



# Victoria Academies Trust

## WHOLE STAFF PAY POLICY 4.0

<b>Date of last review:</b>	November 2020	<b>Review period:</b>	1 year
<b>Date of next review:</b>	November 2021	<b>Owner:</b>	PMAP
<b>Type of policy:</b>	Trust	<b>LGB or Board approval:</b>	Trust Board

## 1. Policy Introduction

- i. Victoria Academies Trust (VAT) will operate a Whole Staff Pay Policy as the 'relevant body', as defined in the School Teachers' Pay and Conditions Document 2017 (STPCD), and for the pay arrangements agreed for all support staff.
- ii. In adopting this pay policy the aim is to:
  - maximise the quality of teaching and learning within the Trust
  - support the recruitment and retention of high quality staff
  - enable the Trust to recognise and reward staff for their contribution
  - help to ensure that decisions on pay are managed in a fair, just and transparent way
- iii. This policy has been adopted by the VAT Board of Trustees, via delegation to the Performance Management and Pay Committee, and applies to all teaching and support staff employed to work at the Academies and staff employed directly by Victoria Academies Trust.
- iv. VAT shall review the policy on an annual basis (and more frequently if necessary) to take into consideration relevant matters whenever a revised STPCD is issued and/or there is a new pay agreement made by the relevant national/regional bodies (e.g. LGS NJC etc.). The applicable pay scales and grading structures shall be appended to this policy.
- v. The approval of this policy has been delegated from the Trust Board to the Performance Management and Pay Committee. The Terms of Reference (ToR) for this pay policy are included in the Appendix.
- vi. All Trust wide pay decisions have been delegated from the Trust Board to the Performance Management and Pay Committee.
- v. The purpose of the Pay Policy is to provide a clear framework in relation to the pay of employees including discretionary pay elements.
- vi. The Policy provides a structure for determining salaries on appointment and during the annual review for teachers and operational staff.
- vii. All staff appointments, prior to advertising need to be agreed with the Trust CEO or COO.

## PART 1 – TEACHING STAFF

- vii. Teachers pay and progression will be set in line with the STPCD. Unless otherwise stated the words in Part 1 of this Policy shall have the same meaning as the words in the STPCD.

## 1. Appointment

- viii. The Victoria Academies Trust Scheme of Delegation sets out the relevant person or committee who can appoint which level of teaching post. Link to SoD below:

[Scheme of Delegation](#)

- ix. The academy or Trust will determine the pay range for a vacancy prior to advertising the role. On appointment, the Executive Head / Headteacher will determine the starting salary within that range to be offered to the successful candidate. The starting salary will take into consideration previous experience etc.
- x. In making such determinations, the Executive Head / Headteacher may take into account a range of factors including:
- the nature of the post;
  - the level of qualifications; skills and experience required;
  - level of qualifications, skills and/or experience gained
  - market conditions;
  - the wider Trust context
- xi. There is no assumption that a teacher will be paid at the same rate as they were being paid in a previous school / academy.
- xii. Determination of leadership pay ranges and the appropriate pay range group will be made by Victoria Academies Trust in line with the STPCD guidelines.

## 2. Teaching and learning responsibility (TLR's)

- vii. Victoria Academies Trust may award a TLR payment to a classroom teacher for 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.
- viii. With the exception of sub-paragraphs (c) and (e), which do not have to apply to the award of TLR3s, before awarding any TLR Victoria Academies Trust must be satisfied that the teacher's duties include a significant responsibility that is not required of all classroom teachers and that:
- a. Is focused on teaching and learning
  - b. requires the exercise of a teacher's professional skills and judgement;
  - c. requires the teacher to lead, manage and develop a subject or curriculum area; or to lead and manage a pupil development across the curriculum;
  - d. has an impact on the educational progress of pupils other than the teacher's assigned classes or groups of pupils; and
  - e. involves leading, developing and enhancing the teaching practice of other staff.
- ix. In addition, before awarding a TLR1, Victoria Academies Trust must be satisfied that the sustained, additional responsibility referred to in the above paragraph includes the management responsibility for a significant number of people.

- x. As per the Victoria Academies Scheme of Delegation, the awarding of a TLR, amount and duration is at the discretion of the academy Headteacher with approval from Executive Headteacher.
- xi. The TLR ranges for the Trust are as per below:
  - a. the annual value of a TLR1 must be no less than £8,069 and no greater than £13,654;
  - b. the annual value of a TLR2 must be no less than £2,796 and no greater than £6,829.
  - c. award a fixed-term third TLR (TLR3) to a classroom teacher for clearly time-limited school improvement projects, or one-off externally driven responsibilities. The annual value of an individual TLR3 must be no less than £555 and no greater than £2,757. The duration of the fixed-term must be established at the outset and payment should be made on a monthly basis for the duration of the fixed-term. Although a teacher cannot hold a TLR1 and a TLR2 concurrently, a teacher in receipt of either a TLR1 or a TLR2 may also hold a concurrent TLR3.

### **3. All other allowances and payments**

- xii. All other allowances e.g. SEN, acting allowance, unqualified teachers' allowances will be determined by the Headteacher in line with STPCD guidelines, after discussion and agreement with Executive Headteacher.
- xiii. After discussion and agreement with the Executive Headteacher, Headteachers may make additional payments as they see fit to a teacher other than a Headteacher, in respect of:
  - a. Continuing professional development undertaken outside the school day;
  - b. Activities relating to the provision of initial teacher training as part of the ordinary conduct of the school
  - c. Participation in out-of-school hours learning activity agreed between the teacher and the Headteacher
  - d. Additional responsibilities and activities due to, or, in respect of, the provision of services relating to the raising of educational standards to one or more additional schools
- xiv. The Executive Leadership Team will consider the award of recruitment and retention payments against the background of any national guidance or advice, teacher supply and demand, curriculum areas and the retention of experienced staff, in particular where:
  - a. Awarding a recruitment and retention allowance enables the Academy to recruit and retain teachers of the quality required to ensure school improvement
  - b. There has been a failure to fill a vacancy after a national advertisement.

The Executive Leadership Team will award such payments in accordance with the STPCD. The value of each such payment will be determined on a case by case basis.

#### **4. Application to be paid on upper pay range**

- vii. Qualified teachers may apply to be paid on the upper pay range at least once a year, and any such application must be assessed in line with this policy. It is the responsibility of the teacher to decide whether they wish to apply to be paid on the upper pay range.
- viii. An application from a qualified teacher will be successful when the following is satisfied:
  - a. the teacher is highly competent in all elements of the relevant standards; and
  - b. the teacher's achievements and contribution and substantial and sustained

For the purposes of this policy 'highly competent' means performance which is not only good but also good enough to provide coaching and mentoring to other teachers, give advice to them 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.

For the purpose of this policy 'substantial' means 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.

For the purpose of this policy 'sustained' means maintained continuously over a long period i.e. 3 academic years. The three academic years does not have to be at M6 it can be one year at M4, one year at M5 and one year at M6.

- vii. The application will be assessed by the Executive Head / Headteacher and will be assessed robustly, transparently and equitably. The assessment will be made within 20 working days, before the applicant will receive a response. If successful, the applicants will move to the upper pay range from the next academic year. By default, the teacher will start on the bottom of the upper pay range unless there are exceptional circumstances. If unsuccessful the Headteacher will provide feedback with 20 working days. Any appeal against the decision not to move the teacher to the upper pay range will be heard under the school's general appeals arrangements.

#### **5. Pay Reviews and Progression**

- vii. The process for making decisions on the pay of teachers within Victoria Academies Trust is as follows:
- viii. All academies will ensure that every teacher's (who have completed a year on employment since the previous annual pay determination) salary is reviewed annually with effect from 1 September and no later than 31 October each year, and that all teachers are given a written statement setting out their salary and any other financial benefits to which they are entitled.
- ix. Reviews may take place at other times of the year to reflect any changes in circumstances or job description that lead to a change in the basis for calculating an individual's pay. A

written statement will be given after any review and where applicable will give information about the basis on which it was made.

- x. Where a pay determination leads or may lead to the start of a period of safeguarding, the Academy Council will give the required notification as soon as possible and no later than one month after the date of determination.
- xi. Decisions regarding pay progression will be made only with reference to the teachers' appraisal reports and the pay recommendations they contain. In the case of NQT's, whose appraisal arrangements are different, pay decisions will be made by means of statutory induction process.
- xii. To be fair and transparent, assessments of performance will be properly rooted in evidence. The Trust will ensure fairness by reviewing objectives across academies for staff at the same grade and ensuring consistency (quality assurance) and performance will be moderated.
- xiii. The evidence used in will include: self-assessment, peer review, tracking pupil progress and lesson observations.
- xiv. Performance judgements will be made by evidence based assessments against objectives and the relevant teachers' standards.
- xv. Pay progression is not automatic and it will be possible for a 'no progression' determination to be made without recourse to the capability policy. However, those subject to formal capability proceedings during the appraisal review period will be deemed unsatisfactory performers and will not therefore meet the requirements for pay progression.
- xvi. Teachers' appraisal reports will contain pay recommendations. Final decisions about whether to accept a pay recommendation will be made by the Performance Management and Pay Committee, taking into account the appraisal report and input from Exec Head / Headteacher.
- xvii. UPS Pay progression from UPS 1 to UPS 2 or UPS 2 to UPS 3 will occur once the teacher has two successful years at the previous pay point, and a request has been made in writing detailing the teachers' rationale for progression, linked to the UPS teacher standards. UPS incrementation will not be automatic.
- xviii. Victoria Academies Trust recognises its responsibilities under relevant legislation including the Equality Act 2010, the Employment Relations Act 1999, the Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000, the Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002, and ensures that all pay related decisions are taken equitably and fairly in compliance with statutory requirements. Procedures for determining pay are also consistent with the principles of public life – objectivity, openness and accountability

## 6. Teachers Pay Awards

- xix. Every year, the government publishes its evidence to the School Teachers' Review Body ("STRB") in relation to how the pay award for the following academic year should apply to teachers and school leaders. It provides the evidence to support the STRB's consideration of the next academic year's pay award and includes evidence on the teacher labour market and affordability.
- xx. As per government guidance the trusts will use our delegated autonomy to decide the extent to which any uplift to pay ranges and allowances within the national pay framework will apply to teachers.
- xxi. The Performance Management and Pay Committee will ultimately decide on the application of the pay award taking into consideration:
  - Government guidelines on applying the uplifts
  - Government funding provided to support the pay award
  - market conditions for recruitment and retention
  - wider Trust context

## 7. Part-Time Teachers

- vii. Teachers employed on an ongoing basis at the school but who work less than a full working week are deemed to be part-time. The Executive Head / Headteacher will give them a written statement detailing their working time obligations and the standard mechanism used to determine their pay, subject to the provisions of the statutory pay and working time arrangements and by comparison with the school's timetabled teaching week for a full-time teacher in an equivalent post.

## PART 2 – SUPPORT STAFF

- viii. Victoria Academies Trust pays and rewards support staff in accordance with the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service on Pay and Conditions of Service.
- ix. The definition of support staff is staff not covered under STPCD. This includes, as examples, Teaching Assistants, School Business Managers, Lunch time supervisors, Caretakers etc.

### 1. Appointment

- vii. The Victoria Academies Trust Scheme of Delegation sets out the relevant person or committee who can appoint which level of support staff post. Link to SoD below:

[Scheme of Delegation](#)

- viii. The academy or Trust will determine the pay range for a vacancy prior to advertising the role. On appointment, the pay point within the salary range for each newly appointed employee will be at the minimum scale point of the grade, unless:
- The person appointed is an existing VAT employee and the employee is being redeployed in a comparable role.
  - 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 in exceptional circumstances, taking into account the difficulty in recruiting to the post and the newly appointed employee's current pay, recent relevant experience and qualifications;

## **2. Pay Progression**

- vii. Unless staff are appointed on the top spinal point of their grade, increments, where applicable, are payable on 1st April each year.
- viii. Support staff will be granted one additional increment from 1 April each year, until the maximum of the pay band is reached.
- ix. Support staff with less than six months' service in the pay band by 1 April in any year will not be granted their first increment until six months after their appointment, promotion or move to the pay band. Thereafter increments are applicable from 1 April each year until the employee reaches the maximum pay for their band.
- x. National Terms and Conditions may be applied regarding unsatisfactory performance.

## **3. Recruitment and Retention Incentives and Benefits**

- vii. 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.
- viii. Where such payments have been awarded, or provides such financial assistance, support or benefits in one or more cases, the regular formal review of all such awards will be conducted. 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.
- ix. All such awards need to be approved by the Executive Leadership Team.

## **4. Rewarding Additional Duties (Honoraria)**

- vii. VAT 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 reorganisation 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. Rewarding additional duties is a temporary arrangement and is not a permanent promotion.

viii. All such awards need to be approved by the Executive Leadership Team.

## **5. NJC Pay Claim**

vii. Periodically the NJC will issue their union agreed payscales including any pay increases.

viii. The Trust Board or dedicated Performance Management and Pay Committee will ultimately decide on the application of the pay award taking into consideration:

- guidelines on applying the uplifts
- market conditions for recruitment and retention
- wider Trust context

ix. Any pay awards will be backdated to the recommended award date, usually 1 April.

## **PART 3 – Trust Directors and Trust Central Core Team**

### **1. Appointment**

vii. The Trust employs Directors / Trust Core Team members on central contracts to support in the execution of Trust strategy and specific duties.

viii. The academy or Trust will determine the pay range for a vacancy prior to advertising the role. On appointment, the starting salary will be within the agreed range to be offered to the successful candidate. The starting salary will take into consideration previous experience etc.

ix. Trust Directors are those employees with a Director title e.g. Director of School Improvement. These roles could be combined with another role e.g. Executive Head or Headteacher. All Trust Directors are directly line managed by the CEO. Trust Core team members are directly managed by the appropriate member of ELT.

x. The salary range applies to the whole role not just hours / days allocated to the Trust role.

xi. Those whose previous role was subject to STPCD will retain those conditions. This includes employees redeployed or promoted from within the Trust and external hires.

xii. Directors employed from a non-teacher role will have bespoke terms and conditions via negotiation or as per the job advertisement and contract.

## **2. Pay Progression**

- xiii. All performance management targets and appraisal's will be completed by the CEO or ELT member in line with the appropriate terms and conditions for the employee and at a minimum on an annual basis.
- xiv. All pay progressions will be ratified by the Performance Management and Pay Committee.
- xv. 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 appraisal scheme, as set out above.

## **PART 4 – Trust C-Level Staff (excluding CEO)**

- vii. C-level staff are Trust employees whose job title starts with 'Chief'. i.e. Chief Operating Officer (COO), Chief Financial Officer (CFO), Chief Academies Officer (CAO).

### **1. Appointment**

- viii. C-level staff can only be appointed by the Board of Trustees. They will only be appointed to the Trust central team.
- ix. The Trust will determine the pay range for a vacancy prior to advertising the role. On appointment, the pay point within the salary range for each newly appointed employee will be at the minimum scale point of the grade, unless:
  - The person appointed is an existing VAT employee and the employee is currently paid on a higher salary than the minimum scale point of the grade
  - The nature of the role, market conditions, experience and qualifications dictate that a high salary than the minimum scale point of the grade is required.
- ix. Trust C-level staff whose previous role was subject to STPCD will retain those conditions. This includes employees redeployed or promoted from within the Trust and external hires.
- x. C-level staff employed from a non-teacher role will have bespoke terms and conditions via negotiation or as per the job advertisement and contract.

### **2. Pay Progression**

- xi. All performance management targets and appraisal's will be completed by the CEO or an external independent expert, as appropriate for C- grade staff. Appraisals will be in line with the appropriate terms and conditions for the employee and at a minimum on an annual basis.

- xii. All pay progressions will be ratified by the Performance Management and Pay Committee.
- xiii. Any pay progression will be determined solely by the Performance Management and Pay Committee.

## **PART 5 – Trust CEO**

- xiv. The Trust CEO is the highest level executive within the Trust. The CEO serves as the face of the company, executing on the Trust Board strategy and direction the Trust should take in order to achieve its vision.

### **1. Appointment**

- xv. The Trust CEO can only be appointed by the Chair of the Trust Board.
- xvi. The Trust Board will determine the pay range for a vacancy prior to advertising the role.
- xvii. If the CEOs' previous role was subject to STPCD, they will retain those conditions. This includes employees redeployed or promoted from within the Trust and external hires.
- xviii. A CEO employed from a non-teacher role will have bespoke terms and conditions via negotiation or as per the job advertisement and contract.

### **2. Pay Progression**

- xviii. All performance management targets and appraisal's will be completed by the Performance Management and Pay Committee and an external independent expert in line with the appropriate terms and conditions for the employee and at a minimum on an annual basis.
- xix. Any pay progression will be determined solely by the Performance Management and Pay Committee.

## **PART 6 – Review of Pay Decisions and Appeal Arrangements**

### **1. Review**

- xx. Where a member of staff is not satisfied with a pay recommendation, they should seek to resolve this informally with the appropriate manager (e.g. Exec Head, Headteacher, COO) within 10 days of receiving the decision.
- xxi. Where this is not possible, the member of staff may request a formal pay review. This should be made in writing to the Headteacher. A formal hearing will be arranged and the panel will normally consist of senior leadership of the Academy, including the Headteacher, who has not been involved in the pay decision. Where this is not possible, it may be necessary for an independent member of Trust ELT to sit on the panel.

- xxii. The outcome of the meeting will be conveyed to the member of staff in writing within 5 working days.
- xxiii. There is a right to appeal against the decision.

## **2. Grounds for Appeal**

- xxiv. An appeal against a pay decision can be lodged within 10 working days of the date when the member of staff receives written confirmation of their pay decision or of the date when the teacher receives the outcome of the pay review. It must clearly state the grounds for the appeal.
- xxv. The only grounds which will be accepted as the basis of an appeal are that the person by whom the decision was made are claimed to have:
- Incorrectly applied any provision in the STPCD
  - Failed to have proper regard to statutory guidance
  - Failed to take account of relevant evidence
  - Taken account of irrelevant or inaccurate evidence
  - Been biased and/or unlawfully discriminated against the teacher
- xxvi. The appeal will be heard by the Trust Performance Management and Pay Committee and their decision will be final.
- xxvii. The outcome of the appeal will be conveyed to the staff member within 10 working days of the hearing.
- xxviii. The staff member has the right to be accompanied by a work based colleague or a trade union representative at the pay review hearing and the appeal hearing. If the employee's representative is not available at the time fixed for the meeting, it must be rescheduled to accommodate the availability of the companion, so long as a reasonable alternative date is proposed which is within 5 working days of the original proposed date.
- xxix. This process performs the function of the grievance procedure on pay matters and decisions cannot therefore be reopened under general grievance procedures.

Signed by

Chair of Performance Management and Pay Committee

## Appendix 1 – Teachers Payscale Review Process

The below process flow shows the process that is followed to determine the teachers paycales

Month	Process	Outputs
<b>July</b>	<ul style="list-style-type: none"> <li>The DfE publishes their recommended teachers pay rise for the upcoming academic year.</li> <li>The STPCD is updated and published to reflect the DfE mandated payscale changes</li> <li>Teachers performance management completed</li> </ul>	<ul style="list-style-type: none"> <li>Updated STPCD published</li> <li>Teachers Performance Management Completed</li> </ul>
<b>September</b>	<ul style="list-style-type: none"> <li>Academy budgets are revised and completed for the upcoming academic year.</li> <li>Potential payscale changes are costed</li> </ul>	<ul style="list-style-type: none"> <li>Trust Budgets</li> <li>Payscale changes are costed</li> </ul>
<b>September / October</b>	<ul style="list-style-type: none"> <li>Performance Management and Pay (PMAP) meets to approve proposed increments for teaching staff</li> <li>Teacher appraisal targets are set for the current year</li> <li>Headteachers and Executive Leadership meet to agree a payscale proposal to be presented to PMAP</li> </ul>	<ul style="list-style-type: none"> <li>Teacher increments processed</li> <li>Appraisal targets set</li> <li>Headteacher ELT payscale proposal</li> </ul>
<b>October / November</b>	<ul style="list-style-type: none"> <li>PMAP meets to agree teachers paycales for the next academic year and outstanding UPS requests</li> <li>Payscale changes are communicated to each teacher</li> <li>Payscale changes are notified to HR and Payroll and backdated to 1 September.</li> </ul>	<ul style="list-style-type: none"> <li>Approved paycales and UPS decisions</li> <li>Updated teachers pay</li> </ul>