

William Parker Sports College



Pay Policy

2008-09

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**2008 WILLIAM PARKER SPORTS COLLEGE
PAY POLICY FOR SCHOOL TEACHERS' PAY 1 SEPTEMBER 2008 TO 31
AUGUST 2009**

1. BASIC PRINCIPLES

The School Teachers' Pay & Conditions Document (STPCD) places a statutory duty on schools to have a pay policy in place which sets out the basis on which teachers' pay is determined, 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 statutory pay arrangements for teachers give significant discretion to governing bodies to make pay decisions. Decisions on the use of these discretions are the responsibility of the Governing Body, advised by the headteacher.

When taking pay decisions, schools must have regard to their pay policy and to the teacher's particular post within the staffing structure. A copy of the College staffing structure will be attached to the pay policy, together with the implementation plan for bringing in these changes during the period 1 January 2006 – 31 December 2008.

All teachers employed at William Parker Sports College are paid in accordance with the statutory provisions of the STPCD. A copy of the latest version may be found in the College office and is also on-line at <http://www.teachernet.gov.uk/pay/>. All pay-related decisions are made taking full account of the College improvement plan and self-evaluation form, and teachers and unions have been consulted on this policy.

This pay policy only covers school teachers, whose statutory pay and conditions of service fall under the terms of the STPCD. It does not cover support staff, who have their own pay determination mechanism.

This pay policy is agreed by ASCL, ATL, DCSF, NASUWT, NEOST and PAT, and has been the subject of consultation with local Trade Unions colleagues.

All pay related decisions are taken in compliance with The Race Relations Act 1976, The Sex Discrimination Act 1975, The Equal Pay Act 1970, The Disability Discrimination Act 1995, The Employment Rights Act 1996, The Employment Relations Act 1999 and The Employment Act 2002, as well as The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000, The Employment Act 2002 (Dispute Resolution) Regulations, The Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002, and The Employment Equality (Age) Regulations 2006

The Pay Committee of the Governing Body will ensure that the policy is implemented to required time-scales and, in order that the appeals

procedures may function, that committee has full delegated powers. The membership and terms of reference of the committee are at Appendix 2.

2. AIMS

The Governing Body aims to maximise the achievement of every student at the College, and recognises the value of a well-motivated and capable body of teaching and support staff in the achievement of this. The College pay policy seeks to ensure that all staff are properly rewarded for their contribution towards this shared goal.

In adopting the pay policy, the aim is to:

- Maximise the quality of teaching and learning at the College, by ensuring that implementation of the policy takes full account of the College Improvement Plan, College Self-evaluation and other key documents at the College;
- Take full account of the remodeling agenda, and have proper regard for work/life balance of staff at the College;
- Recruit, retain, motivate and develop staff;
- Be able to demonstrate that the policy and decisions on pay are managed in a fair, responsible way, recognising the principle of equal pay for like work and for work of equal value;
- Determine the annual pay budget, including that for performance pay progression;
- Be consistent with the College's performance management policy.

3. PAY REVIEWS AND ANNUAL SALARY STATEMENTS

The Pay Committee will ensure that every teacher's salary is reviewed with effect from 1 September and no later than 31 October (except in the case of the headteacher, where the date is 31 December). The Pay Committee will also ensure that each teacher is given, by 31st October each year, a written statement setting out their salary and any other financial benefits to which they are entitled. Salary Statement pro formae are attached at Appendix 1.

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 pay. A written statement will be given after such a review, giving information about the basis on which the change was made.

Where a pay determination leads, or may lead, to the start of a period of safeguarding, the Pay Committee will give the required notification as soon as possible, and no later than one month of the date of the determination.

The Pay Committee will meet sufficiently early in Term 1 to ensure the 31st October teacher pay deadline is met. A copy of the teacher pay statements will be appended to the confidential section of the minutes of the relevant meeting.

The Pay Committee is responsible for undertaking an annual pay review for each member of staff.

The provision of an annual pay statement will be extended to all staff.

4. PAY COMMITTEE

The terms of reference for the Pay Committee are set out at Appendix 2.

The Pay Committee of the Governing Body is authorised to decide all pay matters, but decisions will not be notified to staff until the full Governing Body has agreed. The Pay Committee will be made up of Headteacher, Chair of Governors, Chair of Personnel, Chair of Finance and two other Governors from the Personnel Committee.

Decisions on the pay of the headteacher will be communicated by the Chair of the Governing Body, in writing, in accordance with paragraph 4 of the STPCD.

5. ESTABLISHING AND ADOPTING A PAY APPEAL PROCESS

A teacher may appeal against any determination made by the Governing Body (or a committee or individual acting with delegated authority) in relation to pay or grading of post. The appeal is heard by an appeals panel via the processes at Appendices 3, 4 and 5. The panel is authorised to hear appeals in accordance with delegated powers from the Governing Body.

The Pay Committee and, where appropriate, the Governing Body will, in adopting their Pay Policy, set out the basis on which they determine teachers' pay, the date by which they will determine the teachers' annual pay review, and establish procedures for addressing teachers' grievances in relation to their pay.

Appeals against pay decisions will meet the requirements of the dispute resolution provisions of employment law (further information on these can be found at www.dti.gov.uk/er/resolvingdisputes.htm) and natural justice procedures. The process outlined in Appendices 3, 4 and 5 are consistent with the dispute resolution provisions of employment law and have been adopted by the College as the means by which appeals against pay decisions are considered.

6. INDIVIDUAL SCHOOLS RANGE (ISR) / PAY OF HIGHEST PAID TEACHER

(a) Schools Group

Schools are assigned to one of eight groups, according to the numbers of students in the school at various stages, with extra weighting given to students with statements

(b) Individual Schools Range (ISR): For each school group there is an allocated pay range, from which governors will select seven consecutive points as the Individual School Range (ISR) which will form the pay scale for the headteacher. The ISR will normally lie inside the school group range, but may be set up to two groups above the school's group in the very exceptional circumstances stipulated in the STPCD.

The bottom point of the ISR should be at least one spine point above the maximum of the pay scale of the next highest paid member of the teaching staff.

The ISR may be reviewed in the circumstances outlined in the STPCD, such as recruitment of a new headteacher, or retention of an existing headteacher. Governors may place a new headteacher on a point not exceeding the third point above the minimum of the ISR, formally recording the decision and rationale for it.

The ISR is not an incremental scale carrying expectation of automatic pay progression. Governors should review the overall performance of the headteacher every year, taking into account the achievement against previously agreed or set objectives and, taking account of the criteria for leadership group progression, they may award up to two performance points per academic year, effective September.

When determining performance pay for the headteacher, the Governing Body will ensure that any proposed increase is contained within the ISR at William Parker Sports College.

(c) Establishing the pay of the Highest Paid Teacher: The formula for establishing the pay of the 'highest paid member of teaching staff' at the College, for ISR purposes is (assuming the teacher is on the Upper Pay Spine):

- to the value of UPS1 salary (even where the teacher is on UPS2 or UPS3) add the value of any permanently awarded allowances such as TLR payments or SEN points (but not recruitment, retention or other payments which are temporary in nature). The total is used as the 'pay of the highest paid teacher'.

7. USE OF DISCRETIONS IN BASIC PAY DETERMINATION

The process for making decisions on the pay of teachers at the College is as follows.

Governors will determine the pay range for the headteacher when they propose to make a new appointment or at any time if they consider it necessary to retain the headteacher. In limited circumstances (school causing concern, and substantial difficulties in recruiting or retaining a headteacher) the Governing Body has discretion to move the pay range for a headteacher up by up to two school groups (para. 12.2.5 of the 2007 STPCD).

(a) Pay Range for Deputy Headteachers

The pay range for the deputy headteacher is five consecutive points on the leadership scale, identified in accordance with the STPCD. The pay spine will reflect the responsibilities and challenge of the job, the circumstances of the College and any recruitment/retention difficulties. If there is more than one deputy, the pay spines may be different if appropriate. The pay spine will start at a higher point than the lowest point on any assistant headteacher's range in the College, and in the absence of an assistant headteacher, at a point above the salary of the highest paid teacher as defined in paragraph 6 above.

The highest point on the deputy headteachers scale must be at least one point lower than the bottom point of the headteacher's ISR (7-point scale)

The Governors' Pay Committee will determine the pay range for deputy headteachers when they propose to make a new appointment or where there is a significant change in the responsibilities of serving Deputy Heads. They may determine the pay range as of 1 September or at any time of the year to reflect any changes in the circumstances or job description that lead to a change in the basis for calculating their pay, or at any time if they consider it necessary to retain a deputy head . (Paragraphs 14 and 16 of the 2007 STPCD and paragraphs 73 and 74 of the 2007 statutory guidance).

(b) Pay Range for Assistant Headteachers

The pay range for an assistant headteacher is five consecutive points on the leadership scale, in accordance with the STPCD. The pay range will reflect the responsibilities and challenges of the job, the circumstances of the College and recruitment difficulties. If there is more than one assistant headteacher, the pay ranges may be different if appropriate. The pay range will start on a lower point than the minimum of any deputy headteacher's 5-point range. The pay range will start at a higher point than the salary of the highest paid classroom teacher, as defined in section 6.

The Governors' Pay Committee will determine the pay range for assistant headteachers when they propose to make a new appointment or where there is a significant change in the responsibilities of serving assistant heads. They may determine the pay range as of 1 September or at any time of the year to reflect any changes in the circumstances or job description that lead to a change in the basis for calculating their pay or at any time if they consider it necessary to retain an assistant head . (Paragraphs 14 and 16 of the 2007 STPCD and paragraphs 73 and 74 of the 2007 statutory guidance).

(c) Pay range for ASTs

ASTs are paid on a 5-point pay spine, selected from a wider 18-point scale which mirrors the lowest 18 points of the Leadership Pay Spine.

When determining an appropriate five point range for an AST, regard will be given to: the nature of the work to be done, including any work with teachers

from other schools; the scale of the challenges; the professional competencies required and such other criteria as considered appropriate (paragraph 30.3 of the 2007 STPCD and paragraphs 73 and 74 of the 2007 statutory guidance).

(d) Pay Range for Excellent Teachers

The Governing Body has determined that for the time being no excellent teacher posts are to be included in the school staffing structure (set out in the staffing structure attached).

(e) Discretionary Experience Points for Classroom Teachers

When placing a classroom teacher on the main scale, the Pay Committee will consider awarding an extra point or points on the scale in recognition of other relevant experience that would not attract mandatory experience points in the following circumstances:

- One point on the main scale for each year of service as a qualified teacher in an Academy, a city technology college, a city college for the technology of the arts or an independent school
- One point on the main scale for each period of one year of service as a qualified teacher in an overseas school outside the European Economic Area or Switzerland in the maintained sector of the country concerned
- One point on the main scale for each period of one year of service teaching in further education, including sixth form colleges
- One point on the main scale for each period of one year of service teaching in higher education

The Pay Committee will consider awarding on a case by case basis:

- One point on the scale for each period of three years spent outside teaching but working in a relevant area. This might include industrial or commercial training, time spent working in an occupation relevant to the teacher's work at the College and experience with children/young people.

(f) Part-time teachers

Teachers employed on an ongoing basis at the College but who work less than a full working day or week are deemed to be part-time. The Pay Committee will give them a written statement detailing their working time obligations and the mechanism used to determine their pay, subject to the provisions of the statutory pay arrangements.

The College will plan in advance and discuss with part time staff the expectations of the school in relation to attendance at staff meetings, parent meetings and any other regular meetings outside their contracted hours.

Part-timers are paid pro-rata amount of the pay that would be appropriate if they were full-time. This also applies to TLR payments.

The contractual change from September 2005 gives part-time teachers entitlement to PPA time pro-rata to full-time teachers.

Further information on the working hours of part-time teachers is contained in the policy 'Teachers Working Time / 1265 hours'

(g) Short notice/supply teachers

Teachers who work on a day-to-day or other short notice basis 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 will be paid for all the hours they are required to be on the College premises. Consideration will be made for non-contact time and PPA time.

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 6.5 to arrive at the hourly rate.

Further information on the working hours of short notice and supply teachers is contained in the policy Teachers' Working Time/1265 Hours.

(h) Unqualified teachers

Governors will, when determining on which point to place unqualified teachers on the unqualified teachers' pay scale when they are appointed, take account of any relevant qualifications and experience. Unqualified teachers will be appointed above the minimum in the following circumstances:

Unqualified teachers on employment based routes into teaching may be paid on the qualified or unqualified teachers' scale at the Headteacher's discretion.

Qualifications:

1 point for a recognised overseas teaching qualification

1 point for a recognised post-16 teaching qualification

1 point for a recognised qualification relevant to their subject area

Experience:

One point on the unqualified teachers' scale for each period of two years of service as an overseas-trained teacher

- One point on the unqualified teachers' scale for each period of two years of service teaching in further education, including sixth form colleges.
- One point on the unqualified teachers' scale for each period of two years of service teaching in higher education.

The Pay Committee will consider awarding on a case by case basis:

- One point on the unqualified teachers' scale for each period of two years spent outside teaching but working in a relevant area. This might include industrial or commercial training, time spent working in an occupation relevant to the teacher's work at the College, and experience with children/young people.

(i) Unqualified teachers' allowance

The Pay Committee will pay an unqualified teachers' allowance to unqualified teachers when the Pay Committee consider their basic salary is not adequate having regard to their responsibilities, qualifications and experience.

8. PERFORMANCE PAY

The Governing Body agrees the College budget and will ensure that appropriate funding is allocated for performance pay progression at all levels. The Governing Body recognises that funding cannot be used as a criterion to determine progression.

See Section 3 of the School Teachers' Pay and Conditions Publication 2007.

(a) Headteachers

The headteacher must demonstrate sustained high quality of performance, with particular regard to leadership, management and student progress at the College and will be subject to a review of performance against performance objectives before any performance points will be awarded. The clarification of the application of the criteria for Leadership Group progression will be taken fully into account.

The Education (School Teacher Performance Management) (England) Regs 2006 came into force on 1 September 2007 for teachers in England. Any review of performance objectives for headteachers set prior to this date will be carried out as required under paragraph 7.2 of the School Teachers' Pay & Conditions Document 2007.

Annual pay progression within the range for this post is not automatic. Any progression will normally be by one point in an academic year (effective September only). The Governing Body will consider whether to award one or two pay progression points.

(b) Deputy Headteachers and Assistant Headteachers

Deputy headteachers and assistant headteachers must demonstrate sustained high quality of performance in respect of College leadership and management and student progress and will be subject to a review of performance against their performance objectives before any performance points will be awarded. The clarification of the application of the criteria for Leadership Group progression will be taken fully into account.

Annual pay progression within the range for these posts is not automatic. Any progression will normally be by one point in an academic year (from September only). The Pay Committee will consider whether to award one or two pay progression points.

See Section 3 of the School Teachers' Pay & Conditions Document 2007.

The Education (School Teacher Performance Management) (England) Regs 2006 came into force on 1 September 2007 for teachers in England. Review of performance objectives for deputy headteachers or assistant headteachers will be carried out as required under paragraph 13.3 (deputy headteachers) or 15.3 (assistant headteachers) of the STPCD 2007.

The pay spine is not an incremental scale carrying expectation of automatic progression.

The Pay Committee has the option to award up to a maximum of two points per academic year, effective September only. Any performance pay progression must be contained within the published 5-point scale for the deputy or assistant headteacher concerned.

(c) Advanced Skills Teachers (ASTs)

ASTs must demonstrate sustained high quality of performance in the light of their agreed performance criteria and will be subject to a review of performance before any performance points will be awarded. Any work undertaken at other schools, in higher education facilities, at facilities of the LA and elsewhere will be taken into account. The clarification of the application of the criteria for AST progression will be taken fully into account.

See Section 3 of the School Teachers' Pay and Conditions Publication 2007.

The Pay Committee has discretion to move an AST by more than one point (to a maximum of two) per academic year.

(d) Upper Pay Scale (post Threshold) Teachers

Progression on Upper Pay Scale (UPS), which is not automatic, is based on:

- two successful consecutive performance management reviews (other than under the exceptional circumstances as provided for in the STPCD);

- the clarification of the application of the criteria for upper pay scale progression, which must be taken fully into account (see 'Criteria for UPS pay progression' below).

See Section 3 of the STPCD 2007.

Only in exceptional circumstances will a further point on the UPS be awarded more frequently than at two yearly intervals.

Where a teacher is a post-threshold teacher by virtue of paragraphs (b), (c) and (e)-(i) of the definition of post-threshold teachers in Part 1 of the STPCD (pages 29-31), the Pay Committee may determine which point on the upper pay scale to place them, rather than being required to place them on UPS1. When doing so, the Pay Committee will consider any pay progression which such teachers made in their previous employment which was based on an assessment of standards and contribution comparable to the requirements for progression on the upper pay scale, and will not unreasonably withhold appointment at the equivalent point on the upper pay scale.

When assessing a UPS teacher for progression, where there has been a sustained period of absence during the two years under review, the Pay Committee will take account of periods of sustained absence during the two year period under consideration, when considering progression on the Upper Pay Spine.

Sustained periods of absence may have occurred during extended sickness absence, sabbatical or unpaid leave. The Pay Committee cannot count absence during statutory maternity leave.

Criteria for UPS progression:

To achieve pay progression, the achievements of post-threshold teachers and their contribution to the College should have been substantial and sustained. To be fair and transparent, judgments will be properly rooted in evidence and there will have been a successful review of overall performance. Progression on the UPS will be based on two consecutive successful performance management reviews, other than under the exceptional circumstances stipulated in the STPCD. The application of the criteria for UPS progression will be taken fully into account. A successful performance review will involve a performance management process of:

- Performance objectives
- Classroom observation
- Other evidence

To ensure that the achievement and contribution has been substantial and sustained, the performance reviews will need to assess that the teacher has continued to meet threshold standards and grown professionally by continuing to develop their teaching expertise.

Additional criteria for UPS2-3:

UPS3 teachers play a critical role in the life of the College. They provide a role model for teaching and learning, make a distinctive contribution to the raising of student standards and contribute effectively to the work of the wider team. They take advantage of opportunities for professional development and use the outcomes effectively to improve students' learning.

It is a teacher's right to be automatically considered against the criteria for UPS progression. When being considered for progression from UPS1-2, or from UPS2-3, in accordance with the criteria for UPS progression, the performance management records and other evidence at the College should be sufficiently detailed to inform the headteacher's recommendation on progression to the Pay Committee at the College. Teachers do not need to apply for progression, nor will they be asked to provide evidence in support of this.

(e) Threshold Assessment

Teachers who wish to do so can apply to the headteacher for threshold assessment by 31st August of the year in which they are first placed on point 6 of the Main Pay Scale. If successful, UPS1 pay will start in September on completion of one year on MPS6. Teachers who choose to apply later than this will start in the September following a successful application.

The College will inform teachers of their eligibility to apply for threshold assessment one year ahead of their becoming eligible, along with the mandatory deadline for applications.

Threshold application forms for teachers and guidance for schools can be found at www.teachernet.gov.uk, along with guidance on start date of UPS1 monies.

(f) Classroom Teachers on the Main Scale

Main scale classroom teachers will receive one extra point for each year of satisfactory service (i.e. an aggregate of 26 weeks including periods for holidays, sickness, and maternity leave in each academic year) up to the maximum point (6) of the pay scale. The Pay Committee will also include as service any period of absence approved by the headteacher and Governing Body.

Those subject to formal capability proceedings are usually deemed unsatisfactory performers, but the Governing Body still has discretion to determine that such a person may receive a point.

A classroom teacher may be awarded an extra point on the main scale for excellent performance over the previous academic year, having regard to all aspects of their professional duties, but in particular classroom teaching.

The Pay Committee does not intend to exercise the discretion of awarding additional points for performance.

9. DISCRETIONARY ALLOWANCES AND PAYMENTS

(a) Safeguarded payments and allowances

Safeguarding will apply up to a maximum of three years whenever a teacher faces a reduction in salary through no fault of their own.

In all cases the safeguarding period for MAs began on 1 January 2006 and will end by 31 December 2008 at the latest.

(b) Teaching and Learning Responsibility Payments (TLRs)

TLRs are awarded to the holders of the posts indicated in the attached staffing structure.

TLRs will be introduced at William Parker Sports College from 01.09.08, as set out in the attached implementation plan.

Following the College staffing structure review, the implementation plan will be attached to this pay policy.

The values of the TLRs to be awarded are set out in Appendix 6:

TLRs may only be awarded in the context of the College's staffing structure and pay policy.

Criterion and factors for award of TLRs

Criterion: A TLR may be awarded to a classroom teacher for undertaking a sustained additional responsibility in the context of the College's staffing structure for the purpose of ensuring the continued delivery of high-quality teaching and learning for which s/he is made accountable. The award may be while the teacher remains in the same post or occupies another post in the temporary absence of the post-holder.

Factors: Before awarding a TLR, the Pay Committee must be satisfied that the teacher's duties include a significant responsibility that is not required of all classroom teachers, and that it:

- a) is focused on teaching and learning;
- b) requires the exercise of a teacher's professional skills and judgment;
- c) requires the teacher to lead, manage and develop a subject or curriculum area; or to lead and manage student development across the curriculum;
- d) has an impact on the educational progress of students other than the teacher's assigned classes or groups of students; and

- e) involves leading, developing and enhancing the teaching practice of other staff.

Before awarding a TLR 1, the Pay Committee must be satisfied that the significant responsibility referred to in the previous paragraph additionally includes line management responsibility for a significant number of people.

Values

The values of TLRs must fall within the following ranges:

- a) the annual value of a TLR1 is £6,997 - £11,841;
- b) the annual value of a TLR2 is £2,422 - £5,920

A teacher may not hold more than one TLR1, but a TLR could be based on a job description that itemises several different areas of significant responsibility.

(c) Special educational needs allowances (SEN)

SEN allowance 1 will be awarded:

- to all classroom teachers who are engaged wholly or mainly in taking charge of special classes of children who are hearing-impaired or visually impaired or who teach students with statements of special educational needs in designated special classes. In this respect, a “special class” is defined as – Early Intervention:
- SEN allowance 1 may also be awarded to classroom teachers who make a particular contribution to the teaching of students with special educational needs which is significantly greater than that which would normally be expected of a classroom teacher
- SEN allowance 2 will be awarded to classroom teachers who qualify for SEN allowance 1 and who:
 - Hold a recognised special educational needs qualification

and

- Have recent experience which the relevant body consider relevant to the teacher’s work.

The statutory pay guidance states that ‘SEN allowances may be held at the same time as TLRs. However, when reviewing their staffing structures and keeping them under review the Pay Committee will:

- ensure that, in the light of remodelling and the move of administrative tasks from teachers to support staff, holders of discretionary SEN allowances are not carrying out tasks that would be more appropriately undertaken by support staff;

- consider whether, if teachers have responsibilities that meet the principles for the award of TLR payments it would not be more appropriate to award a TLR payment instead of a discretionary SEN allowance of a lower value;
- consider whether discretionary SEN payments made by the relevant body under its pay policy primarily for the purposes of recruitment and retention might not more appropriately be made using the separate provisions available within the STPCD for these purposes;
- ensure that any responsibilities are clearly specified in individual teachers' job descriptions, and are clear in the College's published staffing structure.

When considering the award of SEN2, the Pay Committee will in particular consider what relevant qualifications or experience holders of SEN1 have, and whether these are being used for the benefit of the College. SEN2 should be awarded to all whose qualifications or experience is in line with the Governing Body's policy.

10. OTHER PAYMENTS

(a) Recruitment and Retention Incentives and Benefits

The Governing Body may pay recruitment awards of £1000 for a maximum of three years

The Governing Body may pay retention awards of £1000 for a maximum of three years.

The Pay Committee will review the level of payments annually.

(b) Residential duties

There are no circumstances in which payment will be made.

(c) Honoraria

The College will not pay any honorarium to any member of the teaching staff for carrying out their professional duties as a teacher.

(d) Payment to teachers and headteachers who undertake additional duties outside the scope of the School Teachers' Pay & Conditions Document

Examples of this activity:

Teacher: marking exams in their own time and at home
 - current practice in most schools, where teachers undertake examination marking in their own time, at home, is that the teacher is paid directly for the work done. Such remuneration is

outside the scope of the School Teachers' Pay and Conditions Document (STPCD)

- where the teacher attends meetings in College time, for example for moderation purposes, the College is reimbursed for the cost of any supply cover that may be needed

Headteachers: - working as School Improvement Partners

the time required and remuneration are agreed at the SIP interview and detailed in a contract between the CSA and SIP. The contract is reviewed annually. The Headteacher's school will invoice the CSA for payment for the agreed amount of time spent on SIP duties. This money is paid to the school through journal transfer, where the Headteacher is a SIP in East Sussex, and is used to support management arrangements that provide 'cover' for the headteacher's time spent on SIP business. The payment to the school includes travel expenses and the headteacher claims their travel through the standard procedures for claiming expenses.

- seconded to other schools

Support of this nature is a major responsibility and should be remunerated appropriately within the provisions permitted in the STPCD, and through negotiation with CfBT

The guidance on payment for additional duties outside of the scope of the STPCD is not meant to encompass payments for CPD, ITT or out-of-school-hours payments (para.52 of the STPCD 2007) for which Governors will determine separate arrangements, adopted within the Pay Policy. See section 10 for further information on payments for CPD, ITT and out-of-school-hours activities.

Governors will consider very carefully the impact of headteachers/ teachers at the College undertaking additional duties outside of the scope of the STPCD. The Rewards & Incentives Group (RIG) has provided the following guidance to which the Governing Body will adhere.

Principles

The following principles will apply:

- a Any absence from College for work of this kind should be authorised formally by the Governing Body in the case of the head and by the head in the case of other teachers
- b When agreeing to release staff to undertake such work, the Pay Committee should take into account:
 - the needs of the College and its students;
 - the benefits that the activity would bring to the College;
 - the impact of the absence on other staff, including their workload;

- the workload and work/life balance of the individual.
- c Arrangements for payment for external work should be clearly set down, formally incorporated into, for example, a protocol by the Governing Body (or the finance committee) and decisions duly minuted
- d The Headteacher will monitor the operation of the arrangements and their impact on staff and students
- e The proportion of any payment for external services that should be paid to the teacher/head and the proportion that should be paid to the College will be agreed in advance in accordance with the determinations of the Pay Committee. (The role of SIP is an exception where total payment is made to the school.)The terms of such an agreement will be set out in a memorandum signed by the chair of governors and the head. All staff will be treated in the same way in accordance with the Governing Body's procedures.
- f Teachers and heads will not be paid twice for the same time worked. If the external work takes place wholly in the time the College is in session, all of the payment received should be paid to the College. Payment to the individual teacher/head will be based on work, including preparation, done outside of normal school/working hours (a specific determination would have to be made for members of the leadership group and ASTs as their contractual hours are not time-limited). For example, if 40% of the work is done when the College is in session and 60% not, any payment received should be split between the College and the individual on a 2:3 basis. Only if all of the work is carried out outside time when the College is in session, should the whole of the additional payment go to the individual.

Tax

Any such additional income will be taxed at source and declared to HM Revenue and Customs.

Superannuation

Payments to teachers/headteachers for additional duties which fall outside of the scope of the STPCD are made as a 'non-superannuable additional allowance'.

11. FRAMEWORK FOR SUPPORT STAFF PAY POLICY

(a) General

The Governing Body recognises and values the contribution made to the College by support staff.

Salaries paid to support staff will comply with all local national and local agreements on employees' conditions of service: national pay scales,

National Joint Council for Local Government Services and East Sussex CC Job Evaluation Scheme.

(b) Grading of Support Staff Posts

Governors will determine the range and grade of each post in accordance with the recognised job evaluation scheme, taking into account the duties and responsibilities of the post. Job descriptions and agreed pay ranges for posts on the Local Pay Spine (teaching assistants, site management staff, science technicians etc.) can be found on czone. JDs for new or unique posts will be sent to Children's Services Personnel for evaluation/moderation with the support staff unions.

While it is a statutory requirement for schools and colleges to have an adopted pay policy in place, this statutory requirement does not extend to support staff.

Although the framework outlined below for a support staff pay policy is entirely optional, schools are encouraged to develop a process for rewarding their support staff, ensuring the ensuring the principles of fairness and equality are observed.

(c) Salary on Appointment

If a new employee was previously employed under the conditions of service of the NJC for Local Government Services immediately prior to appointment at the College, the starting pay should not be less than the previous salary, provided this is within the overall grade for the post. Otherwise, support staff will normally be placed on the first point of the grade for the post.

Previous experience or qualification (including continuous employment within Local Government) can be counted, and may result in the employee being placed on a higher point.

(d) Incremental Progression

Subject to satisfactory performance, a member of support staff will move one point on their scale at 1st April each year. Incremental progression will continue until the top of the scale is reached.

(e) Withholding Incremental Progression

An increment for a member of support staff may exceptionally be withheld where the employee is subject to formal competency procedures. The Governing Body may still opt to award the incremental point once the employee's performance has returned to satisfactory.

(f) Discretionary Points

The Pay Committee may award up to two additional points per annum, subject to the maximum points available on the scale. Such points, once awarded, will become a permanent entitlement. The award of additional points will be awarded by the Pay Committee.

Reasons for award of discretionary point(s) might include:

- consistent high quality performance over and above that normally expected of the post-holder;
- attainment of a job-related examination/qualification;
- a permanent measurable increase in responsibilities, which is insufficient to justify re-grading of the post.

(g) Discretionary Payments An honorarium payment made be made to a member of support staff in recognition of temporary work undertaken for at least four weeks, duties of which reflect the responsibilities of a higher grade post, and for which no other payment has been granted. The value of the honorarium will normally be (a) at least one increment, or (b) the difference between the employee's current salary/grade point, and the bottom point of the higher grade post.

Annual Statement of an Unqualified Teacher's Salary (September 2008)

Name _____

William Parker Sports College _____

Effective Date 1/9/2008

Increment(s) awarded from 1 September 2008 *(number)*

Point on unqualified teachers' spine from 1 September 2008 (1 – 6).....

Value of point £.....

Unqualified teachers' allowance *(insert value)*
.....

Reason for award of allowance:

Recruitment or retention incentives/benefits

Type of award *(tick whichever applies):* Recruitment Retention

Indicate whether a payment or other benefit and provide details:

Payment Amount of payment

Other benefit Type of benefit

Start of award

End of award *(maximum length: three years)*

Total salary £

Signed on behalf of the Governing Body

Name in capitals Date

(Unqualified page 1 of

1)

**Annual Statement of a Classroom Teacher's Salary
Main Scale teachers (September 2008)**

Name _____

William Parker Sports College _____

Effective Date: 1 September 2008

Number of points on main scale awarded from 1 September 2008:

Experience points: Mandatory..... Discretionary
Additional fast track point (for newly qualified fast track teachers)
Additional performance point

Point on main scale from 1/9/08 (M1 – M6) Value of point £.....

Allowances

SEN allowance (insert 1 or 2)Value £.....

Reason for award (if discretionary)

.....

Teaching and Learning Responsibility payment (insert TLR2 or TLR1).....

Value £.....

Nature of the significant responsibility for which TLR was awarded. (complete or attach a copy of the job description which includes this information):

.....

.....

.....

If TLR is awarded for acting up into a TLR post in the temporary absence of the post-holder, outline the date and/or circumstances in which the TLR will come to an end

.....

(Main Scale page 1 of 2)

Recruitment or retention incentives/benefits

Type of award (*tick whichever applies*): Recruitment Retention

Indicate whether a payment or other benefit and provide details:

Payment Amount of payment

Other benefit Type of benefit

Start of award

End of award (*maximum length: three years*)

The College's staffing structure and pay policy and implementation plan may be viewed at

.....

Total salary £.....

Signed on behalf of the Governing Body

Name in capitals

Date

(Main Scale page 2 of 2)

Annual Statement of a Classroom Teacher's salary: Upper Pay Scale Teachers (September 2008)

Name _____

William Parker Sports College _____

Effective Date: 1/9/08 _____

Point on Upper Pay Scale from 1 September 2008 (UPS1 – UPS3)

Value of point £.....

Allowances

SEN allowance (*insert 1 or 2*)Value £.....

Reason for award (*if discretionary*)

.....

Teaching and Learning Responsibility payment (*insert TLR2 or TLR1*).....

Value £.....

Nature of the significant responsibility for which TLR was awarded. (complete or attach a copy of the job description which includes this information):

.....

.....

.....

If TLR is awarded for acting up into a TLR post in the temporary absence of the post-holder, outline the date and/or circumstances in which the TLR will come to an end

.....

Recruitment or retention incentives/benefits

Type of award (*tick whichever applies*): Recruitment Retention

Indicate whether a payment or other benefit and provide details:

2)

Payment Amount of payment

Other benefit Type of benefit

Start of award

End of award (*maximum length: three years*)

The College's staffing structure and pay policy and implementation plan may be viewed at

.....

Total salary £.....

Signed on behalf of the Governing Body

Name in capitals

Date

Annual Salary Statement of a Member of the Leadership Group
(September 2008)

Name _____

William Parker Sports College _____

Effective Date 1/9/08 _____

Post _____

Individual School Range¹/pay range²

Point on range from 1 September 2007

Value of point £.....

Basis on which point on range has been determined (e.g. increase based on performance)

.....
.....
.....
.....

Basis for review of salary

*delete as applicable

*Performance objectives agreed or set

.....
.....
.....
.....

*Salary will be reviewed with regard to the results of the most recent appraisal

which will be carried out by (date)

¹ For head teachers: individual school range (ISR) is seven points, for example L15 – L22

² For deputy heads and assistant heads: pay range is five points, for example L7 – L11 (LPS page 1 of 2)

Recruitment or retention incentives/benefits

Type of award (*tick whichever applies*): Recruitment Retention

Indicate whether a payment or other benefit and provide details:

Payment Amount of payment

Other benefit Type of benefit

Start of award

End of award (*maximum length: three years*)

Type of award (*please tick whichever applies*)

The College's staffing structure and pay policy may be inspected at

.....

.....

Total salary £.....

Signed on behalf of the Governing Body

Name in capitals

Date

Annual Salary Statement of Advanced Skills Teacher (Sept. 2008)

Name _____

William Parker Sports College _____

Effective Date: 1 September 2008

Pay range (five points chosen from L1-18)

Point on AST pay spine from 1 September 2007

Value of point

Basis on which range has been determined

Basis on which point on range has been determined

.....
.....
.....
.....

*Agreed performance criteria

.....
.....
.....
.....
.....

*Salary will be reviewed with regard to the results of the most recent appraisal
which will be carried out by (date)

***Recruitment or retention incentives/benefits**

Type of award (*tick whichever applies*): Recruitment Retention

Indicate whether a payment or other benefit and provide details:

Payment Amount of payment

Other benefit Type of benefit

Start of award

End of award (*maximum length: three years*)

The College's staffing structure and pay policy may be inspected at

.....

.....

Total salary £.....

Signed on behalf of the Governing Body

Name in capitals

Date

COLLEGE PAY COMMITTEE

The Pay Committee of the Governing Body is authorised to decide all pay matters, but decisions will not be notified to staff until the full Governing Body has agreed.

1. MEMBERSHIP

Five Governors will be appointed by the Governing Body. The pay committee will be made up of Headteacher, Chair of Governors, Chair of Personnel, Chair of Finance and two other Governors from the Personnel Committee.

2. TERMS OF REFERENCE

The Committee will have full powers to make decisions within the pay policy adopted by the Governing Body. The terms of reference are as follows:

- . To achieve the aims and objectives of the College pay policy
- . To apply the criteria set by the policy, including linkages with the College performance management policy, in determining the pay of each member of staff
- . To observe all statutory and contractual obligations
- . To ensure that the policy complies with the most recent School Teachers' Pay & Conditions Document
- . To ensure that all pay decisions have regard to the legislation outlined in Basic Principles (section 1) of the College Pay Policy
- . To recommend the annual pay budget, including pay progression at all levels. The Governing Body recognises that funding cannot be used as a criterion to decide performance pay progression
- . To minute clearly the reasons for all decisions and to report these to the full Governing Body
- . To ensure that each member of staff receives, by 31st October each year, a written statement of the breakdown of pay as at 1 September.
- . To ensure that staff know the procedure for making an appeal against pay decisions
- . To ensure that clear job descriptions for each post at the College, so that additional allowances can be awarded in a fair, equitable and consistent manner
- . To keep abreast of developments influencing pay considerations and to advise the Governing Body when the pay policy needs to be reviewed.

3. PECUNIARY INTEREST

No governor may participate in discussions leading to decisions in which he / she has a pecuniary interest.

4. PROCEDURE

The full Governing Body will receive the report of the Pay Committee in the confidential section of the agenda. Once decisions have been made, they will be advised in writing to members of staff.

Every teacher's salary must be reviewed annually, with effect from 1st September. A written statement of pay must be sent to each teacher by 31st October each year

GRADING APPEAL –PROCEDURE

INTRODUCTION

This procedure applies to all staff employed to work at the College, including the headteacher. Where reference is made in the procedure to the role of the headteacher, the Chair of Governors, or such other governor(s) authorised by the Governing Body for the purpose, will fulfill that role where the employee concerned is the headteacher.

It is for the Governing Body of the College, subject in the case of teachers to the provisions of the Schoolteachers' Pay and Conditions Act 1991, to determine the duties to be carried out by each post-holder, and to choose the appropriate grade to reflect those duties and responsibilities. The Pay Policy adopted at the College will outline the discretions adopted by the Governing Body, who must ensure that decisions regarding grading are applied fairly and equally.

An individual employee may consider that his/her post is not graded correctly. In this context, the grading of posts for qualified teachers will represent the number of points awarded, and for staff on the leadership spine, it will represent the pay range and spine point determined for the post. This procedure will enable employees to discuss their grading with the headteacher on an informal and formal basis, and have the right to a personal hearing before a panel of appointed Governors authorised for the purpose of hearing grading appeals.

A grading appeal would be considered under this procedure where:

- There has been a significant increase in responsibilities undertaken by the post holder since the post was graded
- The employee considers that the current grading does not accurately reflect the responsibilities of the post
- The employee considers that the post is not graded appropriately in comparison with other posts at the College

A grading appeal would not normally be considered in the latter two instances where that employee had made an appeal on the same basis within the previous two years.

The time limits referred to in this procedure are working days, and exclude Saturdays, Sundays, bank holidays and school holidays.

PROCEDURE

Stage 1 – The Informal Meeting

If an employee is not satisfied with grading determination and the basis on which this was made, s/he should first discuss this on an informal basis with the headteacher.

The headteacher should hold this informal meeting within 10 days of the employee making the request.

This informal meeting gives the opportunity for early resolution of an employee appeal against grading, and will always be used in the first instance.

The employee may wish to seek to agree a revised job description with the headteacher or confirm that the existing job description adequately reflects his/her responsibilities.

Where a revised job description cannot be agreed, the following issues will be explored:

- Has the employee assumed duties and responsibilities that the headteacher does not accept as being part of the employee's work?
- If so, for how long have these duties and responsibilities been undertaken and has the headteacher or another senior manager been aware that the employee has undertaken the duties and responsibilities in question?
- Is there a lack of clarity in the duties and responsibilities at the College?
- Has there been a specific short-term need for the person to undertake work at a more senior level which will not continue on a permanent basis? If so, should the additional responsibility be recognised in line with the pay policy?

Where the employee and headteacher agree on a revised job description, the following issues will be explored:

- Are the responsibilities associated with the duties appropriate for the existing grading of the post?
- If not, how significant are any additional responsibilities in terms of the overall requirements of the post?
- Is there a change in the arrangements for the employee to report to senior staff, and/or are there any changes in the number and seniority of staff for whom the post holder has a supervisory responsibility?

Where it is agreed that the existing job description adequately reflects the employee's duties and responsibilities, the employee will need to outline specifically the reasons why s/he feels the post should be upgraded. In considering such a request, the following issues will be considered:

- How long is it since the post was graded?
- What overall changes in responsibility for staff in the College have taken place since then, including additional statutory responsibilities?
- Have any similar posts been upgraded?
- How does the post-holder's grade compare with similar posts in the College's staffing structure plan?

The above listings are not exhaustive, but provide a framework for discussing a grading appeal. When considering the grade of a teacher, Governing Bodies may be advised by the 'Professional Standards for Teachers' which outline the expectations of a teacher at each of the career stages, as well as criteria for payment of a TLR and progression on the Upper Pay Scale.

(c) Having given consideration to the above, together with any other matters, the headteacher will reach a decision. Where circumstances permit, the decision will be given orally, normally after an adjournment. The decision should be confirmed in writing within five days.

Alternatively, the case may require further review and/or enquiries; where this is the case it should be confirmed orally at the end of the meeting. The subsequent decision given orally within five days of the meeting, and confirmed in writing within a further five days.

(d) Where the decision is to support the request for re-grading, the headteacher will refer the matter to the Pay Committee. If, subsequently the re-grading is not supported by the Committee, the employee has a right of appeal as set out below in Stage 3. If the employee wishes to exercise this right s/he should do so in writing to the clerk of the governors within ten days of receiving the written decision.

- (e)** Where the decision is not to support the request for re-grading, the headteacher will:
- (i) in those cases where there was a failure to agree a revised job description, issue to the employee the job description setting out the duties and responsibilities of the post-holder. The job description may be the original description, or an amended version.
 - (ii) In cases where a revised job description is issued, the employee will have the opportunity of stating in writing the part(s) of the job description in dispute.

The headteacher will recognise that posts may not be changed significantly without consultation with the employee, although reasonable changes may be made from time to time.

STAGE 2 – The Formal meeting

Where the employee is not satisfied following Stage 1, s/he should send written details of the reasons for dissatisfaction to the headteacher within 10 days of receiving the written decision. The headteacher will arrange to meet with the employee again within 10 days of receipt of the written grievance.

The employee may be accompanied by a trade union representative or work colleague. The headteacher may be accompanied at the meeting by a senior colleague at the College, who may be a governor, or advised by an officer from the Local Authority.

At the meeting, both the headteacher (or colleague/adviser) and employee (or representative) will have the opportunity to make an oral statement in support of the written submission.

There will be an opportunity for the headteacher/representative to question the employee about the statement, and the employee/representative will have the opportunity to put questions to the headteacher about the decision at Stage 1.

The employee/representative may make a closing statement, as may the headteacher/adviser.

If possible the headteacher should give an oral decision, normally after an adjournment, and should confirm this decision in writing within three working days. Alternatively, the circumstances may require further review and/or enquiries. This will be confirmed at the end of the meeting, followed by an oral decision within five working days of the meeting and written confirmation within a further three days.

STAGE 3 – The Grading Appeal

Where the employee is not satisfied following Stage 2, s/he should notify the clerk to the governors within 10 days of receiving the written decision. The clerk will arrange a meeting of a panel of three governors authorised to hear the Appeal. No governor should be a member of the panel where s/he has been involved in discussions about the grading appeal. The meeting will be held within 20 days of receipt of the written appeal by the Clerk.

The statements from both parties will be sent to the members of the panel at least 5 days before the appeal hearing. Neither party is entitled to see a copy of the written statement by the other party before preparation of their own.

The procedure to be followed by the panel is as follows:

- The employee/representative to put their case in the presence of the headteacher and calls witnesses if wished
- The headteacher may ask questions of the employee/representative and any witnesses

- The appeals panel may ask questions of the employee/representative and any witnesses
- The headteacher to present the case in response to the employee's representations, calling witnesses if wished
- The employee/representative may ask questions of the headteacher and his/her witnesses
- The appeals panel may ask questions of the headteacher and his/her witnesses.
- The headteacher to have the opportunity to sum up his/her case
- The employee/representative to have the opportunity of summing up his/her case
- The employee, headteacher and any witnesses to withdraw
- The appeals panel (with any adviser) to deliberate in private, only recalling the parties where there are particular points of uncertainty on the evidence given. If recall is necessary, both parties are to return, even where only one is concerned with the point that is giving rise to doubt.

The appeals panel is authorised to:

- Reject the appeal and confirm that the grading/salary of the post are correct
- Agree that the overall range of duties and level of responsibility undertaken by the post holder is above that which could reasonably be expected of an employee at his/her level, and
 - upgrade the post to the level that they think appropriate where it is determined that the work undertaken will continue to be expected of the post-holder, or
 - ask the headteacher in consultation with the employee to make adjustments to the job description ensuring that the overall range of duties and level of responsibility is consistent with the existing grade for the post

The decision of the panel will be notified to the employee and his/her representative at the meeting and confirmed in writing within 5 days.

The decision of the panel is final and there is no further right of appeal within the College or Local Authority.

PAY APPEAL – MODEL PROCEDURE (TEACHER)

When seeking an appeal against a pay determination, including performance management outcome, the reasons for appeal should fall within the following, although the list is not exhaustive:

- That the person or committee by whom the decision was made –
- a) incorrectly applied any provision of the Document;
 - b) failed to have proper regard for statutory guidance;
 - c) failed to take proper account of relevant evidence;
 - d) took account of irrelevant or inaccurate evidence;
 - e) was biased; or
 - f) otherwise unlawfully discriminated against the teacher

The time limits referred to are working days, excluding weekends and school holidays. The times may be modified by mutual agreement.

When considering the pay of a teacher, governing bodies may wish to consult:

- . the ‘Professional Standards for Teachers’ which outline the expectations of a teacher at each of the career stages
- . criteria for payment of a TLR and progression
- . criteria for progression on the Upper Pay Scale
- . the pay discretions adopted in the College’s pay policy
- . pay information contained in the most recent version of the School Teachers’ Pay & Conditions Document

ESTABLISHING AN APPEALS PANEL

The Governing Body will establish an Appeals Panel with full delegated powers, to which appeals on pay and grading issues will be directed.

- The panel will comprise a chair (usually the vice chair of governors) and two other nominated governors, one of whom will be nominated as the vice chair of the panel, and the other of whom will act as reserve
- No member of the panel will work at the College, and no member will have been involved in the original pay decision
- The headteacher will not act as adviser to the panel, but may be called upon to provide information

The panel is authorised to:

- Reject the appeal and uphold the pay decision.
- Allow the appeal and confirm that the increased pay should be backdated to the date applicable before the appeals process started.

PROCEDURE

Stage 1 - The Informal Meeting

An employee who is not satisfied with written pay determination and the basis on which this was made should first discuss this with the headteacher on an informal basis.

The headteacher will hold this informal meeting within 10 days of the decision. The meeting gives the opportunity for early resolution of an employee appeal against pay and will always be held in the first instance.

At the informal meeting the headteacher will take account of the teacher's comments and will assess the pay of the teacher against pay criteria etc. The decision, where circumstances permit, will be given orally, normally after an adjournment, and will be confirmed in writing within three days.

Alternatively, the case may require further review and/or enquiries before the headteacher can reach a decision. Where this is the case the subsequent decision will be given orally to the teacher within five days of the meeting, and confirmed in writing within a further three days.

After the Informal Meeting

Where the headteacher's decision is to support the pay request, the headteacher refers the matter to the Pay Committee. If, subsequently the pay request is not supported by the Pay Committee, the employee has a right of appeal as set out below in Stage 3. If the employee wishes to exercise this right s/he should do so in writing to the clerk of the governors within ten days of receiving the written decision.

Where the headteacher's decision is not to support the pay request, the teacher may appeal if wished.

STAGE 2 - The formal meeting/hearing

An employee who is not satisfied following Stage 1 should send written details of the reasons for challenging the pay decision to the headteacher (or person/committee who made the determination) within 10 days of receiving the written decision.

The headteacher (or person /committee who made the pay determination) will arrange to meet with the employee again within 10 days of receipt of the written grievance.

The employee may be accompanied by a trade union representative or colleague. The headteacher may be accompanied by a senior colleague at the College, who may be a governor, or advised by an officer from the Local Authority.

At the meeting, both the headteacher (or colleague/adviser) and employee (or representative) should have the opportunity to make an oral statement in support of the written submission.

There will be an opportunity for the headteacher/representative to question the employee about the written submission, and the employee/representative will have the opportunity to put questions to the headteacher about the decision at Stage 1.

The employee/representative may make a closing statement, as may the headteacher/adviser.

If possible the headteacher should give an oral decision, normally after an adjournment, and should confirm this decision in writing within five working days. Alternatively, the circumstances may require further review and/or enquiries. This should be confirmed at the end of the meeting, followed by an oral decision within five working days of the meeting and written confirmation within a further three days.

STAGE 3 - The Appeal Hearing

Where the employee is not satisfied following Stage 2, s/he should notify the clerk to the governors within 10 days of receiving the written decision. The clerk will arrange a meeting of a panel of three governors authorised to hear the Appeal. No governor should be a member of the panel where s/he has been involved in the original pay determination. The meeting will be held within 20 days of receipt of the written appeal by the Clerk.

The employee and the headteacher will exchange statements to be considered at the appeal hearing 5 days before the notified date of the hearing. Neither party is entitled to see a copy of the written statement by the other party before preparation of their own. The statements from both parties will be sent to the members of the panel at least 5 days before the appeal hearing.

The procedure to be followed by the panel is as follows:

- The employee/representative to put their case in the presence of the headteacher and calls witnesses if wished
- The headteacher may ask questions of the employee/representative and any witnesses
- The appeals panel may ask questions of the employee/representative and any witnesses
- The headteacher to present the case in response to the employee's representations, calling witnesses if wished
- The employee/representative may ask questions of the headteacher and his/her witnesses
- The appeals panel may ask questions of the headteacher and his/her witnesses.
- The headteacher to have the opportunity to sum up his/her case
- The employee/representative to have the opportunity of summing up his/her case
- The employee, headteacher and any witnesses to withdraw

- The appeals panel (with any adviser) to deliberate in private, only recalling the parties where there are particular points of uncertainty on the evidence given. If recall is necessary, both parties are to return, even where only one is concerned with the point that is giving rise to doubt.

The appeals panel is authorised to:

- Reject the appeal and confirm that the salary for the post is correct
- Uphold the appeal and arrange for monies to be backdated to the appropriate point

The decision of the panel will be notified to the employee/representative at the meeting and confirmed in writing within 5 days and where the appeal is rejected will include a note of the evidence considered and the reasons for the decision.

The decision of the panel is final and there is no further right of appeal within the College or Local Authority.

PAY APPEAL MODEL PROCEDURE (HEADTEACHER)

The headteacher must notify the chair of governors in writing of his/her decision to appeal against a pay decision, within ten days of a pay decision being received by him/her. The reasons should be (although the list is not exhaustive) :

- That the person or committee by whom the decision was made –
- a) incorrectly applied any provision of the School Teachers' Pay & Conditions Document;
 - b) failed to have proper regard for statutory guidance;
 - c) failed to take proper account of relevant evidence;
 - d) took account of irrelevant or inaccurate evidence;
 - e) was biased; or
 - f) otherwise unlawfully discriminated against the teacher.

1. PROCEDURE:

Stage 1 - The Informal Meeting

A headteacher who is not satisfied with the pay determination and the basis on which this was made should first discuss this with the Chair of Governors on an informal basis.

The Chair of Governors will hold this informal meeting within 10 days of the headteacher making the request. The meeting gives the opportunity for early resolution of a headteacher appeal against pay and will always be held in the first instance.

At the informal meeting the Chair of Governors will take account of the the headteacher's comments and will assess the pay of the headteacher against pay criteria etc. The decision, where circumstances permit, will be given orally, normally after an adjournment, and will be confirmed in writing within three days.

Alternatively, the case may require further review and/or enquiries before the chair of governors can reach a decision. Where this is the case the subsequent decision should be given orally to the headteacher within five days of the meeting, and confirmed in writing within a further three days.

If the Headteacher is not satisfied following Stage 1 (the informal meeting) s/he should notify the Chair of Governors within ten days of the informal meeting and request him/her to make arrangements to convene an Appeals Panel, within twenty days of this notification. No member of the appeal panel will work at the College, nor will have been involved in the original decision of the pay committee. The Chair of Governors will attend the Appeal Hearing to give evidence about decisions regarding the headteacher's pay.

The headteacher will be given at least fifteen days' written notice of the hearing and will be required to submit her/his case in writing at least five days before the scheduled hearing.

The headteacher has the right to be accompanied by a work colleague or Trade Union Representative.

The Chair of Governors may be accompanied by a representative of the Local Authority/CfBT

The Chair of Governors (or committee who made the original decision on pay) will be required to submit their case in writing at least five days before the scheduled Appeal Hearing.

An exchange of written statements will take place at least five days before the appeal hearing.

Stage 2 – The Appeal Hearing

The chair of the appeal panel outlines the procedure, which is as follows:

- The headteacher/representative makes an oral statement in support of the written reasons for the appeal.
- The appeals panel and Chair of Governors may question the headteacher about his/her statement.
- The Chair of Governors makes an oral statement in support of the written reasons for the decision about the headteacher's pay.
- The headteacher/representative may question the Chair of Governors about the statement.
- The Chair of Governors makes a closing statement.
- The headteacher/representative makes a closing statement.

The headteacher and Chair of Governors withdraw while the panel reaches a decision. The parties can be recalled where there are particular points of uncertainty on the statements made. If recall is necessary both parties are to return, even if only one is concerned with the point giving rise to doubt.

Where possible, the Chair of the Appeals Panel should give his/her decision orally at the end of the Appeals Hearing. This decision must be confirmed in writing within five days and should include details of the evidence considered and the reason for the decision. Where an appeal is rejected, the Chairman of the Appeal Panel will inform the appellant in writing of the evidence the committee considered and its reasons for the decision.

The person or committee who made the original decision will also be notified of the outcome of the hearing.

The chair of the appeal panel will inform all parties that the decision is final, and there is no further right of appeal.