

# **East Midlands Academy Trust**

**Pay Review Policy**

**2021 - 2022**

**'Every child deserves to be the best they can be'**

|   |   |
|---|---|
| <b>Scope:</b> EMAT and all academies within the Trust   |   |
| <b>Version:</b> V3  | <b>Filename:</b><br>EMAT PAY REVIEW POLICY  |
| <b>Approval:</b> December 2021<br><br>This policy was ratified by the East Midlands Academy Trust Board on: XX  | <b>Next Review:</b> December 2022<br><br>This policy will be reviewed annually by the FHR committee and ratified by the Trust Board |
| <b>Owner:</b><br><br>EMAT HR Services   |   |
| <b>Related Policies</b>   |   |
| <b>Distribution:</b><br><br>East Midlands Academy Trust Employees<br><br><i>Any printed copies should therefore be viewed as "uncontrolled" and as such, may not necessarily contain the latest updates and amendments.</i> |   |

|                     |                                 |
|---------------------|---------------------------------|
| <b>Policy type:</b> |                                 |
| Non-statutory       | Replaces Trust's current policy |

## Revision History

| Revision Date   | Revisor   | Description of Revision   |
|-----------------|-----------|---|
| 25.10.2021 – V3 | H Mahmood | Policy review – STDPC document updated in October 2021. Two main changes in Pay policy: <ul style="list-style-type: none"> <li>• TLR allowance awarded to teachers for tutoring</li> <li>• NQT now ECT – 2-year program. Qualified for pay progression at the end of first year if eligible.</li> </ul> |
| 05.03.2020 – V2 | H Mahmood | Policy review – No Changes  |
| 20.02.2019 – V1 | I Holden  | New Pay Review Policy issued to all schools   |

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### Appendix 1

Application to be paid/progress on the Upper Pay scale

## EMAT Pay Review Policy 2021/2022

### 1. General Policy Statement

- 1.1.** East Midlands Academy Trust recognises the need to manage pay and performance fairly and in a way that motivates all employees to make a positive contribution to the Trust. All employees should be appropriately rewarded and valued for their contribution.
- 1.2.** This policy sets out the framework for making decisions on teacher's pay in conjunction with the School Teachers Pay and Condition Document 2021 (STPCD). It has been developed to comply with current legislation and the requirements of the Trust. It covers pay arrangements for teachers who are being paid on the unqualified, main, upper pay scale and the Leadership scale, with the STPCD 2021.
- 1.3.** This process will be managed through the Trust's performance management system, which will hold a record of individual targets and objectives linked to the overall targets of the appropriate academy / school as detailed in the respective School Development Plans.
- 1.4.** In adopting this policy, it is the Trust's aim to:
  - 1.4.1.** achieve excellent outcomes for all students
  - 1.4.2.** support the recruitment and retention of high quality workforce
  - 1.4.3.** enable the Trust to recognise and reward teachers and support staff appropriately for their contribution
  - 1.4.4.** complement the delivery of statutory appraisal process and make robust decisions on teacher and leadership pay
  - 1.4.5.** help to ensure that decisions on pay are managed in a fair, just and transparent way
  - 1.4.6.** maximise the quality of teaching and learning at the school
  - 1.4.7.** ensure there is no pay discrimination in decision making and that decisions on pay (where applicable) are based on evidence and can be justified.
- 1.5.** The Board of Trustees will undertake to challenge and verify CEO recommendations to:
  - 1.5.1.** reward all Employees appropriately recognising their contribution as individuals and as valued members of the team
  - 1.5.2.** use the discretions and flexibility available within the various terms and conditions to recruit and retain the highest quality Employees according to need
  - 1.5.3.** communicate this policy and related procedures to all Employees ensuring that any appeal or other concerns are managed promptly, fairly and objectively.
- 1.6.** The Headteacher/Department Head must ensure that every employee has an up-to-date job description that accurately reflects the accountabilities of the post.
- 1.7.** In supporting pay decisions, HR will only take into account relevant evidence and/or achievements undertaken that impacts positively on the Trust.
- 1.8.** However, where an individual is absent, for example on maternity leave or long term sick leave then the pay decision may be deferred beyond the established timetable at the request of the employee so that the employee can participate fully in the pay review process.

## 2. Reference Documents

### 2.1. This policy makes reference to:

- 2.1.1. School Teachers Pay and Conditions Document, including due regard to relevant guidance documents and accompanying circulars.
- 2.1.2. The Teachers Standards document produced by the DfE.
- 2.1.3. Conditions of Employment for School Teachers in England and Wales

## 3. Review and Monitoring

- 3.1. The Trust will monitor the implementation and application of this policy and review it annually.
- 3.2. This policy is reviewed annually by East Midlands Academy Trust board of trustees.

## 4. Pay Reviews

- 4.1. The Trust will ensure that every Employee receives a pay review annually subject to conditions set out below.
- 4.2. For both teaching and support staff this will be with effect from 1<sup>st</sup> September and no later than the 31<sup>st</sup> October each year, and each individual will receive a written statement detailing their salary.
- 4.3. 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 will give information about the basis on which it was made.

## 5. Basic Pay Determination on Appointment

- 5.1. East Midlands Academy Trust will determine the pay range for a vacancy prior to advertising it. On appointment the Trust will determine the starting salary within that range to be offered to the successful candidate.
- 5.2. In making such determinations, the Trust may take into account a range of factors, including:
  - 5.2.1. The nature of the post
  - 5.2.2. The level of qualifications, skills and experience required
  - 5.2.3. Market conditions
  - 5.2.4. The wider Trust context
- 5.3. There will be no assumption that any applicant will be paid at the same rate as they were being paid in a previous school or employment.

## **TEACHING STAFF**

### **6. Basic Pay Determination on Appointment**

- 6.1.** Following changes to the STPCD in September 2019, all pay decisions are not automatic but will be linked to assessments of performance.
- 6.2.** All teachers can expect Trust all teachers can expect to receive regular, constructive feedback on their performance and are subject to regular performance management that recognises their strengths, informs plans for their future development, and helps to enhance their professional practice.
- 6.3.** The judgements 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 the impact on pupil progress, their impact on wider outcomes for pupils, their impact on effectiveness of teachers or other employees and their wider contribution to the work of the school.
- 6.4.** Decisions regarding pay progression will be made with reference to the teachers' appraisal reports and the pay recommendations they contain. In the case of ECTs/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.
- 6.5.** To be fair and transparent, assessments of performance will be properly rooted in evidence. We will ensure fairness by collecting information in an agreed format, share information with employees regarding their performance throughout the year and provide a route of appeal should any individual be unsatisfied with their performance appraisal.
- 6.6.** The evidence will include assessment against agreed targets which are linked to the School Development Plan, tracking pupil progress, lesson observations and the contribution made to the academy/school as a whole.
- 6.7.** Teachers' appraisal reports will be completed by line managers and will contain pay recommendations. Final decisions about whether or not to accept a pay recommendation will be made by the Headteacher to the CEO, having regard to the appraisal report and taking into account advice from the senior leadership team when required.
- 6.8.** It will be possible for a 'no progression' determination to be made without recourse to the capability procedure.
- 6.9.** Where teaching, progress or compliance with the Teachers' Standards (where applicable) is not meeting expectations the Headteacher will determine support and if necessary the capability procedure will be used. In such situations there would be no pay progression during that year.

### **7. Pay progression for main pay range teachers**

- 7.1.** Eligible main pay range teachers will be automatically considered for pay progression and no application will be necessary. However annual pay progression within the range is not automatic and decisions regarding pay progression will be clearly attributable to the teacher's performance with reference to the appraisal process and the criteria set out in this pay policy.

**7.2.** Teachers will progress by one point until they reach the top of their range if the professional judgement of the (Headteacher) they can demonstrate, and the Trust is satisfied there is evidence of:

- 7.2.1. All objectives being met
- 7.2.2. The quality of teaching throughout the year being good
- 7.2.3. Pupil progress targets being achieved
- 7.2.4. The Teachers' Standards being met in full

## **8. Movement to the Upper Pay Range**

**8.1.** Any qualified teacher may apply, using the form appendix 1 to be paid on the upper pay range and any such application must be assessed in line with this policy. It is the responsibility of the teacher to decide whether or not they wish to apply to be paid on the upper pay range.

**8.2.** Applications may be made at least once a year between the 1<sup>st</sup> June and the 30<sup>th</sup> September for a decision to be considered by the Headteacher and CEO in October.

**8.3.** An application from a qualified teacher to progress on to the upper pay range will be successful where they can demonstrate that they meet not only the Teachers' Standards, but are highly competent in all elements of the standards and that their achievements and contribution are substantial and sustained.

**8.4.** To achieve progression to this pay range, the Trust must be satisfied that the teacher meets the definition of substantial contribution as set out below and there is evidence that this is sustained performance over 2 years:

- 8.4.1. All objectives are met and exceeded
- 8.4.2. Quality of teaching throughout the year is exceptional and consistently exceeds expectations
- 8.4.3. Evidence of coaching and supporting colleagues to achieve improved student outcomes, demonstrating to them effective teaching practice
- 8.4.4. Acting as a role model for Teaching and Learning, playing a critical role in the life of the school
- 8.4.5. Enhanced and demonstrable contribution to raising pupil standards
- 8.4.6. A commitment to personal development and CPD focused on improving outcomes for student
- 8.4.7. Highly competent in all areas of the Teachers' Standards.

**8.5.** The application will be initially assessed by the Headteacher and HR who will moderate all applications. The Headteacher will then make recommendation to the CEO who will present to the trustees who will ratify the final decision.

**8.6.** Applicants will be made aware of the decision as soon as practicable.

**8.7.** If successful, applicants will move to the upper pay range with effect from the 1<sup>st</sup> September and paid accordingly from this date.

**8.8.** If unsuccessful, feedback will be provided by the Headteacher verbally and will be followed with a written rationale. Part of the feedback will be to discuss ways to make a successful application in the future.

**8.9.** Should individuals no longer support the activities entailed for the upper pay range such as whole school initiatives or demonstrate the higher skill level they will drop back to the main pay scale.

## **9. Pay progression for teachers within the upper pay range**

- 9.1.** Once a teacher has moved on to the upper pay range, if eligible they will be automatically considered for further progression more than once every two years, however an application will be necessary. Annual pay progression within the range is not automatic and decisions regarding pay progression will be clearly attributable to the teacher's performance with reference to the appraisal process.
- 9.2.** Upper pay range teachers will progress by one point, until they reach the top of the range, if they can demonstrate and the Trust is satisfied that there is evidence from the required period of continuing to meet the criteria at 8.4.

## **10. Pay progression for unqualified teachers**

- 10.1.** Eligible unqualified teachers will be automatically considered for further progression and no application will be necessary. However annual pay progression within the range is not automatic and decisions regarding pay progression will be clearly attributable to the teacher's performance with reference to the appraisal process.
- 10.2.** Judgements of performance will be made in relation to the appraisal outcomes and meeting objectives. The minimum expectation to achieve pay progression is:

- 10.2.1. All objectives are met
- 10.2.2. The quality of teaching throughout the year is good
- 10.2.3. Pupil progress targets achieved for all groups.

## **11. Pay progression for leading practitioners**

- 11.1.** Leading practitioner posts have the primary purpose of modelling and leading improvements of teaching skills. Within EMAT they will take a leadership role in developing, implementing, and evaluating policies and practices in the workplace that contributes to school improvement. To be appointed to a leading practitioner role, the teacher must:
- 11.1.1. be an exemplar of teaching skills
  - 11.1.2. lead the improvement of teaching skills in the school
  - 11.1.3. carry out the professional responsibilities of a teacher other than a headteacher, including those responsibilities delegated by the headteacher.

**11.2.** The pay range for these posts will be determined individually for each leading practitioner post, which may differ to reflect the different demands and challenges of that post. Each individual pay range will be determined with the overall minimum and maximum of the pay range set by STPCD.

**11.3.** Eligible leading practitioners will be automatically considered for further progression and no application will be necessary. However, annual pay progression within the range is not automatic and decisions regarding pay progression will be clearly attributable to the leading practitioner's performance with reference to the appraisal process.

**11.4.** Leading practitioners will progress by one point until they reach the top of their range, if they can demonstrate and the Trust is satisfied that they continue to effectively carry out the purpose of the role as set out at 11 and there is evidence of:

- 11.4.1. All objectives are met and exceeded
- 11.4.2. The quality of teaching throughout the year is exceptional and exceeds expectations
- 11.4.3. Evidence of coaching and supporting colleagues to achieve improved student outcomes
- 11.4.4. Acting as a role model for Teaching and Learning
- 11.4.5. A commitment to personal development and CPD focused on improving outcomes for students
- 11.4.6. Highly competent in all areas of the Teachers' Standards

## **12. Pay ranges for members of the leadership group**

**12.1.** Pay range for headteachers, deputy headteacher and assistant headteacher will be determined in line with STPCD for new appointments, where responsibilities significantly change or if the Trust chooses to review pay of leadership posts in line with STPCD. The pay range will take into account all permanent responsibilities of the role, any challenges that are specific to the role and all other relevant considerations including the skills and competencies required. Pay ranges will allow appropriate scope for performance related progression over time.

## **13. Headteachers**

**13.1.** The school will be assigned to a headteacher group calculated using its total unit score, in accordance with STPCD.

**13.2.** A pay range will be determined for the headteacher which will not normally exceed the maximum of the headteacher group, unless specific exceptional circumstances or candidate warrant it.

## **14. Deputy Headteachers and Assistant Headteachers**

**14.1.** A pay range will be determined for any deputy headteacher and assistant headteacher, considering how the role fits within the wider leadership structure of the Trust. The pay range will not exceed the maximum of the headteacher group for the school.

## **15. Pay progression for members of the leadership group**

**15.1.** Eligible members of the leadership group will be automatically considered for further progression and no application will be necessary. However, annual pay progression within the range is not automatic and decisions regarding pay progression will be clearly attributable to the leadership group member's performance with reference to the appraisal process.

**15.2.** Leadership group members will progress by one point until they reach the top of their range if they can demonstrate and the Trust is satisfied that there is evidence of sustained high quality of performance in the school leadership and management and pupil progress, clearly linked to school improvement priorities and outcomes.

## **16. Teaching and Learning Responsibility (TLR) payments**

**16.1.** The Trust pay TLR1 or TLR2 payments to a classroom teacher for undertaking a sustained additional responsibility in the context of our staffing structure for the purpose of ensuring the continued delivery of a high-quality teaching and learning and for which the teacher is made accountable. The award is made whilst the teacher remains in the same post or occupies another post in the absence of a post-holder.

**16.2.** In addition, we may award a fixed-term TLR3 to a teacher for a time-limited, clearly defined school improvement projects, or one-off externally driven responsibilities, or where teachers are undertaking tutoring work outside of normal directed hours but during the school day, to provide catch-up support on learning lost to the Covid-19 pandemic.

## **17. Special Educational Needs (SEN) allowances**

**17.1.** A SEN allowance will be paid to teachers who meet the criteria set out in STPCD. Where a SEN allowance is to be paid this will be determined based on the structure of the SEN provision, whether mandatory qualifications are required for the post, the qualifications or expertise of the teacher and the relative demands of the post.

## **18. Early Career Teachers (ECTs)**

**18.1.** In the case of ECTs, determinations of performance and any pay recommendations will be made by means of the statutory induction process.

**18.2.** Eligible ECTs will be automatically considered for progression and no application will be necessary. However, annual pay progression within the range is not automatic and decisions regarding pay progression will be clearly attributable to the ECT's performance with reference to the statutory induction process including the outcome of the formal assessments.

**18.3.** Eligible ECT's may be awarded pay progression at the end of the first year of their induction period.

## **19. Salary Protection for Teachers**

**19.1.** In circumstances where a teacher's salary is reduced through no fault of their own, including the removal of a TLR which is not replaced with an equivalent or higher level of TLR then the Trust will safeguard the teacher's original salary. This will be a period of up to three years. The TLR will not be safeguarded.

**19.2.** The individual will be notified of the details of any such safeguarding at the earliest opportunity and in any event within one month of the decision being made.

**19.3.** In these circumstances the individual may undertake such reasonable duties to the value of the cash sum safeguarded taking due account of the teacher's skills and experience. If such duties are reasonably assigned and the individual declines to undertake them then the individual will be issued with one month's notice to terminate the salary protection.

## **SUPPORT STAFF**

### **20. Pay Progression and Additional Awards**

**20.1.** East Midlands Academy Trust will ensure that suitable arrangements are in place to assess the total contribution of all support staff and will use this assessment to determine annual pay decisions in accordance with the Trust Scheme.

**20.2.** Performance will be measured via the Trust appraisal system and annual pay changes will be effective from 1<sup>st</sup> September and no later than the 31<sup>st</sup> October each year, and each employee will receive a written statement detailing their salary.

**20.3.** The Trust may make use of any merit award or other reward system, both cash and non-cash to recognise the performance and contribution of employees in a positive and flexible way.

### **21. Payments for Additional Hours**

**21.1.** The Trust will make appropriate payments to Support Employees undertaking additional hours, for example providing Out of School Learning Activities in accordance with the EMAT Terms and Conditions if these are not already paid as part of the contract.

### **22. Acting Up Allowance**

**22.1.** Where an employee is asked to “act-up” into a higher role, there is no general expectation that the salary offered will be identical to the substantive post-holder. Each role will be reviewed individually and a salary determined by the Chief Executive Officer, Finance Director and the HR Business Partners, based upon the skills and experience of the employee being requested to “act-up”.

### **23. Appeals**

**23.1.** Any Employee may seek a review of any determination in relation to their pay. Appeals should be made in writing using our complaints and disciplinary policy.

Appendix 1:

## Application to be paid/progress on the Upper Pay Scale

### Eligibility criteria

- In order to apply you will need to hold Qualified Teacher Status on the date of your application.
- To be paid on the Upper Pay Scale you must be assessed as meeting the expectations set out below.
- It is the responsibility of the teacher to decide whether or not they wish to submit an application in order to move to the Upper Pay Spine (UPS).
- Please enclose copies of appraisal reports and additional written evidence to support your application, linked closely to the assessment criteria below and present this in an indexed portfolio.
- Print, sign and date the form, keeping a copy for your records and pass it to your Headteacher with a copy to HR [hr@emat.uk](mailto:hr@emat.uk)

| PERSONAL INFORMATION   |                      |
|--|----------------------|
| Name:  | Job title:           |
| School:  | Date of application: |
| <p>I confirm that I am applying to be paid on the Upper Pay Scale with effect from 1 September.</p> <p>I consider that I meet the criteria, as detailed below, to be paid on the Upper Pay Scale as set out in my school's Pay Policy and enclose copies of my last three Performance Management Review Statements which contain the evidence to support this.</p> |                      |
| Signed:  | Date:                |

**To be completed by the Employee**

**Application for Upper Pay Scale Assessment for**

(teacher's name)

**The Teaching Standards *have / have not* been met throughout the assessment period**

Explanation/evidence (include assessment of quality of teaching overall during the assessment period and outcomes for pupils.)

**Performance Management objectives *have / have not* been met through the assessment period**

**Evidence of contribution to the wider school development and ethos**

**Evidence of personal responsibility for CPD and application and impact of this development**

**Other comments**

## UPPER PAY RANGE CRITERIA

An application is more likely to be successful if:

- the teacher is highly competent in all elements of the teaching standards; and,
- the teacher's achievements and contribution to the school are substantial and sustained.

In this school, this means that the teacher has consistently:

- demonstrated that they meet all teaching standards, both in terms of teaching and personal and professional conduct, over a sustained period;
- been assessed as meeting their performance management objectives over a sustained period;

and in addition that;

- teaching has been rated as good overall, with some outstanding, over a sustained period;
- the teacher has demonstrated over a sustained period an ability to support some pupils to exceed expected levels of progress/achievement;
- the teacher has consistently taken responsibility for identifying and meeting their own professional development needs and used their learning to improve their own practice and pupils' learning;
- the teacher has demonstrated that they have made an impact on the school beyond their own class/group(s) over a sustained period. This may include:
  - demonstrating an ability to coach, mentor, advise and demonstrate best practice to, other teachers to enable them to improve their teaching practice;
  - contributing to policy and practice which has improved teaching and learning across the school;

**Sustained** means maintained continuously over a period of at least 3 school years (a year being defined as at least 26 weeks work in any academic year). It is normally expected that this will include at least **one complete year at this school**, although discretion can be exercised where there is clear and compelling evidence of consistent performance against the criteria at the teacher's previous school.

The Trust will exercise its discretion to consider performance over a lesser period where a teacher has been absent for some of the relevant period.

### Line Manager's Recommendation to the Headteacher/CEO

- The Teaching Standards *have / have not* been met throughout the assessment period.
  - Performance Management objectives *have / have not* been met through the assessment period.
  - Evidence of contribution to the wider school development and ethos      Yes/No
  - Evidence of personal responsibility for CPD and application and impact of this development      Yes/No
  - Other Comments
- .....  
.....  
.....  
.....

The criteria for Upper Pay Scale *has / has not\** been met. (\*delete as applicable)

Signed:.....

Date.....

**Line Manager/Headteacher action for approval by CEO**

- Please share with the Senior Workforce Planning & HR Business Partner who will seek approval from CEO.

The criteria for Upper Pay Scale **has / has not\* been met.** (\*delete as applicable)

**CEO Signed :**.....

**Date:**.....

**Senior Workforce Planning & HR Business Partner signed:**.....

**Date:**.....

*Please ensure payroll are updated.*