

The Marsh Academy **Pay Policy**

1. Objective

This policy will be applied to the pay of all staff employed to work in the school, excluding any staff whose pay is not determined by the Governing Body. The prime statutory duty of Governing bodies as set out in the School Standards and Framework Act 1998, is to “conduct the school with a view to promoting high standards of educational achievement at the school” by setting the strategic direction of the school; acting as a critical friend to the Executive Principal and ensuring accountability. The pay policy is intended to support that statutory duty. The Governing Body recognises the need to manage pay fairly and will ensure through this Pay Policy that pay is a positive rather than negative force so that all staff are appropriately rewarded and valued for their work. The success of the School Development Plan will require the Governing Body to integrate its Pay and Reward Policy, making use of the pay flexibility at its disposal within its budget and recognising the different terms and conditions, to reward all staff appropriately with similar consideration being given to teaching staff as to support staff, whose contributions are equally regarded.

2. Procedures

The Governing Body will undertake:

- to be guided by the priorities and targets identified within the School Development Plan when making decisions about the remuneration of staff;
- to use the national pay scales and Kent Scheme scales, to best advantage, in order to recruit and retain the highest quality staff; to ensure that all staff have confidence that they are receiving fair and equal treatment under the terms of this pay policy;
- to ensure that staff are aware of the procedures within which pay decisions are made and that any grievances arising out of decisions on remuneration will be dealt with, objectively, fairly and without delay;
- to ensure that all procedures for deciding pay should be consistent with the principles of public life identified by the Nolan Committee - objectivity, openness and accountability.

The Governing Body will act with integrity, objectivity and honesty in the best interests of the school; will be open about decisions made and actions taken, and will be prepared to explain decisions and actions to interested persons.

Nothing in the above requires the Governing Body to disclose material relating to any employee, or anyone proposed to be employed at the school, nor to any named pupil or candidate for admission to the school, nor to any matter which, by reason of its nature, the Governing Body is satisfied should remain confidential.

General Provisions

The Governing Body will take such action to ensure compliance with all relevant employment legislation, statutory regulations and guidance documents.

The Governing Body will abide by all relevant national agreements and any other agreements as appropriate.

The Governing Body wishes to ensure that promotion and development opportunities are widely available to all employees.

The Governing Body will not promote staff through the grading system nor use other pay mechanisms to assist in securing an employee’s improved pension entitlement on retirement.

The Governing Body will monitor the implementation and application of this policy and review annually, as appropriate. Staff will be informed of any changes made to this policy at the earliest practicable opportunity.

The Governing Body will review the School Staffing Structure at any other time according to the needs of the School.

The Executive Principal will lead on this process and will ensure that there is full and proper consultation with all staff involved and all relevant recognised unions within the school. Upon completion of a review of the school staffing structure the new structure will be approved by the Governing Body and attached as an appendix to this policy.

Equal Opportunities Policy

The Governing Body will not discriminate on grounds of age, sex, sexuality, race, religion or disability. The Governing Body will promote equality in all aspects of school life, particularly as regards all decisions on advertising of posts, appointing, promoting and paying staff, training and staff development, grading and other decisions.

Provision and Means of Revising Job Descriptions

The Head of School will ensure that each member of staff is provided with an up to date job description that accurately reflects the accountabilities of the post in accordance with the staffing structure agreed by the Governing Body. Job descriptions may be reviewed from time to time in consultation with the individual employee concerned in order to make reasonable changes. Job descriptions will identify key areas of responsibility and may contain targets consistent with the school development plan. Job descriptions will show who is responsible for what and who is responsible to whom; job descriptions will also make clear what responsibilities are common to all posts. All job descriptions will be reviewed bi-annually as part of the school's performance management process.

Staffing Budget

Pay and salary costs are the most significant single element in the school's budget and the amount of money allocated to implement the school's Pay Policy will be determined by the school's budgetary priorities for each financial year. The Governing Body will consider staff pay in the context of the school's overall finances and ensure that all its decisions on pay are sustainable in the longer term.

Relationship with the School Development Plan

The Governing Body will take into account the priorities and targets identified within the School Development Plan when taking decisions about the remuneration of staff.

Maintenance or Creation of Appropriate Pay Weightings

Job evaluations may be performed to ensure appropriate remuneration is in place. Outside expertise may be brought in to assist with this process.

Use of Discretions

The Governing Body will use its discretion to reward exceptional performance or additional workload as appropriate. Staff are encouraged to undertake additional responsibilities within agreed personal & career development plans.

The Governing Body will consider the use of allowances, additional payments and other incentives permitted by the appropriate terms and conditions to reward staff who undertake additional responsibilities well.

Support for Staff

The Governing Body will endeavour to provide appropriate support for all staff, such as good working facilities and sufficient non-contact time for all teaching staff. All members of staff will be told how the school's training and development policy affects them and will have the opportunity to review their training and development needs with their line manager. The Governing Body will observe all health and safety requirements.

Access to Records

The Head of School will ensure reasonable access for individual members of staff to their own employment records in line with current regulations.

Performance Management

All members of staff are required to participate in arrangements made for their PMR, in accordance with the school's performance management policy.

Relevant information from PMR statements may be taken into account by the Executive Principal/Head of School and the Governing Body (or committee of the Governing Body) in taking decisions and in advising those responsible for taking decisions, on the use of any discretion in relation to pay.

Annual Pay Review

The Governing Body is ultimately responsible for all pay decisions affecting staff in the school.

The Governing Body will establish committees of governors (Pay Review Panel & Personnel & Finance Committee) to make all other pay decisions as determined by the committee's terms of reference.

The Governing Body will delegate certain decisions to the Executive Principal, these include discretion on where to place staff on the pay scale on entry, temporary R&R payments and small one off payments for additional work (up to £500).

All staff salaries, including the Senior Leadership Team, will be reviewed annually. The annual review of pay shall be conducted for all staff by the pay review panel, in accordance with the context of the Pay Policy and will comply with equal opportunities and employment legislation. This will be based on the Executive Principal and Head of School's recommendations to the panel, as a result of their review of staff performance.

All staff will be given a formal statement each year, stating what their salary is and how it has been arrived at.

The performance of members of the Senior Leadership Team will be reviewed against previously agreed performance objectives.

Budget Setting

The Governing Body will determine the annual pay budget on the recommendation of the Personnel & Finance Committee.

The Governing Body has delegated its pay powers to the pay review panel & the Personnel & Finance Committee, in accordance with the Education Regulations. Schedule 6 of the Regulations provides that any person employed to work at the school (other than the Executive Principal, Head of School or Clerk to the Governing Body) must withdraw from a meeting at which the pay or performance appraisal of any other employee of the school is under consideration.

The Head of School must withdraw from the part of the meeting where the subject of consideration is his or her own pay. Regulation 57 also provides that a relevant person must withdraw where there is a conflict of interests or any doubt about his/her ability to act impartially.

No member of the Governing Body who is employed to work in the school shall be eligible for membership of the pay review panel. The members will be 3 governors, normally including the Chair of Personnel & Finance and the Chairman of Governors.

The pay review panel will be attended by the Executive Principal and the Head of School in an advisory capacity. Any member of the panel required to withdraw by virtue of Regulation 57 or Schedule 6 of the School Government Regulations, will do so.

The terms of reference for the pay review panel will be determined, from time to time, by the Governing Body. The current terms of reference are:

- to achieve the aims of the whole school pay policy in a fair and equal manner;
- to apply the criteria set by the whole school pay policy in determining the pay of each member of staff at the annual review;
- to ensure all members of staff are informed in writing of any changes to their annual pay;
- to observe all statutory and contractual obligations;
- to minute clearly the reasons for all decisions and then report that decisions have been made at the next meeting of the full Governing Body;

Copies of the letters produced by the committee will be sent to the Personnel Manager. The Personnel Manager will inform the school's personnel provider, ensure the payroll is updated and that the Finance Manager is informed.

An instruction to amend pay from the relevant date will be issued immediately after the time limit for the lodging of an appeal has passed, or immediately after an appeal has been concluded.

3. Appeals

If a member of staff wishes to appeal against any pay decision, they must lodge the appeal within 10 working days of the date of receiving notification of any such decision.

The school will appoint a panel of at least three governors (and in any event the same number or more than the Pay Review panel) to consider any pay appeal lodged by a member of staff that is in accordance with the following requirements.

Governors who may have a pecuniary interest or a conflict of interest or who have had prior involvement in the pay decision cannot be appointed to this panel.

Following receipt of written confirmation of the pay review panel's decision, an employee who is dissatisfied with the decision may register a formal appeal, in writing, to the Clerk to the Governing Body within 10 working days.

The allowable grounds for an appeal are that the person or panel, by whom the pay decision was made:-

- a) incorrectly applied any provision of the relevant national or local terms and conditions of service
- b) failed to have proper regard for any applicable statutory guidance;
- c) failed to take proper account of relevant evidence;
- d) took account of irrelevant or inaccurate evidence; or
- e) otherwise unlawfully discriminated against the employee

The employee may also request an informal meeting with the Executive Principal/Head of School to discuss the decision and the reasons in more detail.

In the case of the Executive Principal/Head of School being dissatisfied regarding his/her pay decision, an informal meeting with the Chair of the panel should be arranged prior to any appeal.

Upon receipt of the appeal notice, the Clerk will convene an appropriate appeals panel at the earliest opportunity, allowing sufficient time for exchange of documentation and collation of additional evidence, if relevant

The Chair of the Pay Review Panel should discuss the position with the Executive Principal/Head of School ,before establishing the person who will be the school's presenting officer at the appeal hearing.

The employee must submit to the Chair of the Appeal Panel any documentation in support of their appeal, together with a summary of their case, at least 5 clear working days prior to the appeal hearing.

If the school's presenting officer intends to rely on any evidence other than that considered at the Pay panel's meeting, then this must be submitted at least 5 clear working days in advance.

The appeal panel may decide to accept additional evidence at any time if it is deemed in the interests of a fair and transparent decision.

The employee is entitled to be represented at the appeal hearing by a workplace colleague or trade union/ professional association representative.

Arranging the Hearing

At the appeal hearing, the Chair of the panel should introduce the meeting and the persons participating.

The Chair should ask the employee to confirm the reasons for the appeal and establish that all parties are adequately prepared.

The Chair should remind the parties that the purpose is to reach a fair, reasonable and objective decision in an atmosphere that is professional and conducive to good employee relations within the school.

The employee, or representative should then be invited to set out his or her case and may support this with documentary evidence or witness evidence where this has been submitted as required above.

At an appropriate point the Chair will invite the school's representative to question or challenge any of the evidence presented.

Members of the panel will then have the opportunity to ask any questions.

The school's presenting officer will then be invited to set out the school's case and may also rely on documentary or witness evidence where this has been submitted as required above.

The employee or their representative may then question or challenge the school's evidence at an appropriate point as determined by the Chair.

Members of the panel may then ask any questions.

To conclude both parties will be invited, if they wish, to make final summary statements.

The panel will then adjourn to consider the evidence presented.

The panel should endeavour to reach a decision that day and to communicate this directly to the parties. However, where this is not possible because the panel wishes to deliberate further or seek further information, then the parties should be informed that the decision will be communicated in writing at the earliest opportunity.

In the event that there is an adjournment to enable the panel to consider professional advice on a particular matter then upon resumption all parties will be informed of the nature of the advice and the decision reached.

Communicating the Decision

All decisions of the appeal panel must be confirmed in writing with a summary of the reasons and this will be the final stage in the Pay Appeal Process. There will be no further stage in the appeal process.

4. Senior Leadership Team Pay

The Governing Body will establish a Senior Leadership team for the School and determine its membership.

The pay review panel will determine the salary scales for the Senior Leadership Team, including the Executive Principal and Head of School, taking into account the respective level of responsibilities, recruitment and retention issues, internal differentials throughout the school and affordability.

The Governing Body recognises that a classroom teacher who was previously been employed as a Headteacher, Deputy Headteacher or Assistant Headteacher, is entitled to be paid at point 1 of the Upper Pay Spine.

5. Unqualified Teachers

The Governing Body will employ unqualified teachers only where it is not possible to appoint a qualified teacher to a post. Unqualified teachers will be paid on the unqualified teachers' pay spine. An unqualified teacher may be paid an additional allowance when it is deemed by the Executive Principal that the salary available on the Unqualified Teachers' scale is not adequate, having regard to their responsibilities, qualifications and experience.

6. Special Needs Allowances

The Governing Body will make appropriate payment of special needs allowances, which will be awarded according to the criteria in the School Teachers Pay and Conditions Document.

7. Teaching and Learning Responsibility Payments

Teaching and Learning Responsibility Payments (TLRs) will be awarded to posts as per the school staffing structure. The Governing Body will clearly identify such posts in the school's pay policy with levels and values of each TLR. The number and nature of TLRs will be determined by considerations of the school's Development Plan and associated priorities whilst ensuring the School keeps within its agreed budget.

Where a TLR is awarded on a temporary basis, such as cover for maternity or sick leave or vacancies pending permanent appointment, the Governing Body will ensure the length of the period is clearly set out in a revised pay statement.

The Governing Body will ensure the school staffing structure, including TLRs is reviewed at least annually and that any changes are communicated to the post holders directly affected at the earliest opportunity following appropriate consultation.

8. Acting Allowance

Acting allowances may be payable to staff who carry out the duties of an absent colleague. Any member of staff who carries out the duties of a senior leader, for a period of 4 weeks or more, will be paid at an appropriate point of the leadership scale. Payment will be backdated to the commencement of the duties.

9. Additional Allowances

The Personnel & Finance Committee and/or the Executive Principal will use discretion to decide on temporary or one-off allowances, for example for members of staff undertaking additional curriculum development work, for exceptional performance or additional hours eg: Duke of Edinburgh.

Teachers will not normally be paid for extra curricular and extended school work. However, at the discretion of the EP/HOS payment may be made in special circumstances.

10. Pay Progression

Main Scale

Teachers on the Main Scale are entitled to one point progression provided that their performance over the previous year has been satisfactory. The Governing Body has the discretion to withhold incremental progression on the Main Scale in a year when a teacher has performed unsatisfactorily. Any decision will be made in the context of the schools performance management and line management systems. The Governing Body, via the pay review panel, may use discretion to award double incremental progression, in respect of a previous year, where the teacher's performance was "excellent, having regard to all aspects of his/her professional duties, in particular classroom teaching".

Upper Pay Scale

The Governing Body, via the pay review panel, will assess eligible teachers against the national standards to enable them to move on to the Upper Pay Scale, subject to the prevailing national regulations. The Governing Body will consider *all* eligible teachers for incremental progression on the Upper Pay Range. The pay review panel will determine progression through the Upper Pay Range, taking into due consideration the recommendations of the Executive Principal/Head of School.

The normal cycle of progression on the Upper Pay range will be a two year period, although an earlier pay review may be agreed in exceptional circumstances. It will be for the pay review panel to decide whether the circumstances are exceptional, taking advice from the Executive Principal/Head of School.

Support Staff

The Governing Body will operate within the Kent Scheme of Conditions of Service insofar as this is consistent with the interests of the Academy.

The Personnel & Finance Committee will determine the pay band/grade of support staff, in accordance with the scale of bands/grades currently applicable, in relation to employment with the Local Education Authority, which the Personnel & Finance Committee consider appropriate for the post.

The Governing Body recognises the value of job evaluation as a means of assessing the grade of a job in a fair and consistent way. The Governing Body has the discretion to utilise the Hay Job Evaluation Scheme operated by the Kent Scheme or other evaluation schemes in establishing or reviewing the grade for a post.

The Governing Body will make appropriate use of any merit award or other reward system (including KCC's Total Contribution Pay system), both cash and non-cash, developed by KCC, to recognise the performance and contribution of support staff in a positive and flexible way. The School will ensure that any such decision is in accordance with the schemes' provisions. The Governing Body will also use its discretion to reward exceptional performance.

The Governing Body will make appropriate payments to Support Staff undertaking additional hours, for example, attending training and out of school learning activities, in accordance with the relevant scheme of terms and conditions.

Part Time Staff

The Governing Body will act in accordance with the Part Time Workers (Prevention of Less Favourable Treatment) Regulations 2000.

Salary Safeguarding

In circumstances where a member of staff's salary is reduced as a result of an internal reorganisation or job evaluation, the school will safeguard the original salary. The safeguard will normally be on a cash sum basis for a period of 1 to 3 years, taking into account the interests of the Academy.

The Governing Body will notify the member of staff of the details of any such safeguarding at the earliest opportunity and in any event within one month of the decision being made.

The Executive Principal/Head of School may assign the member of staff reasonable duties to the value of the cash sum safeguarded taking due account of the member of staff's skills and experience. If such duties are reasonably assigned and the member of staff declines to undertake them, then the member of staff will be issued with one month's notice to terminate the salary safeguarding.

11. Maternity Pay for all Staff

The School will comply with national agreements. However, it will require 100% payback of maternity pay, if the member of staff decides not to return to work. The PMR process will endeavour to take place alongside any maternity leave.

12. Paternity Pay

The Governing Body will use its discretion on paid paternity leave and will comply with any national employment law.