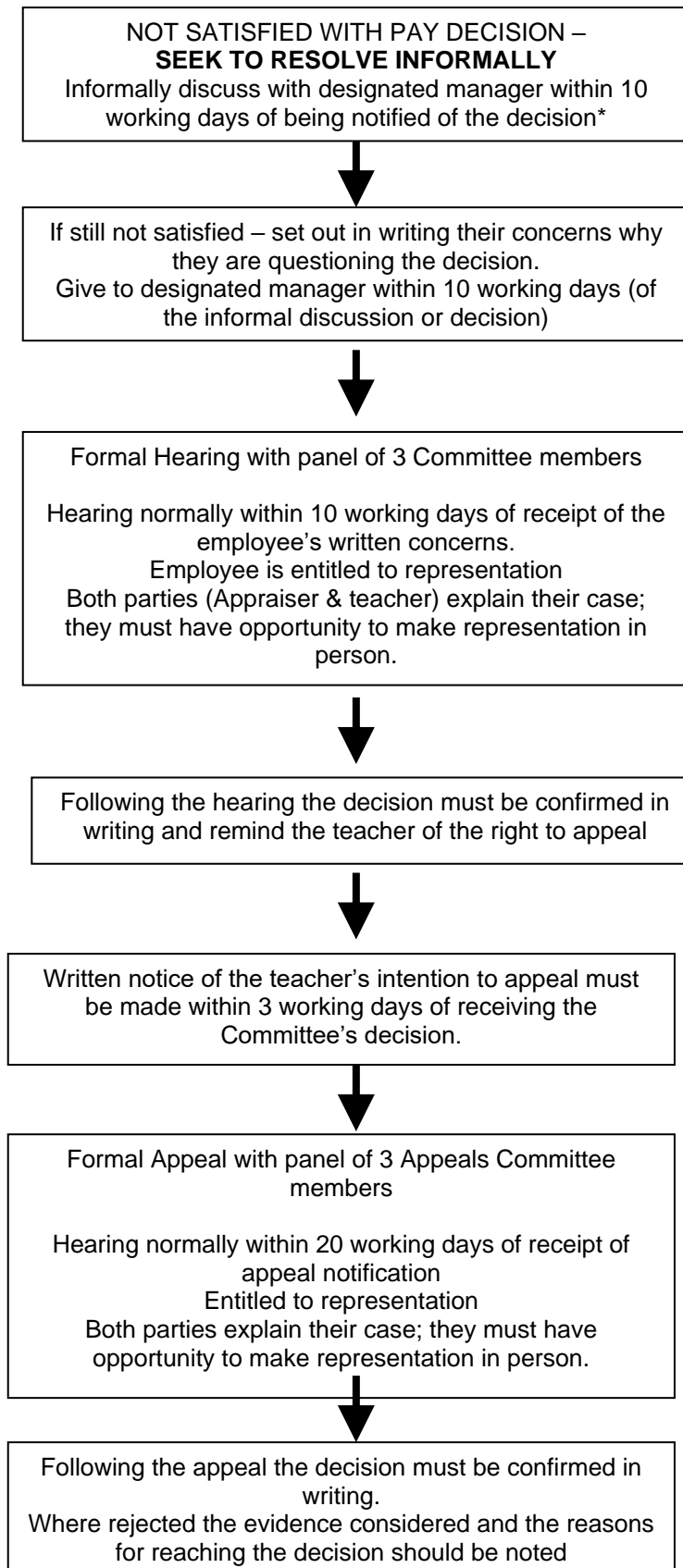
The Appeals Committee shall hear the case in accordance with the following procedure:

- i. The teacher (or his/her representative) shall put his/her case in the presence of the Chair of the Committee.
- ii. The Chair of the Committee, which heard the formal hearing, shall have the opportunity to ask questions of the teacher (or representative).
- iii. The Appeals Committee shall have the opportunity to ask questions of the teacher (or representative).

- iv. The Chair of the Committee which heard the formal hearing shall put the case in the presence of the teacher and his/her representative.
- v. The teacher (or his/her representative) shall have the opportunity to ask questions of the Chair of the Committee.
- vi. The Appeals Committee shall have the opportunity to ask questions of the Chair of the Committee.
- vii. The Chair of the Committee and the teacher (or his/her representative) shall have the opportunity to sum up their cases if they so wish.
- viii. The Chair of the Committee and the teacher and his/her representative shall withdraw.
- ix. The Appeals Committee shall deliberate in private only recalling the Chair of the Committee and the teacher (and his/her representative) to clear points of uncertainty on evidence already given. If recall is necessary both parties shall return notwithstanding only one is concerned with the point giving rise to doubt.
- x. The Appeals Committee shall announce the decision to the Headteacher and the teacher (and his/her representative) personally.
- xi. The decision of the Appeals Committee shall be notified in writing to the teacher and a copy of the letter shall be retained on the teacher's personal file. If the Appeal is rejected reasons for this decision must be included in the letter. There shall be no further right of appeal under this procedure.

**If the appellant is the Headteacher then where it refers to teacher above it will be the Headteacher.*

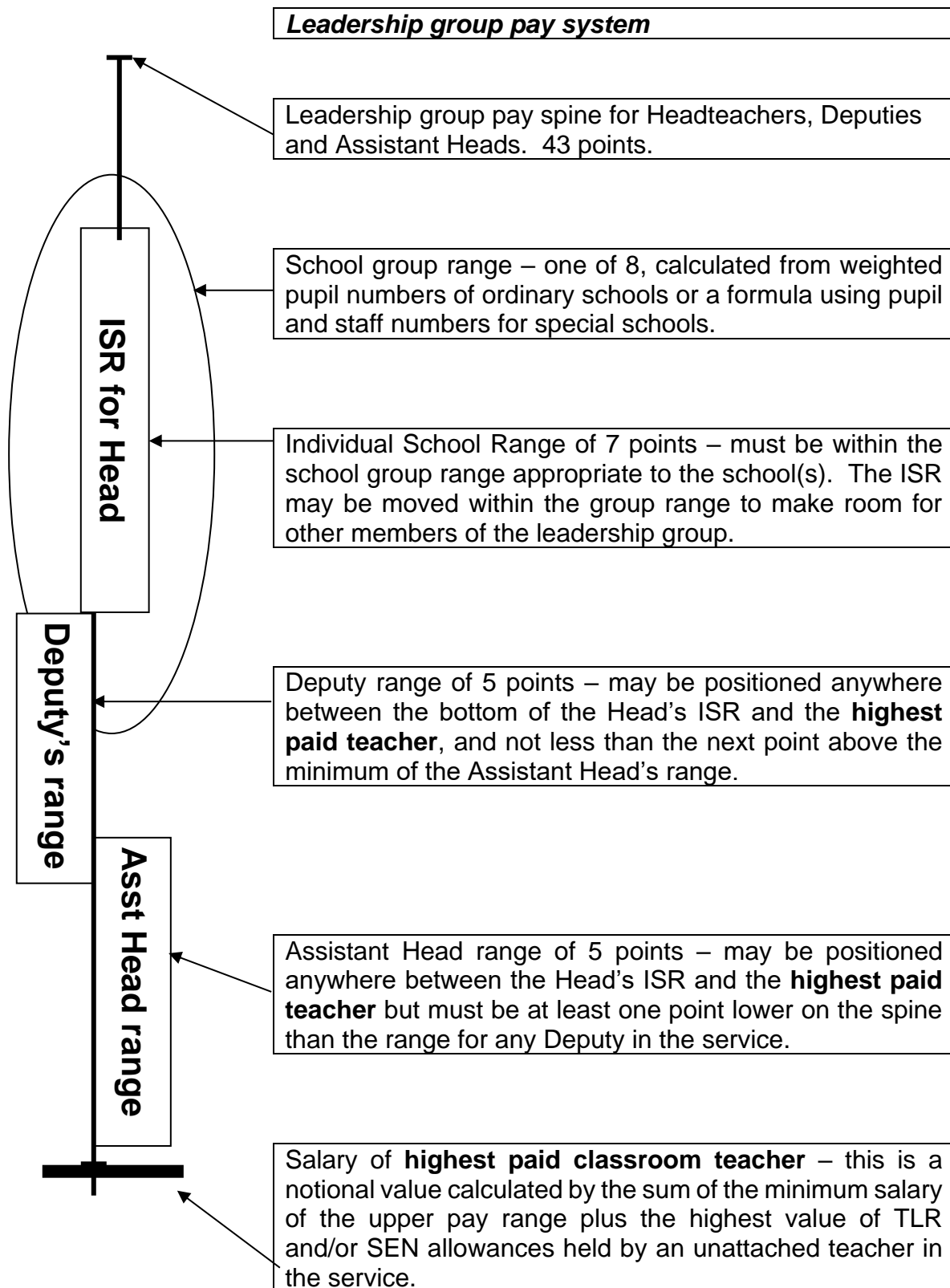
Appendix 3: Pay Hearings and Appeals Process for Teaching Staff including the Headteacher



**If the appellant is the designated manager then where it refers to designated manager above it will be the relevant Service Manager responsible for the designated manager's performance management, and the teacher becomes the designated manager.*

***If the appeal is against a decision made by the Service Leads for Unattached Teachers then the Committee will become the representative of the Service Leads for Unattached Teachers.*

Appendix 4: Leadership Pay Ranges and Pay Relativities



Appendix 5: Salary Ranges

Inclusion Support

The local authority has determined that the pay range for the serving Deputy Headteacher(s) is set at points L10 to L14.

Appendix 6: Upper Pay Range Application Form

Eligibility Criteria

In order to be assessed you must be a qualified teacher at the top of the main pay range and need to be able to evidence that you are:

- 1. highly competent in all elements of the relevant standards; and*
- 2. that your achievements and contribution to the school have been substantial and sustained.*

Also see the Schools' Pay Policy, Appendix 7 – Upper Pay Range Progression Criteria

Teacher's Details

Name: _____

Post: _____

Appraisal Details:

Years covered by review statements _____

Local Authority/Schools covered by review statements _____

Please provide an explanation why, in your judgement, your achievements and contribution to the school has been substantial and sustained.

Declaration:

I confirm that at the date of this request for assessment to be paid on the Upper Pay Range I meet the eligibility criteria and I submit appraisal review statements covering the relevant period.

Teacher's signature _____ Date _____

Appendix 7: Upper Pay Range Progression Criteria

Professional Attributes

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

Professional Knowledge and Understanding

2 – 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.

3 – Have an extensive knowledge and well-informed understanding of the assessment requirements and arrangement for the subjects/curriculum areas they teach, including those related to public examinations and qualifications.

4 – Have up to date knowledge and understanding of the different types of qualifications and specification and their suitability for meeting learners' needs.

5 – Have a more developed knowledge and understanding of their subjects/curriculum areas and related pedagogy including how learning progresses within them.

6 – Have sufficient depth of knowledge and experience to be able to give advice on the development and wellbeing of children and young people.

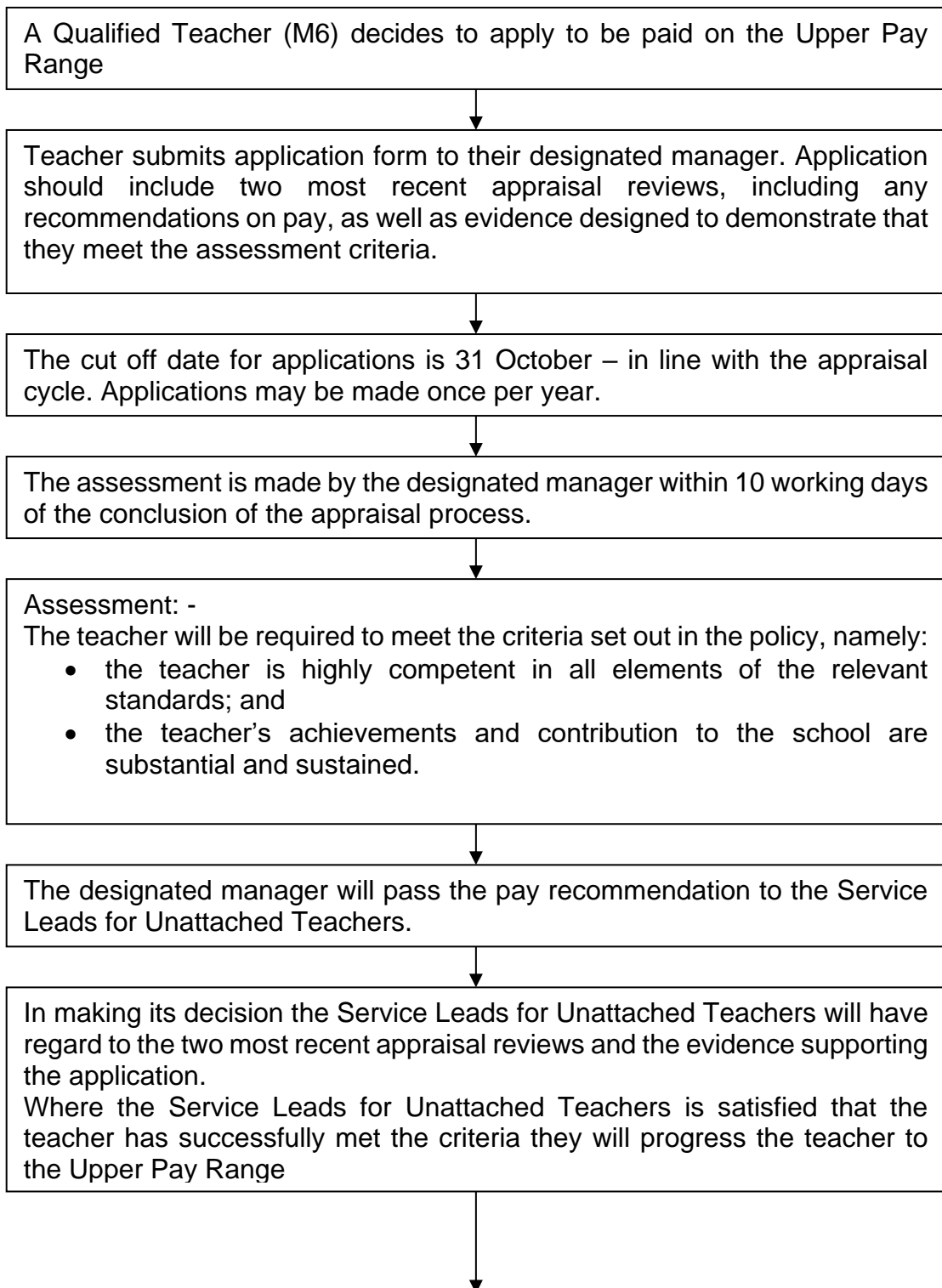
Professional Skills

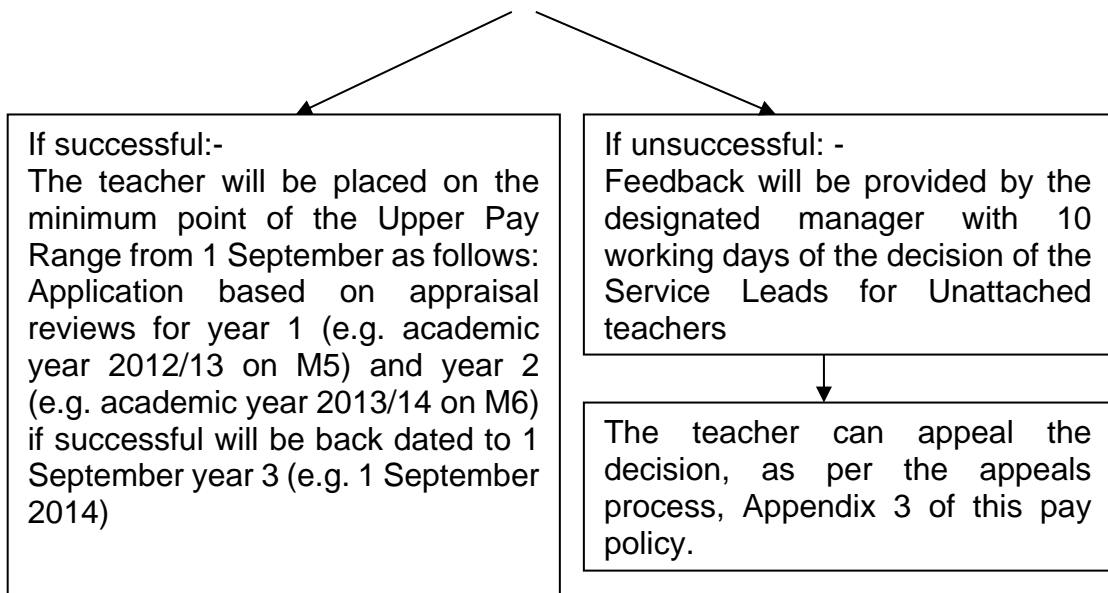
7 – Be flexible, creative and adept at designing learning sequences within lessons and across lessons that are effective and consistently well-matched to learning objectives and the needs of learners and which integrate recent developments, including those relating to subject/curriculum knowledge.

8 – Have teachings skills which lead to learners achieving well relative to their prior attainment, making progress as good as, or better than, similar learners nationally.

9 – Promote collaboration and work effectively as a team member.

10 – Contribute to the professional development of colleagues through coaching and mentoring, demonstrating effective practice, and providing advice and feedback.

Appendix 8: Application process to move to Upper Pay Range



Appendix 9: TLRs

TLRs will be awarded with the values below:

Permanent TLRs

Teaching & Learning Responsibility	Annual Payment (£)
TLR2a	2,873
TLR2b	4,785
TLR2c	7,017
TLR1a	8,291
TLR1b	10,205
TLR1c	12,118
TLR1d	14,030

Time Limited TLRs

Teaching & Learning Responsibility	Annual Payment (£)
TLR3a	571
TLR3b	1,129
TLR3c	1,689
TLR3d	2,249
TLR3e	2,833

Appendix 10: Definitions

Designated manager – the line manager for the teacher concerned

Service Leads for Unattached Teachers – as at 1 September 2012 consists of:

- Service Lead – Learning Improvement
- Principal Adviser for Inclusive Learning Service
- Service Lead – Young People, Culture and Lifelong Learning
- Service Lead – Commercial and Structural Management

The above list is subject to change dependent on service changes. If you have any queries please contact HR Management on 0121 569 3300.

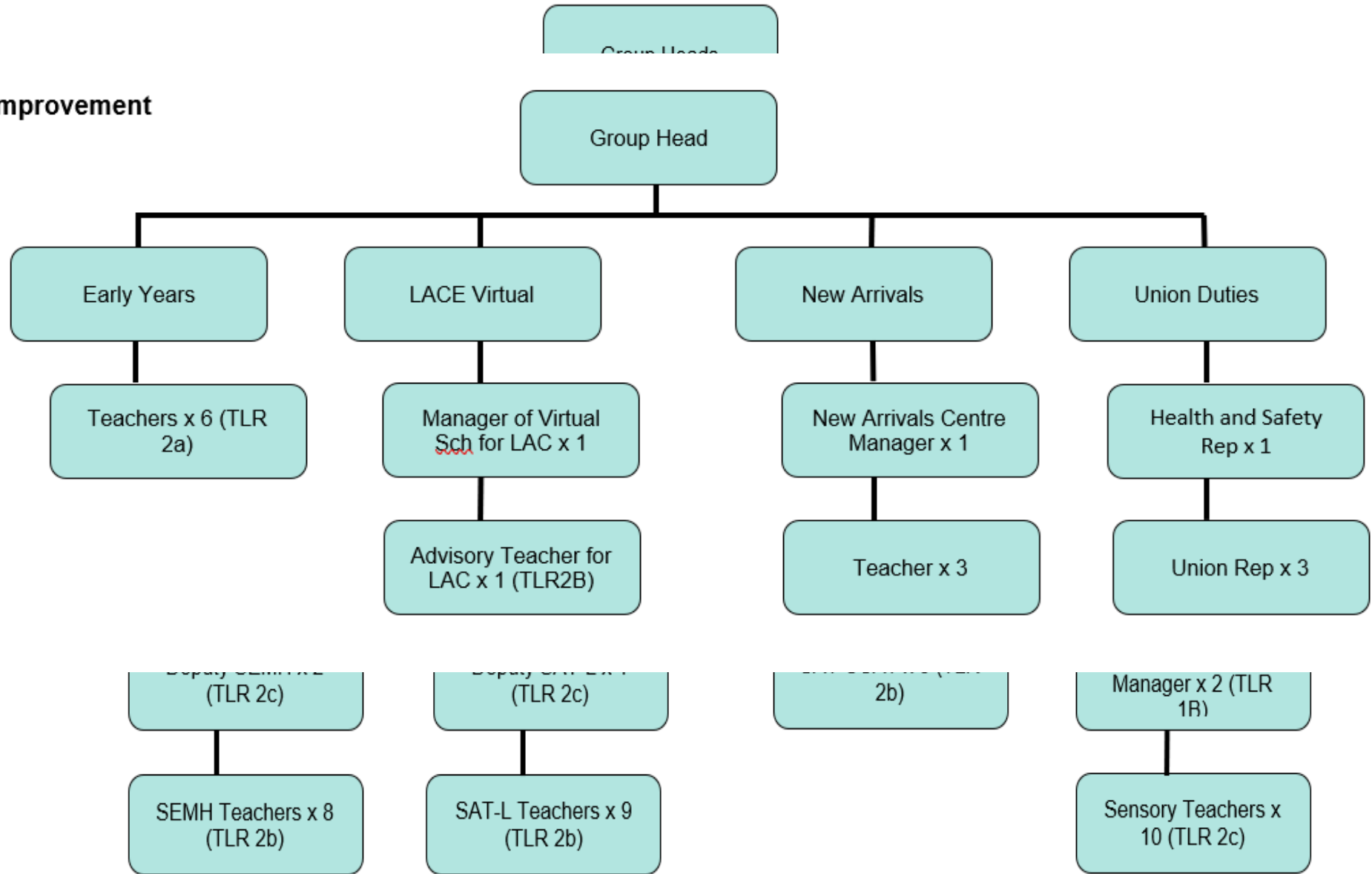
Committee – the Committee consists of the three Independent Service Leads* e.g. three Independent Services Leads* from outside of the appellant's service area.

Appeals Committee – the Appeals Committee consists of two Independent Service Leads* and one Independent Chief Officer* e.g. two Independent Services Leads* and one Independent Chief Officer* from outside of the appellant's service area.

- **Please note that both Independent Service Leads and Independent Chief Officers will be drawn from across the Council. Both the Committee and the Appeals Committee will have a HR Consultant allocated to provide advice on the relevant terms and conditions.**
- **The Committee and Appeals Committee will be able to request a special advisor to attend if needed.**

Annex 1 – The Local Authority’s staffing structure for unattached teachers

School Improvement



Education Support Services

