



NORTH BIRMINGHAM ACADEMY

PAY POLICY

(The current staffing structure is appended)

1. Introduction

- 1.1 The Governing Body has adopted this policy following consultation with employees in the predecessor Academy and the Academy-based representatives of the recognised unions and professional associations. It will review the policy annually in similar consultation.
- 1.2 The Governing Body will ensure that all employees are made aware of the existence of this policy and have ready access to a copy of it via the Academy office or the intranet. In particular it will ensure that arrangements are made to draw the attention of employees to relevant dates within the policy, to prevent any employee being disadvantaged by ignorance of the date by which an application relating to pay should be submitted. It will publish the policy through its scheme of publication in accordance with the Freedom of Information Act 2000.
- 1.3 The Governing Body delegates the implementation of this policy to the Personnel Committee (hereinafter referred to as the 'pay committee'), with the exception of threshold assessment for teachers and determining the salaries of newly appointed employees in accordance with this policy, both of which are delegated to the Principal. The Principal is also asked to agree performance objectives with other teachers on the leadership spine, review those objectives annually and report on the outcome of that review to this Committee in time for the annual review of salaries of those teachers.

2. Guiding principles

- 2.1 The Governing Body will follow national mandatory agreements on pay and conditions of service and will take account of the overall needs of the Academy when deciding how to use the available discretions. The Governing Body's pay policy will be based on the following key principles:-
- 2.2 Legal obligations

The Governing Body acknowledges that it must comply with the law, including not only general employment law but also the specific provisions of educational legislation, in particular the Academy Staffing Regulations, the School Teachers' Pay and Conditions Document and regulations relating to qualifications, specified work and registration.

2.3 Equal opportunities

The Governing Body is firmly committed to equal opportunities for all employees and will comply with [The Race Relations Act 1976](#), [the Race Relations \(Amendment\) Act 2000](#), [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](#), and [The Fixed Term Employees \(Prevention of Less Favourable Treatment\) Regulations 2002](#), [Employment Equality \(Sexual Orientation\) Regulations 2003](#), [Employment Equality \(Religion or Belief\) Regulations 2003](#) and [Employment Equality \(Age\) Regulations 2006](#)

2.4 Commitment to employees

The Governing Body recognises that the employees are the Academy's most important asset and values their commitment, support and goodwill. The Governing Body wishes to use its pay policy to assist with the recruitment and retention of employees through:

- recognising that decisions about pay should be fair, justifiable, open, objective, accountable and within agreed policies and procedures
- maintaining a grading structure within the Academy that reflects the levels of responsibility that employees undertake and provides career development opportunities
- working to maintain harmonious relations with employees.

2.5 Academy development and improvement plans

The Governing Body will ensure that its policy is consistent with the Academy's development and improvement plans and will use it in implementing those plans.

3. Staffing structure

3.1 The governing body will have regard to this pay policy and to the teacher's particular post within the Academy staffing structure which is appended to this policy.

3.2 The Academy's staffing structure will be reviewed annually in relation to the development and improvement plans and equal pay legislation. A review will cover in particular:

- salary differentials;
- the method of advertising promotion/additional responsibilities within the Academy.

3.3 All opportunities for promotion, permanent or temporary, will be advertised to all staff (other than in a re-organisation, when as part of the consultations it may be agreed that vacancies will be advertised to displaced employees only in the first instance).

3.4 Particular care will be taken to ensure that part-time and temporary staff have the same levels of pay as would be attached to similar responsibilities or work of equal value undertaken by full-time and permanent staff and that temporary contracts are offered only in compliance with the Part-Time Worker and Fixed Term Employees Regulations.

3.5 Where the responsibilities and salary grading of one particular job are reviewed the implications for other jobs in the Academy will be considered to ensure that account is taken of the impact of additional responsibilities on all staff.

3.6 The Principal will review all job descriptions annually. Job descriptions will be revised as and when necessary through consultation between the Principal and individual employees. Where there are any significant changes to the job description the implications for the grading of the job will be considered.

3.7 Additional responsibilities undertaken on a temporary basis, whether for a particular task, or to cover for an absence or vacancy, will be rewarded by additional payment in accordance with the relevant pay scales having regard to the level of additional responsibility undertaken. In particular the governing body will comply with the statutory requirements relating to acting allowances for persons acting, as distinct from temporarily appointed, as Principal, Vice Principal or Assistant Vice Principal.

4. Dates relating to the annual reviews of salary (teachers)

4.1 The Governing Body will determine the salary of each teacher annually in accordance with the dates set out in 4.2 below. Teachers will be notified in writing of the outcome, showing the details including the point on the pay scale, any allowances and any special payments or benefits.

4.2 In order for the committee to complete the annual determination of salaries of teachers

*- date by which any teacher wishing to make representations about the annual determination of salary should notify the Principal or committee clerk
November .*

*date of the committee meeting(s) for reviewing performance objectives for teachers on the leadership spine or advanced skills teachers and for the annual determination of the salaries of all other teachers**November** .*

date by which applications from teachers eligible to apply to cross the threshold should be received by the Principal (unless teacher joins the Academy in the spring or summer terms or there are other special circumstances preventing an application in the autumn term)

*.....**November** .*

*date by which the committee clerk or Principal as appropriate will send a written statement of salary to every teacher in the Academy as required by the School Teachers' Pay and Conditions Document **31.December** (i.e., within one month of the determination of salary).*

Where a teacher wishing to make representations to the committee is absent, for reasons such as sick leave or maternity leave, arrangements will be made in consultation with the teacher and may be outside the dates published by the committee for the generality of teachers in the Academy.

Written statements of salary will also be sent in relation to any subsequent changes in salary during the year, for example, if a teacher passing the threshold is entitled to a backdated payment to 1st September of the current Academy year, or if a teacher is promoted or awarded an acting payment during the year. Pay statements will include the information specified in the national model pay statements.

5. Salaries of classroom teachers

5.1 The Committee will determine the salary for individual classroom teachers on appointment or promotion in accordance with the current School Teachers' Pay and Conditions Document, this pay policy, the approved Academy staffing structure and the recommendations of the Principal.

5.2 The Committee's procedure and timetable for the annual determination of salaries will include arrangements for assessment by the Principal against the post-threshold standards. The Committee expects the Principal to ensure that the performance management process provides that the performance management criteria for teachers who will become eligible to apply to cross the threshold in the future will enable the reviewer to assess whether the post-threshold standards have been met throughout the preceding two years.

5.3 In determining the salaries of classroom teachers, whether on appointment or for the annual review of salary, the committee will follow the mandatory provisions of the School Teachers' Pay and Conditions Document. For qualified classroom teachers who are post-threshold teachers it will determine advancement up the upper pay scale in accordance with the provisions of the Document. For classroom teachers who are not post-threshold teachers it will exercise its discretionary powers in respect of the main pay scale of that Document as specified below.

Criterion for salary point(s) on the main pay scale for classroom teachers and mandatory provisions	Exercise of discretionary powers
<i>Starting with the point on the main pay scale on which the teacher was first placed on the six-point pay scale in accordance with either the 2002 Document, the 2003 Document, the 2004 Document, the 2005 Document, the 2006 Document, the 2007 Document or the 2008 Document add mandatory</i>	<p>The governing body will recognise all teaching employment during periods of special leave of absence as service for the award of experience points. The discretion to discount a previous year of employment for unsatisfactory service will, except in exceptional circumstances, only be exercised if separate formal procedures have resulted in a disciplinary sanction related to performance.</p> <p>This teaching experience cannot be combined with</p>

points for each year of employment as a classroom teacher completed since that first placement, year of employment being defined by paragraph 1.8 of the School Teachers' Pay and Conditions Document 2008, teaching in an Education Action Forum or MOD school, teaching as a recognised qualified teacher in countries in the European Economic Area outside England and Wales, subject to the maximum of the scale.

Also add an extra point for fast track teachers on appointment, subject to the maximum of the scale.

For a first appointment with no previous experience and not a fast track teacher place on the minimum of the scale.

For a second or subsequent appointment of a teacher with a break in service and never previously employed on the six-point scale follow the provisions of paragraph 28 of the Document.

“year of employment” as a classroom teacher is defined by the Document as a periods of employment amounting to at least 26 weeks in aggregate within the previous Academy year for a teacher employed by a local authority or governing body of a maintained school.

Mandatory points can no longer be awarded for years of employment as an unqualified teacher in the

other experience in determining salaries.

<p>maintained sector, only on a discretionary basis (see below)</p>	
<p><i>Teaching experience other than employment as a qualified school teacher</i></p>	<p>The governing body will recognise other teaching experience outside the strict definition of years of employment as a qualified school teacher as defined in the School Teachers' Pay and Conditions Document and the Education Act 2002 (s.122). It will recognise teaching as an unqualified school teacher, as the employee of a private agency, teaching in an independent school, other types of school not maintained by local authorities, sixth form college, further education college or teaching outside the European Economic Area, awarding points on the basis of 1 point for each full year¹ subject to the maximum allowed under the Document and only (as the Document now specifies) if the experience has not been recognised previously, either when first appointed to the new six-point scale or in the salary on the old scale assimilated to the new scale. This kind of experience is part of the other, discretionary experience in the Document and can therefore be combined with other experience (see below) when calculating the number of years accrued.</p>
<p><i>Other experience</i></p>	<p>If the experience involves work with young people outside teaching, e.g. youth work, the discretion to recognise other experience will be applied on the basis of one point for each full year of such experience and only if the experience has not been recognised previously, either when first appointed to the new six-point scale or in the salary on the old scale assimilated to the new scale. Otherwise, the discretion to recognise experience which the governing body considers of value to the performance of the classroom teacher's duties will be applied on the basis of one point for every three years, subject to the maximum allowed under the Document and only if it has not been recognised previously, either when first appointed to the new six-point scale or in the salary on the old scale assimilated to the new scale, also to a</p>

	maximum determined by the Governing Body of 2 points and taking into account the advice of the local authority on the recognition of such experience.
<i>Additional experience point for excellent performance over the last twelve months where a teacher has not yet reached point M6 on the main pay scale for classroom teachers</i>	The discretion to reward excellent performance over the last twelve months, with particular regard to classroom teaching, by the award of an additional experience point over and above the mandatory point will not be exercised at present in view of the fact that this discretion is available only in respect of teachers who have not already been awarded the maximum number of points for experience permitted by the Document, and the implications for equal opportunities.

Criterion for additional payments for qualified classroom teachers and teachers on the leadership spine	Exercise of discretionary powers
<i>Recruitment and retention benefits</i>	<p>A recruitment and retention benefit in accordance with a list approved by the governing body annually will be awarded for a period not exceeding 3 years and will be paid with monthly salary.</p> <p>On the basis of the following criteria:</p> <p>For any vacancy advertised unsuccessfully on at least two occasions.</p>

<p><i>Initial training of teachers</i></p>	<p>The discretion to remunerate teachers for responsibilities in the initial training of teachers will be exercised having taken account of the Government's statutory guidance and in accordance with a list approved by the governing body annually.</p>
<p><i>Continuous professional development</i></p>	<p>Having regard to the workload of teachers and equal opportunities, the governing body will</p> <p>not encourage attendance at in-service training in evenings, at weekends or in holidays and will not therefore need to avail itself of the discretion to compensate teachers for such attendance</p>
<p><i>Out-of-school hours learning activity</i></p>	<p>Having regard to the workload of teachers and equal opportunities, the governing body will</p> <p>exercise its discretionary powers under the School Teachers' Pay and Conditions Document having regard to</p> <p>.....</p> <p>INSERT LA SCHEME/GUIDANCE HERE</p>

5.5 For all classroom teachers, whether paid on the main pay scale or the upper pay scale (but not for advanced skills teachers or excellent teachers, who are excluded from the definition of classroom teacher and can only be paid the special salaries set out in the School Teachers' Pay and Conditions Document), the Committee will exercise its discretion in relation to remuneration for extra responsibilities, including those for students with special educational needs, as follows:

<p>Allowances available for classroom teachers on the main pay scale or the upper pay scale</p>	<p><i>Exercise of discretionary powers</i></p>
<p><i>Teaching and learning responsibility payments</i></p> <p><i>Where a school has awarded teaching and learning responsibility payments before 1st September 2008 it must increase those payments by 2.45 per cent with effect from that date.</i></p>	<p>The values of teaching and learning responsibility payments awarded in this Academy will be:</p> <p>TLR 1 £11,840</p> <p>£10,226</p> <p>£ 8,610</p> <p>£ 6,997</p> <p>TLR 2 £5,920</p> <p>£4,037</p> <p>£2,422</p> <p>The discretion to award teaching and learning responsibility payments will be exercised having regard to the school's staffing structure (appended) and the plan for implementing that structure and in accordance with the criteria specified in the School Teachers' Pay and Conditions Document and associated statutory guidance. The Document specifies that the payments may be awarded to a classroom teacher for undertaking a significant responsibility not required of all classroom teachers in</p>

	<p>the context of its staffing structure and meeting specified criteria. It also provides that payments at level 1 can only be made if the teacher's significant responsibility includes "line management responsibility for a significant number of people". The Document also requires the governing body to include in its statement of the determination of salary the annual value of the award, the nature of the significant responsibility for which it is awarded, and, if the award is temporary, the date on which as well as any circumstances in which (if occurring earlier than that date) it will come to an end.</p>
<p><i>Special educational needs allowances</i></p> <p>A first special needs allowance is mandatory for a classroom teacher in a special school or taking charge of special classes consisting wholly or mainly of children who are hearing impaired or visually impaired and for a classroom teacher in an ordinary school engaged wholly or mainly in teaching students with statements of special educational needs in designated special classes.</p>	<p>The governing body will continue to award a first special needs point to a classroom teacher in an ordinary school who is engaged wholly or mainly in teaching students with a statement level of special educational needs, whether or not they are in designated special classes and whether or not a statement has been issued.</p> <p>The governing body will exercise its discretion to award a second special needs allowance to a classroom teacher who is already in receipt of a first special needs allowance and who has experience or qualifications or both which the governing body considers are particularly relevant to the teacher's work.</p>

6. Salaries of Principals, Vice Principals, assistant Principals, and advanced skills teachers

6.1 The salaries of the Principal, Vice Principal(s), and any Assistant Principals or Advanced Skills Teacher, will be reviewed annually as required by the School Teachers' Pay and Conditions Document. There will be a procedure and timetable for the annual review giving the option of personal appearance before the committee, with the option to be accompanied by a representative if the teacher so chooses. For all members of the leadership group and advanced skills teachers, written notification will be given not only of the salary determined under the Document but also of the

performance objectives agreed or set under the Document and which will be reviewed as part of the next annual salary determination.

- 6.2 The individual school range will reflect the responsibilities of the job in addition to the size of the Academy, any other specific factors. The governing body will determine the pay ranges of the vice principal(s) and any assistant principal(s) and advanced skills teachers in relation to the duties and responsibilities of those teachers.
- 6.3 If the Principal, Vice Principal and Assistant Vice Principal have been given additional responsibilities the committee will consider whether there have been corresponding additions to the duties and responsibilities of other staff in the school and the consequences for the Academy statutory staffing structure.

7. General provisions applicable to teachers, and the salaries of unqualified teachers and teachers on the employment based teacher training scheme

- 7.1 The governing body acknowledges that part-time teachers are entitled to the appropriate proportion of the remuneration (including allowances) which they would receive if full-time, that proportion corresponding to the proportion of the school timetabled teaching week that the local authority deems the teacher to be normally employed as a school teacher (breaks between timetabled activities, registration and assemblies all being excluded). It will pay a safeguarded salary as specified in the Document to any part-time teacher whose salary is reduced by the new method of calculating the proportion of full-time salary required by the Document.

7.2 The governing body will pay unqualified teachers (whether instructors or overseas trained teachers, or, as the case may be, a teacher on the employment-based teacher training scheme) as required by the special pay scale and related provisions in Part V of the School Teachers' Pay and Conditions Document. In 2008 it will ensure that existing unqualified teachers and unqualified teachers previously employed as such are assimilated on to the revised salary scale for unqualified teachers in accordance with the assimilation arrangements prescribed by the Document. It will also review any special allowance paid to an existing unqualified teacher as required by the Document. With regard to appointments of new unqualified teachers on the pay scale the governing body will use its discretion to award points above point 1 as follows:

- one point for each year of other teaching service (e.g. in further education or independent schools, or abroad) or other directly relevant experience, e.g. youth work
- one point for every three years of other experience

subject to the maximum of the scale. It will recognise the responsibilities of these teachers under the Education (Specified Work and Registration) (England) Regulations 2003 as amended. Where appropriate and on the recommendation of the Principal, the governing body may decide to pay a special allowance in accordance with the criteria set out in the Document. The value of such an allowance will be determined in accordance with the statement in The School Teachers' Pay and Conditions Document.

From 1st September 2009 an unqualified teacher in service will be entitled to a point for the previous school year's service (using the definition in the Document of 26 weeks teaching in that year) subject to the maximum of the scale.

- 7.3 The governing body will pay teachers on the employment-based teacher training scheme (as defined in the Education (Specified Work and Registration) (England) Regulations 2003 as amended) as unqualified teachers
- 7.4 The governing body will ensure that the calculations of pay for short-notice teachers employed by the school (as distinct from those relief teachers provided and employed by private agencies) show the working element and holiday element separately and will pay the holiday element as prescribed by the School Teachers' Pay and Conditions Document and statutory guidance.

8. Support staff

- 8.1 Remuneration for the responsibilities of the job will be determined when selecting the salary grade for the job as part of the staffing structure for the school. The governing body recognises that it is needs to pay staff at a grade commensurate with the local job market for similar jobs in schools.
- 8.2 The governing body will normally place new employees on the minimum of the salary scale. The governing body will consider using its discretion to award additional increments in exceptional circumstances, for example, in the case of a person who has previous experience at the same level as the job concerned and who is currently receiving a salary for such work at a higher level than the minimum of the salary grade for the job. .
- 8.3 Additional responsibilities undertaken on a temporary basis at the direction of the governing body (or of the Principal acting on the governing body's behalf) will be recognised where appropriate by the payment on a higher salary grade for the period in question or by an honorarium.

8.4 Support staff may make representations about individual salary grades at any time. The governing body expects representations to be made to the Principal in the first instance, but subsequently representations may be made to the pay committee, with a right of appeal to the appeals committee as set out below. Representations may also be made by school-based union representatives to the governing body before the adoption or annual review of the pay policy.

9. Job descriptions

9.1 Deploying and managing all teachers and support staff and allocating particular duties to them are the responsibility of the Principal.

9.2 Every member of staff will be provided with an appropriate job description. The Principal will review all job descriptions annually. Job descriptions will be revised as and when necessary through consultation between the Principal and individual employees. Where there are any significant changes to the job description the implications for the grading of the job will be considered.

10. Rights of employees who are dissatisfied with a decision taken about pay

10.1 The Governing Body, in determining and publishing its pay policy, aims to ensure that all decisions taken on pay and remuneration are justifiable and fair.

10.2 The Governing Body will provide for:

- all Academy-based representatives of any recognised union or teachers' association to make representations about the contents of its pay policy to the governing body before the adoption or annual review of that policy;
- any employee to be able to approach the Principal informally if he/she has any concerns about his/her salary;
- the Principal or any other employee to make representations, which must be in writing although they may also be made orally, to the appropriate committee on their individual salaries and to be accompanied by a representative if he or she so chooses. The governing body's arrangements must provide for the appropriate committee to invite the employee to attend a meeting to discuss the complaint or grievance, for the committee, after the meeting, to inform the employee of the decision in response to the complaint or grievance and of the employee's right to appeal against the decision if dissatisfied with it. The decision should be

communicated to the employee within 28 days of receipt of the written complaint or grievance.

- appeals to an appeals committee with the employee being required to notify any appeal within ten working days of being notified in writing of the decision against which the appeal is lodged.

The exercise of the right to make representations to the appropriate committee will count as the first stage in the statutory grievance procedure and precede an appeal to the appeals committee.

10.3 Employees may wish to seek the advice of their union/professional association in making representations or an appeal.

10.4 The procedure for making oral representations to the committee responsible for pay decisions shall be the same as that for making an appeal to the appeals committee.

10.5 The appeals committee will hear an appeal as follows:

The Employee and his/her representative and the Principal shall attend the meeting simultaneously to present their cases.

The Chairperson will perform the necessary introductions.

The Principal or the Chairperson of the pay committee will describe the policy of the and present the management case by explaining how the salary determination for the employee fits within that policy. They may call witnesses as appropriate. Any witness called will only attend to give evidence and answer any questions on that evidence and will then withdraw.

The Employee and his/her representative may question the Principal or Chairperson of the pay committee

The Chairperson of the appeals committee, members of the committee and Academy HR Adviser may question the Principal or Chairperson of the pay committee

The Employee and his/her representative will present his/her case. They may call witnesses as appropriate. Any witness called will only attend to give evidence and answer any questions on that evidence and will then withdraw.

The Principal or Chairperson of the pay committee may question the Employee and his/her representative.

The Chairperson of the appeals committee, members of the committee and Academy HR Adviser may question the employee and his/her representative.

The Principal will sum up his/her case (no new evidence shall be introduced at this stage).

The Employee and/or his/her representative will sum up their case (no new evidence shall be introduced at this stage).

The Principal and the Employee and his/her representative will withdraw.

The committee will consider the material and evidence presented at the hearing, decide the outcome and notify its decision in writing to the appellant, normally within seven working days of the hearing. Where the appeal concerns a decision by the full governing body on the exercise of its discretionary powers, the committee may decide to make recommendations to the governing body to amend the policy in such a way as will meet the employee's concern.

NB The questioning of any witnesses called will follow the procedure outlined above.

10.6 The outcome of a teacher's appeal shall not be subject to any further review under the governing body's staff grievance procedure. However, the governing body may decide to accept a recommendation from its appeals committee to amend its pay policy in response to an individual appeal or collective grievance.

10.7 Where several employees wish to appeal on the same grounds, they may ask the officers of the recognised unions or associations to submit a collective grievance on their behalf to be considered in accordance with arrangements made by the governing body

11. Review and consultation

11.1 The Governing Body will review its pay policy at least annually in order to ensure that the policy continues to comply with the law and promotes good personnel practice and in particular to take account of pay awards, changes in national and local agreements governing pay, the Academy development plan and the budget.

11.2 It will undertake such reviews in consultation with staff, including Academy representatives of all the recognised unions and teachers' associations.

Approved by North Birmingham Academy Governing Body on

Date of Next Review

Lead Manager: