



**Slough and East Berkshire C. of E.  
Multi Academy Trust**



**Pay Policy for all Staff**

Category:	Statutory
Owner:	SEBMAT Directors and Local Governing Bodies
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## 1. Introduction

This policy applies to all employees of Slough and East Berkshire Multi-Academy Trust (SEBMAT) and where appropriate distinguishes between teachers and support staff. It complies with and should be applied in accordance with the School Teachers' Pay and Conditions of Employment (STPCD 2010 and as amended from time to time – the latest version was published in 2018) and the National Joint Council (NJC) Agreement. In the event of any conflicting provisions between this policy and the STPCD, the STPCD will take precedence. Separate procedures are included in this document related to support staff, including those centrally deployed by SEBMAT, and the pay arrangements for the Chief Executive Officer (CEO). The support staff will be reviewed in accordance with the National Joint Council for Local Government Services. Alongside this, there may be specific requirements which will be upheld related to the terms and conditions of any staff who have undergone Transfer of Undertakings (Protection of Employment) -TUPE - to the Trust.

This policy does not form part of the terms and conditions of any employee's employment with the Trust and is not intended to have contractual effect.

Unless otherwise stated, the words of this policy shall have the same meaning as the words in the STPCD and other similar agreements for support staff.

The focus of this policy is to attract, retain, develop and reward staff of the right calibre to maximise the educational opportunities for the pupils and students educated across the Trust.

Decisions relating to pay progression will be based upon clear evidence relating to the Trust's Performance Management Procedures for all staff. Determining pay should be non-discriminatory, fair and consistent to seniority, grade, pay and in all other respects, consistent and reasonable. It will also be alert to avoiding discrimination related to gender.

The trustees/directors, governors and headteachers will ensure that the staffing structures meets the operational and developmental needs of the Trust. This policy will be reviewed in light of any future revisions to the staffing structure that may have a bearing on pay, which should remain constantly under review, and in certain circumstances, will be subject to consultation.

The policy reflects the aims and objectives that are incorporated in the School Development Plans (SDPs) for each school within the Trust.

The policy seeks to meet any relevant conditions in the Trust's Funding Agreement, Articles of Association and Scheme of Delegation.

The annual pay award (cost of living increase) is kept separate to pay progression, and that any increases are applied to all points within each pay range.

## 2. Aims

This policy aims to

- clearly explain how the Trust will determine pay and how decisions will be made based on the performance of members of staff
- set out a clear framework for pay and progression across the Trust

Adopting this policy will

- support the recruitment and retention of high quality teachers and non-teaching and central support staff

- enable the Trust to recognise and reward staff for their contributions
- ensure that pay decisions are made in a fair and transparent way

This policy has been consulted on by staff and relevant trade unions.

### 3. Legislation and guidance

As a multi-academy trust, SEBMAT is free to determine its own approach to deciding teachers' pay and that of all other staff. However, since all the teaching staff have a contract that specifically incorporates conditions from the School Teachers Pay and Conditions Document (STPCD), these will continue to apply due to the [Transfer of Undertakings \(Protection of Employment\) \(TUPE\) Regulations 2006](#), which protect employees' terms and conditions when a maintained school becomes an academy. This will similarly apply for all other non-teaching and central support staff.

As such, this policy complies with the [STPCD](#). It is also based on the [model pay policy](#) created by the Department for Education (DfE).

When implementing the pay policy, SEBMAT will abide by

- the [Employment Relations Act 1999](#), which establishes a number of statutory work rights
- the [Part-time Workers \(Prevention of Less Favourable Treatment\) Regulations 2000](#) and the [Fixed-Term Employees \(Prevention of Less Favourable Treatment\) Regulations 2002](#), which requires SEBMAT to ensure part-time and fixed-term workers are treated fairly
- the [Equality Act 2010](#) which requires schools to have due regard to the need to eliminate discrimination and advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not share it
- the [principles of public life](#) which require those conducting the procedures to be objective, open and accountable

The procedures for addressing grievances in relation to pay are based on the ACAS grievance [code of practice](#) and are set out in the staff grievance procedures.

### 4. Definitions

- **Teacher** includes all staff qualified and appointed to teach at the school. This includes the leadership team and the headteacher, unless otherwise stated
- **Teaching and learning responsibility** is a payment awarded to a classroom teacher for undertaking a sustained additional responsibility, for the purpose of ensuring the continued delivery of high-quality teaching and learning and for which the teacher is made accountable
- **Main and upper pay ranges** are the ranges on which a classroom teacher's salary will be set
- **Leadership group** comprises the headteacher, deputy headteachers and assistant headteachers
- **Unqualified teachers** are able to demonstrate that they meet recognised standards in the schools in which they are employed. They can do so by learning how to teach

with the support of skilled colleagues and by becoming a fully qualified professional through a school-based portfolio development and assessment process

- **Non-teaching and central support staff** comprise all those staff members who are not part of the teaching fraternity

## **5. Roles and responsibilities**

The trustees/directors, local governing bodies (LGBs) for each school and the respective headteachers are responsible for establishing and delivering this policy. The Trust/Directors' Board has a Finance and Resources Committee which states in its Terms of Reference that it has to fulfil the governance responsibility for scrutinising and overseeing the finances of the Trust as a whole. This includes overseeing the Pay Policy and reviewing this Policy in the autumn term of each academic year. The Pay Panel is a separate body to address matters of pay and deal with any contentious issues which may arise. It is set up by the Trust/Directors' Board and given absolute powers to deal with pay for all staff and in particular pay reviews arising annually from the appraisal process. It reports to the Board that they have met and fulfilled their duty. All those with governance responsibilities must treat information relating to staff remuneration as confidential.

Line managers conduct reviews and will make recommendations on a teacher's pay following the teacher's appraisal. Line managers will conduct similar arrangements and recommendations for non-teaching and central support staff. These recommendations will be made to the headteacher who makes pay decisions and informs the local governing body.

Where necessary, and particularly in contentious situations, responsibility for making pay decisions is transferred to the Pay Panel of the Trust.

## **6. How will pay be decided on appointment?**

The headteacher will determine the pay range for a vacancy prior to advertising it. Where relevant they will confer with the local governing body. On appointment, the headteacher will determine the starting salary within that range to be offered to the successful candidate.

To determine the salary, the headteacher will take into account a range of factors, including

- the nature of the post
- the level of qualifications, skills and experience required
- market conditions
- the wider school context

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

## **7. Teaching Staff - How will pay progression be decided?**

### **7.1 Annual reviews**

The headteacher will ensure that the salary of each member of staff is reviewed annually between 1 September and 31 October, in alignment with the annual appraisal period.

Pay progression will be decided based on their performance during the previous appraisal period. The salary will be decided with reference to the appraisal reports and the pay recommendation they contain.

When making decisions, the headteacher will take into account

- the performance of the staff member over the appraisal period, using evidence of their performance against their objectives and for teachers the Teachers' Standards collected throughout the appraisal period. Our appraisal arrangements, including what evidence will support judgements, are set out in full in the respective school's appraisal policy
- the pay recommendation made in the appraisal report
- advice from the senior leadership team
- any changes to the responsibilities and expectations of the role
- the wider school context, including the budget

Clearly, pay progression will follow on from successfully achieving targets, although annual pay progression within the range for a post is **not automatic**. If staff have successfully achieved their appraisal targets then they would receive an incremental pay award, provided there is headroom within their salary scale.

The decision can be 'no pay progression' without triggering the capability policy. However, repeated under-performance would be addressed through capability.

## **7.2 Mid-year reviews**

Mid-year reviews can take place particularly if there are concerns about a member of staff not being on track to achieve their targets. This can be helpful in looking at support and challenge to bring about improved performance.

Reviews may take place at other times of the year if an individual's role or job description changes. Changes include going part-time and taking on or removing additional roles and responsibilities.

A written statement will be given after any review and will give information about why it was made. Certainly, the first paragraph of this section (7.2) is more about performance and capability. However, the subsequent paragraph is about changes in working practices which have a bearing on pay associated with changes in roles and responsibilities.

## **8. Moving to the Upper Pay Range for teachers**

### **8.1 Making applications**

All qualified teachers can apply to be paid on the upper pay range, and any application will be assessed in line with this policy.

Applications can be made at least once a year. Applications should be submitted by 31<sup>st</sup> October in the year requested.

Applications will be submitted in writing to the headteacher and will be reviewed by line managers and a senior leader. All applications will be treated fairly and impartially.

When submitting an application, it should include

- results of appraisals under the 2012 regulations, including recommendations on pay
- where this information is not applicable or available, a statement and summary of evidence to demonstrate that the assessment criteria have been met

Each school will have its own application process for this. However, moves will be made to have greater consistency across the Trust's schools with a view to more efficient and effective processes being in place.

## **8.2 Assessment**

To be eligible to be paid on the Upper Pay range, the headteacher must be satisfied that

- the teacher is highly competent in all elements of the Teachers' Standards; and
- the teacher's achievements and contributions are substantial and sustained

For the purpose of this policy

- **'Highly competent'** means:  
Performance which is good enough to provide coaching, mentoring and advice to other teachers, and demonstrate to them effective teaching practice and how to make a wider contribution to the work of the school, in order to help them meet the relevant standards and develop their teaching practice
- **'Substantial'** means:  
The teacher's contributions are of real importance, validity or value to the school; play a critical role in the life of the school; provide a role model for teaching and learning; make a distinctive contribution to the raising of pupil standards; take advantage of appropriate opportunities for professional development and use the outcomes effectively to improve pupils' learning
- **'Sustained'** means:  
The teacher's contributions have been maintained over a period in excess of two years. The teacher must have had two consecutive successful appraisal reports and have made good progress towards their objectives during this period, apart from exceptions related to maternity/sick leave. They will be expected to have shown that their teaching expertise has grown over the relevant period and is consistently good to outstanding.

## **8.3 The decision**

The assessment will be made and the applicant notified within one month.

The decision will be made by the headteacher who will also determine where the teacher will be placed on the Upper Pay range. Considerations will include the nature of the post, the responsibilities it entails, and the qualifications and skills of the teacher.

If successful, applicants will move to the Upper Pay range from the start of the next term.

Pay will be backdated to the date the decision was made.

If unsuccessful, feedback will be provided by line managers in a one-to-one meeting, within 10 working days of the decision notification. The line manager will set out why the application was unsuccessful and provide advice on how the teacher can improve when making another application in the future.

Decisions will also be communicated in writing. Any appeals against decisions are covered by the staff grievance procedures.

## **9. Additional allowances for teachers**

### **9.1 Teaching and Learning Responsibility Payments (TLRs)**

TLRs will be awarded to posts identified in the school's staffing structure as amended from time to time.

The values of the TLRs to be awarded are as notified by the school from time to time.

To qualify for a TLR payment the headteacher on behalf of the local governing body must be satisfied that the teacher's duties include a significant responsibility that is not required of all classroom teachers and is

- focused on teaching and learning
- requires the exercise of a teacher's professional skills and judgement
- requires the teacher to lead, manage and develop a subject or curriculum area; or to lead and manage pupil development across the curriculum
- has an impact on the educational progress of other than the teacher assigned classes or groups of pupils and
- about developing, and enhancing the teaching practice of other staff

In addition, before awarding a TLR 1 payment, the headteacher must be satisfied that the significant responsibility defined above includes line management responsibility for a significant number of people.

### **9.2 Special educational needs allowances**

The headteacher with delegated responsibility from the local governing body must award a SEN allowance to a classroom teacher

- a) in any SEN post that requires a mandatory SEN qualification
- b) in a special school
- c) who teaches pupils in one or more designated special classes or units in a school, or in the case of an unattached teacher, in a local authority unit or service
- d) in any non-designated setting (including any short stay school in England) that is similar to a designated special class or unit, where the post
  - i. involves a substantial element of working directly with children with special educational needs
  - ii. requires the exercise of a teacher's professional skills and judgment in the teaching of children with special educational needs
  - iii. has a greater level of involvement in the teaching of children with special educational needs than is the normal requirement of teachers throughout the school or unit or service

Where a SEN allowance is to be paid, the headteacher must determine the spot value of the allowance, taking into account the structure of the school's SEN provision and the following factors:

- a) whether any mandatory qualifications are required for the post
- b) the qualifications or expertise of the teacher relevant to the post; and
- c) the relative demands of the post

### **9.3 Recruitment and retention incentives and benefits**

The headteacher with the delegated responsibility from the local governing body may pay recruitment allowances as they see fit

- where there are significant difficulties in recruiting staff with particular skills or qualifications; or
- where it is clearly established that the quality of the potential employee will substantially improve learning opportunities for students

Alternatively, a non-pensionable recruitment bonus may be paid.

The headteacher in liaison with the local governing body will review recruitment and retention allowances annually. The 2018 documentation (STPCD) states that for leadership posts any recruitment and retention incentives should only be for housing or relocation costs.

Where an individual qualifies for a recruitment bonus, payment will be made to the member on completion of the probationary period following the individual's date of commencement with the school and will be dependent upon the individual maintaining a satisfactory level of performance.

Clearly, it is important for the headteacher, having consulted with line managers, to liaise closely with the Chair of Governors regarding the allocation of additional salaries. However, this does not necessitate the local governing body in having a separate pay committee/panel. The headteacher is responsible for justifying these salaries to the CEO where they are over and above set scales and processes.

The headteacher will review the process of setting and monitoring pay progression and the overall level of payment/benefits annually in conjunction with the local governing body.

## **10. Leadership pay**

### **10.1 Performance pay for leaders**

The Finance and Resources Committee agrees the school budget and will ensure that appropriate funding is allocated for confirmed performance pay progression at all levels.

The staff on leadership scale must demonstrate sustained high quality of performance, with particular regard to leadership, management and pupil progress at the school.

Those on the leadership group who take on additional roles can receive an addition of up to 25% of their substantive salary. When this extra responsibility finishes then they will revert to their previous role and will revert to their previous grading and associated pay.

### **10.2 Headteacher**

The Chief Executive Officer (CEO) is responsible for each headteacher's review and pay progression. This is done in partnership with the Chair of Governors of the LGB. They can consult with an external advisor or relevant person on matters relating to the headteacher's performance. This review has to take place between 1<sup>st</sup> September and 31<sup>st</sup> December.

Annual pay progression within the range for this post is **not automatic**. Progression (if any) along the headteacher's pay grade will depend upon performance in relation to agreed objectives. In addition, the CEO in conjunction with the Chair of Governors reserve the right to award bonus payments where exceptional performance is evident.

The CEO with the Chair of Governors will consider the number, if any, of points to award.

The headteacher's pay grade can be changed by the CEO in conjunction with the Chair of Governors at any time to attract or retain a headteacher or when there have been significant changes in the responsibilities of the headteacher. The minimum and maximum amounts must be as stated in the 2018 document (STPCD).

These aforementioned decisions by the CEO will be recommended to the SEBMAT Pay Panel for review and ratification.

The headteacher should be aware that it is not permissible under the STPCD (2010 and as amended from time to time in force) for a headteacher to receive an increase in spinal point outside of the previous year's Individual School Range (ISR), unless the additional point (or more) is required for them to be placed on the minimum point of the new range. However, as referred to in 10.1, there can be uplifts agreed in exceptional circumstances related to taking on additional roles.

### **10.3 Deputies and Assistant Headteachers**

The headteacher is responsible for review of senior leaders in their school. Annual pay progression within the range for these posts is **not automatic**. Progression (if any) along the appropriate pay grade will depend upon performance in relation to agreed objectives. In addition, the headteacher reserves the right to award bonus payments where exceptional performance is evident. Deputy and assistant headteachers must demonstrate sustained high quality performance in respect of school leadership and management and pupil progress and will be subject to a review of performance against their performance objectives before any incremental progression is awarded.

The headteacher will consider whether to award one or two pay progression points in accordance with the provisions of the STPCD from time to time.

Related to this section (10.3) and the previous section (10.2) the appropriate pay grade can be changed by the CEO in liaison with the Trust's Pay Panel at any time in order to attract or retain the headteacher or a deputy or assistant headteacher or when there have been significant changes in the responsibilities of the serving headteacher or deputy/assistant headteacher. This process will operate with parameters attached to this range to ensure it remains soundly under control. The maximum of the deputy pay range must not exceed the maximum of the headteacher group and should only overlap the headteachers' pay range in exceptional circumstances.

## **11. Salary safeguarding arrangements**

SEBMAT will abide by the STPCD and safeguard teachers' salaries if the post is revised or removed as a result of

- closure of the school or education establishment
- organisational restructuring

Circumstances where higher pay is safeguarded include a removed or reduced

- teaching and learning responsibility (TLR) payment: TLR1, TLR2 or TLR3
- special educational needs (SEN) allowance
- unqualified teacher's allowance
- leadership pay range or leading practitioner pay range

SEBMAT will follow the STPCD when applying and managing salary safeguarding.

## **12. Information to be included in pay statements**

When pay is changed, teachers will receive a written statement confirming this as soon as possible and not later than 4 weeks after the decision.

The statement will be issued by the headteacher on behalf of the local governing body.

For all teachers, statements will include

- payments or other financial benefits awarded
- any safeguarded sums
- information on where the teacher can access a copy of the school's staffing structure and pay policy

Statements for members of the leadership group and teachers paid as leading practitioners will also include

- the basis on which the salary has been determined

- the criteria on which their salary will be reviewed in future

Statements for teachers appointed to the leadership group or paid as a leading practitioner for a fixed period or under a fixed-term contract will also include

- the date that the fixed period or the contract will end, or the circumstances that will lead to the contract ending

Statements for classroom teachers or unqualified teachers who are paid and eligible for allowances as a qualified teacher will also include

- the teacher's position within the pay ranges
- the nature and value of any allowance received
- the value of any teaching and learning responsibility (TLR) payment awarded and details of what it was awarded for
- where a TLR was awarded to cover a teacher's absence, the end date of circumstances in which it will end
- for TLR3s, the letter should also include a statement that the payment will not be safeguarded

Statements for unqualified teachers will also include

- the teacher's position within the unqualified teachers' pay range
- the value of any unqualified teacher's allowance awarded and the additional responsibility, qualifications or experience in respect of which the allowance was awarded

### **13. Appealing a decision on pay progression**

Where any teacher feels that a decision made over their pay is unfair, they have the right to appeal. Teachers should attempt to resolve the matter informally at first, by speaking with the headteacher.

If the teacher wishes to lodge a formal grievance, they should set out their reasons for appealing in a letter to the Pay Panel within 10 working days of the pay statement being issued. Reasons may include:

- the pay policy was incorrectly applied
- the decision contravenes the conditions the teacher is employed under
- the decision contravenes equality legislation
- relevant evidence was not taken into account
- the decision was biased

The rest of the grievance procedure is set out in the staff grievance procedures, which is based on the [Acas Code of Practice](#) for addressing grievances.

If the appeal is upheld, the headteacher will re-issue the pay statement with the correct information.

### **14. Further sections**

#### **14.1 Part-time teachers**

Teachers employed at the school, but who work less than the full time equivalent of the role for which they are employed, are deemed to be part-time. The headteacher on

behalf of the local governing body will provide 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 and by comparison with the school's timetable teaching week for a full-time teacher in an equivalent post.

All part-time teaching staff will be subject to the same performance review and pay progression procedures will mirror those for full-time teaching staff.

#### **14.2 Short Notice/Supply Teachers**

Teachers employed on a day-to-day, or other short notice basis, must be paid in accordance with the provisions of the STPCD (2010 and as amended from time to time) on a daily basis calculated on the assumption that a full working year consists of 195 days; periods of employment for less than a day being calculated pro-rata.

Teachers who work less than a full day will be hourly paid and will also have their salary calculated as an annual amount which will then be divided by 195 then divided again by 6.48 (1265 hours/195 days) to arrive at the hourly rate.

#### **14.3 Unqualified teachers/overseas trained teachers**

When determining on which point to place unqualified teachers on the unqualified teachers' pay scale, the headteacher will recommend to the local governing body whether any relevant qualifications and experience should be considered.

Circumstances where unqualified teachers may be appointed above the minimum point include but are not limited to

##### Qualifications

- one point for a recognised overseas teaching qualification
- one point for a recognised post-16 teaching qualification
- one point for a recognised qualification relevant to their subject area

##### Experience

- one point for each year of service as an overseas-trained teacher
- one point for each year of service teaching in further education, including sixth form colleges
- one point for each year of service teaching in higher education

At their absolute discretion, the headteacher may also consider awarding, on a case by case basis, one point 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 school, and experience with children/young people).

All unqualified teachers will be subject to performance review and increments in pay will mirror the procedures for the qualified teachers.

Points 1 to 3 – Developing Unqualified Teacher and

Points 4 to 6 - Established qualified teacher

#### **14.4 Unqualified teachers' allowance**

The Pay Panel can pay an unqualified teachers' allowance to unqualified teachers when the local governing body consider their basic salary is not adequate having regard to their responsibilities, qualifications and experience.

An allowance may be awarded where the teacher

- a) has undertaken a sustained additional responsibility which
  - i) is focused on teaching and learning
  - ii) requires the exercise of a teacher's professional skills and judgment; and/or
- b) has qualifications or experience which bring added value to the role he/she is undertaking.

The Pay Panel will pay an unqualified teacher on one of the employment based routes into teaching on the unqualified teachers' scale in accordance with the STPCD (2010 and as amended from time to time).

- support staff pay arrangements
- commitment to salary benchmarking
- appendices could include a template pay statement, approval/denial and appeal forms
- schools in multi-academy trusts should also include a section that sets out how pay decisions are delegated in their trust

## **15. Salary assessment for support staff**

This section refers to all support staff across the Academy Trust. The Trust shall ensure that its arrangements for pay and gradings are at least as good as the requirements of any national agreements set out from time to time by the National Joint Council.

Any entitlement to additional pay or overtime payments shall be in accordance with the latest national agreement as set out in the current information issued by the National Joint Council for local government employees.

The salary assessment shall be carried out in accordance with the criteria set out in this policy, with any job comparability exercise being undertaken to ensure equality in the application of assessments. Part time support staff, both term time only employees and those working less than the full-time hours per week or both will have their salaries calculated on a pro-rata basis when compared to full time staff. Their salary will be equated over a twelve month period and their entitlement to statutory and contractual paid holiday will be included in all calculations.

There is no national agreement whereby support staff should expect regular reviews and/or pay progression. However, the Trust will consider pay progression of support staff every year and will consider performance in respect of agreed targets for the last year. Further information regarding this process is detailed in the Appraisal Policy.

In some instances non-teaching and central support staff may have a joint review where some staff at individual schools have a reporting relationship to the headteacher and also to a SEBMAT executive lead.

### **15.1 Staffing structure for non-teaching and central support staff**

Each academy has an agreed staffing structure for support staff working at the academy. The structure ensures that there is appropriate line management of all staff. The work to be undertaken by each post holder and the outcomes to be achieved will be set out in a job description, along with a person specification setting out the criteria for each post. The appointment of support staff is the responsibility of each academy unless the Chief Executive Officer (CEO) and/or the Board of Trustees/Directors have agreed that such appointments will be made by the Board of Trustees/Directors. The arrangements for filling vacancies will be as set out in the Trust's policy on Recruitment and Selection.

### **15.2 Grading of posts**

The Trust will determine the grading of posts using the National Joint Council (NJC) Job Evaluation Scheme.

### **15.3 Starting salary point**

The actual pay point within the salary range for each newly appointed employee will be at the minimum scale point of the grade unless:

1. The person appointed is an existing Trust employee and the employee is being redeployed
2. The person appointed is not currently paid on a salary range assessed in accordance with the salary policy of the Trust, in which case a starting salary point above the minimum of the range may be agreed by the headteacher in exceptional circumstances, taking into account the difficulty in recruiting to the post and the newly appointed employee's: (a) current actual pay; (b) recent relevant experience and qualifications.

#### **15.4 Incremental progression and acceleration**

Unless staff are appointed on the top spinal point of their grade, staff are entitled to incremental progression to the top of their grade, subject to satisfactory annual assessment under the Trust's adopted appraisal scheme. Annual increments, where applicable, are payable on 1st April each year. The appraisal cycle runs from September to August each year with the increment awarded back dated to 1st April.

#### **15.5 Recruitment incentives and benefits**

The payment of recruitment incentives and benefits may be considered in respect of individual posts for which specific recruitment difficulties have been identified. Any use of such payments will be applied on a non-discriminatory basis and on the basis of clearly defined criteria determined by the Board of Trustees from time to time. Where it is determined to pay such an incentive/benefit, the amount will be determined to meet the circumstances of the case. The level of payment and any required qualifying period of service will be set out in writing to the member of staff concerned. Where the Board of Trustees makes one or more such payments, or provides such financial assistance, support or benefits in one or more cases, the Board of Trustees will conduct a regular formal review of all such awards. The expected duration of any such incentives and benefits will be made clear at the outset, including the review date after which they may be withdrawn.

#### **15.6 Authorising and paying for working additional hours.**

The total number of hours of work for all support staff will be determined at the time of appointment. Where staff work additional hours, with the prior agreement of the headteacher, additional payment or time off in lieu will be arranged. Where such overtime is worked, it will be paid in line with the latest national agreement as set out in the current information issued by the National Joint Council for local government employees. Staff at this level will retain normal working hours of 36 or 37 (where applicable) but will be expected to work all reasonable hours required to discharge the duties of their post.

#### **15.7 Rewarding additional duties**

The Trust recognises that there may be a need for support staff to take on additional duties where a vacancy exists, during periods of absence, leave or re-organisation or because project work beyond normal requirements has to be undertaken. The Trust will decide how to deal with the additional duties and will bear in mind the Trust's Equal Opportunities Policy when doing so. Staff will be rewarded for additional duties as a short-term measure where the duration is for a minimum of 4 weeks up to a maximum of 6 months.

## **16 The role of Trustees/Directors regarding pay and any appeals**

The Trust draws on the National Governance Association (NGA) guidance on 'Executive Pay, Issues for consideration by governing boards of academy trusts'.

The NGA states that setting the framework for the pay of the senior executive leader and the leadership team in an academy trust is the direct responsibility of the Board of Trustees. They must retain control and oversight of this critical function. They must also ensure that the pay and leadership structure is in keeping with the Nolan principles, affordable and sustainable in the long term, and appropriate for the level of responsibility. In this instance within SEBMAT this will be addressed through the Trust's Pay Panel with full delegation of powers as a Panel of the Board of Trustees/Directors.

The Academies Financial Handbook explains that trustees must oversee the Trust's financial affairs and hold the executive leadership to account. The Board of Trustees must ensure its decisions about levels of executive pay follow a robust evidence-based process and are reflective of the individual's role and responsibilities.

The trustees have responsibility to deal with performance management and that includes that of the Chief Executive Officer (CEO). Additionally, they are responsible for determining the pay of the CEO within a specific pay band agreed by the trustees/directors. Annual pay progression within the range for the post is not automatic. Progression, if any, depends on performance in relation to agreed objectives. This process of performance review is carried out on the trustees'/director's behalf by the Pay Panel.

## **17. Working with the senior executive leader**

### **17.1 Linking vision and strategy to improvement**

The vision describes what the children will have left school having learned in terms of attainment and progress and how they will be prepared for the next stage of their lives.

The strategy identifies the key priorities to be focused on to achieve the vision. Each priority will have a key performance indicator (KPI) or target which will need to be met. These KPIs or targets will form the basis of the senior executive leader's performance objectives.

The purpose of performance management

- Development
  1. to develop the person
  2. to improve outcomes in the organisation
  3. to ensure that the organisation achieves its vision and strategic aims
- Accountability
  4. to hold the senior leader to account
- Reward
  5. to acknowledge achievement
  6. to inform pay progression decisions

### **17.2 An external advisor**

An external advisor must be drawn on as an important and crucial component of holding the senior executive leader to account. The trustees need to have ownership of this decision. The advisor is to provide support and impartial advice. The trustees should review the input of the external advisor on an annual basis and consider replacing the person at regular intervals.

### **17.3 The staged process**

1. Date is set for early in the academic year giving three terms for the objectives to be met

2. Preparation, including familiarity with the appraisal, pay policies and training
3. Pre-meeting between the senior executive leader and the external advisor
4. Pre-meeting between the trustees and the external advisor
5. The appraisal meeting addressing key objectives to deliver the strategy
6. Post appraisal action involving agreeing the report for sign off by the executive leader and the chair, making any pay recommendations and setting the date for the mid-year review
7. The senior executive leader reports to the Board on the progress with strategic and operational plans (RAG rated)

#### **17.4 Remuneration**

Setting the framework for the pay of the senior executive leader is the responsibility of the Board of Trustees. This follows a robust evidence-based process reflecting the role and responsibilities. The approach is transparent, proportionate and justifiable. Growth in the organisation is reflected in the pay range, as well as any additional challenges. The remuneration package is based on what is affordable, sustainable and considered in the context of the overall executive team. The size of the organisation and recruitment and retention issues has been considered. Nationally, there are no executive scales for CEOs as there is an understanding that to set a figure and range would be arbitrary and without strong rationale, so this presents a challenge in setting the right starting point and the steps of the scale. However, this is a challenge which has been addressed by the Trust.

Benchmarking has been used as it is a reasonable tool and comparisons are worth exploring. The 'Goldilocks formula' has also provided a useful starting point and well as comparing with National Health Service trusts. Alongside this, bonuses are available as a financial reward for one-off special tasks and performance related. The bonuses are one-off rather than a salary increase, discretionary and not automatic.

#### **18. High pay**

The Trust acknowledges the government's concern about high pay for some leadership posts. It recognises there may be requirements to justify higher levels of payment as part of the government's drive to curb excessive salaries. The Trust is receptive to providing details as necessary to the Department for Education (DfE), Education and Skills Funding Agency (ESFA) and the Minister on request.

The Trust is mindful of the Public Accounts Committee which reported that there are a significant number of academy trusts which pay their leaders unjustifiably high salaries when taxpayers' money could be better spent on improving children's education. The Minister for the school system has said, "The best academies place freedom in the hands of school leaders but with that autonomy comes greater accountability and transparency, which is exactly why I am insistent that the salaries of their executives are justifiable.' With this in mind, the Trust is alert to the importance of providing internal and external re-assurance that financial resources are not diverted unjustifiably from 'the frontline of education' to pay unacceptably high wages.

The Trust is very clear about its responsibility to ensure value for money and that salary and other remuneration payments are transparent, proportionate, reasonable and justifiable. At the same time, the Trust is aware of the importance of appointing and retaining high calibre professionals who are of high quality and effective in leading the Trust. Market forces at times are likely to be a driving factor in having salaries which attract, secure and retain leaders who provide continuity and ensure sustainability together with the students achieving very high educational standards.

## **19. Pay Panel and appeals**

The Trust has a Finance and Resources Committee reporting to the Board. The Terms of Reference for this Committee are reviewed by the trustees/directors each year. The Committee also has a remit to reflect annually on its effectiveness. It recommends to the trustees/directors the annual budget in total and that required for pay purposes, including provision for discretionary pay advancement arising from performance reviews.

The Pay Panel is a separate committee to deal with matters of pay and any associated contentious issues. It has a responsibility to ensure the Pay Policy is implemented in a fair and objective manner and to consider any individual representations that may be made in respect of pay decisions. The Panel is required to observe all statutory and contractual obligations, including making arrangements to notify pay decisions to individual members of staff within appropriate timescales.

Additionally, the Panel annually carries out the performance review of the CEO which includes the participation of an impartial external advisor. This also includes mid-year reviews. In effect, the Pay Panel is also operating as a Performance Review Panel for the CEO.

The Panel is set up by the Trust/Directors' Board and given absolute powers to deal with pay and report to the Board that they have met and fulfilled their responsibilities. The Panel comprises a minimum of two trustees/directors. If necessary, this can include Member representation. The outcomes are notified to the full Board of Trustees/Directors. A nominated trustee or member is available to act as an Appeals Officer should this be required. The grievance policy would be the next stage in the process if a person is aggrieved that their appeal has not been upheld.

## **20 Use of consultants**

Consultants will only be used for those activities which don't warrant someone being employed for the role. These arrangements will be given very careful consideration regarding the nature of the role, the amount of time and the length of the assignment with the emphasis on ensuring value for money. This will need to adhere to the national requirements associated with Related Party Transactions with relevant notifications to the ESFA and seeking ESFA permission for engagement where necessary.

These arrangements will be entered into and managed by the Chief Executive on behalf of the trustees/directors with regular reporting to the trustees why this approach has been implemented, the arrangements in place and the benefits achieved.

## **21 Monitoring arrangements**

This policy will be reviewed annually by the Trust's Finance and Resources Committee and approved by the trustees/directors.

The trustees will consider the outcomes and impact of the policy, including trends in progression across specific groups of teachers as well as non-teaching and central support staff, to ensure it complies with equalities legislation.

## **22 Confidentiality**

All involved in this policy are reminded of the importance of confidentiality and must ensure that all information, whether verbal or written, is kept strictly confidential and not passed onto any persons who are not involved in the process. Disciplinary action may result from breaches of confidentiality.

## 23. Equal opportunities

It is important to ensure that the appraisal and pay policies adhere to the Equality Act 2010, and do not discriminate against staff with protected characteristics.

This policy will be applied fairly and consistently to all employees regardless of gender, gender re-assignment, race, religion or belief, ethnicity, national origin, age, marital status or civil partnership, disability, sexual orientation, pregnancy or maternity, part-time/fixed-term status or the number of hours worked.

## 24 Links with other policies

This policy links with other Trust policies on:

- Teacher appraisal
- Performance management procedures for all staff
- Staff grievance policy and procedures

## 25. Appendices

1. Pay scales for teachers, including specialist roles and senior leaders

See website reference:

School teachers' pay and conditions document 2018 and guidance on school teachers' pay and conditions

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/740575/School\\_teachers\\_\\_pay\\_and\\_conditions\\_document\\_2018.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/740575/School_teachers__pay_and_conditions_document_2018.pdf)

2. Pay scales for all non-teaching and central support staff which are not covered by STPCD

See website reference:

<https://thelink.slough.gov.uk/news/pay-awards-2019>

3. National Governance Association, Executive Pay, January 2019
4. Academies Financial Handbook, 2018

Endorsed by SEBMAT Directors/Trustees on 24<sup>th</sup> June 2019

To be reviewed in 12 months time – June 2020