

# BCAT Pay Policy 2023-2024 Academic Year

## **RESPONSIBLE DIRECTOR**

Chief Executive Officer

## **RATIFIED BY BOARD**

October 2023

## **REVIEW DATE**

September 2024

Responsibility for Review: Chief Executive Officer (CEO), Chief of Finance & Operations Officer (CFOO) and HR Manager

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## **Section A – General introduction**

### **1.0 Policy statement**

This policy sets out the framework for making decisions on employees' pay. It has been developed to comply with current legislation and guidelines for public service – objectivity, openness and accountability.

In adopting this pay policy the aim is to:

- a) achieve excellent outcomes for all students
- b) support the recruitment and retention of a high-quality workforce
- c) complement the Trust's appraisal policy which is supportive and developmental and ensures employees have the skills and support to do their job effectively
- d) enable us to recognise and reward staff appropriately for their contribution to the Trust
- e) help to ensure that decisions on pay are managed in a fair, just and transparent way
- f) ensure that there is no pay discrimination in decision making and that decisions are based on evidence and can be justified.

Pay decisions at this Trust are made by the Trust Board based on evidence which will be linked to appraisal outcomes. This policy has been agreed following consultation with staff.

### **2.0 Monitoring the impact of the policy**

The Trust Board will monitor the outcomes and impact of this policy on an annual basis, including trends in progression across specific groups of staff to assess its effect and the academy's continued compliance with equalities legislation.

### **3.0 Review of policy**

This policy is reviewed annually by the Trust Board on or before the end of July each year to align with the pay review cycle in September and October.

## **Section B – Determining teachers' pay**

### **1.0 Basic pay determination on appointment**

1.1 The Executive will determine the pay range for all roles on appointment. The Principal or Executive will determine the starting salary within that range to be offered to the successful candidate, dependent on prior experience.

1.2 In making such determinations, the Executive may take into account a range of factors, including:

- a) the nature of the post
- b) the level of qualifications, skills, and experience required
- c) market conditions
- d) the wider Trust context and strategic priorities
- e) the evidence of impact on outcomes
- f) and relevant affordability factors impacting the school's budget.

If there is no gap in continuous service then a teacher will be provided with pay portability so that their salary reflects their progression with their previous employer.

## 2.0 Pay reviews

2.1 The Trust Board will ensure that each teacher's salary is reviewed annually by no later than 31 October each year. Pay increases will be backdated to 1 September of the same academic year. There is no contractual entitlement for a pay increase on an annual basis.

2.2 Salary will also be reviewed if a teacher takes up a new post with effect from the date the post commenced or in other circumstances as required, with effect from the relevant date.

2.3 All teachers will be notified in writing within one month of a decision on pay setting out their salary.

## 3.0 Assessment of pay progression

3.1 In this Trust, all teachers will receive regular feedback on their performance and are subject to an annual full performance appraisal.

3.2 Decisions regarding pay progression will be made with reference to the appraisal process. A fair and transparent assessment process will be in place where decisions are based on evidence.

3.4 The evidence we will use is the annual appraisal as set out in our Appraisal Policy.

3.6 Final decisions about whether or not to accept a pay recommendation will be made by the Trust Board having regard to the pay recommendation from the Principal of each academy, as moderated by the Chief Executive Officer.

3.7 Where teaching, progress or compliance with the Teachers' Standards is not meeting expectations, the line-manager will determine support and if necessary the Capability Procedure will be used. In such situations there would be no pay progression during that year. This excludes unqualified teachers, see section 6.2.

## 4.0 Main pay range for teachers

4.1 The main pay range within this Trust is as per the current STPCD minimum and maximum range for England (outside London and the Fringe area) as below for 2023/2024:

M1	£30,000
M2	£31,737
M3	£33,814
M4	£36,051
M5	£38,330
M6	£41,333

These rates will be reviewed annually following the publication of the Department for Education's School Teacher's Pay and Conditions Document (STPCD).

4.2 Eligible main pay range teachers will be automatically considered for progression and no formal application will be necessary. However, annual pay progression within the range is not automatic and decisions regarding pay progression will be clearly attributable to the teacher's performance with reference to the appraisal process. A teacher who is on a capability plan will not automatically progress.

4.3 Teachers will progress by one point until they reach the top of their range if in the professional judgement of the Principal they can demonstrate they have achieved the majority of their appraisal targets.

## **5.0 Upper pay range for teachers**

5.1 The upper pay range within this Trust is as per the current STPCD minimum and maximum range for England (outside London and the Fringe area) as below:

UP1	£43,266
UP2	£44,870
UP3	£46,525

These rates will be reviewed annually following the publication of the STPCD.

5.2 It is the responsibility of the teacher to decide whether or not they wish to apply to be paid on the upper pay range and they should assess themselves against the criteria for progression (see Appraisal Policy and supporting documentation). Applications may be made once a year by no later than end of the first week in October.

5.3 Applications should contain evidence from the last 2 years, should be made in writing and must address the criteria for progression. Further guidance is available in the Appraisal policy and must be submitted to the Principal.

a) An application from a qualified teacher to progress on to the upper pay range will be successful where they are able to demonstrate that they are highly competent in all elements of the standards and that their achievements and contribution are substantial and sustained. Please refer to the Appraisal policy for further details.

5.4 The application will initially be assessed by the Principal who will moderate all applications. The Principal will then make recommendations to the Governing Body, who will make the final decision.

5.5 The assessment will usually be made by the Principal. The deadline for submission will only be extended in exceptional circumstances and with prior agreement by the Principal.

5.6 If successful, applicants will move on to the upper pay range in the October salary or will be backdated

5.7 If unsuccessful, feedback will be provided in writing by the Principal along with confirmation of the process for appeals.

## **6.0 Pay progression for teachers within the upper pay range**

Once a teacher has moved on to the upper pay range, they can apply for further progression every 2 years until they reach the top of the pay range.

## **7.0 Pay range for unqualified teachers**

7.1 The unqualified teacher pay range are as per STPCD which are as follows:

UQ1	£20,598
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UQ2	£22,961
UQ3	£25,323
UQ4	£27,406
UQ5	£29,772
UQ6	£32,134

### **Pay progression for unqualified teachers**

7.2 Eligible unqualified teachers will be considered for pay progression within the range on an annual basis, this is not automatic and decisions regarding pay progression will be clearly attributable to the teacher's performance with reference to the appraisal process. This doesn't affect statutory terms and conditions, which still apply.

7.3 Judgements of performance will be made in relation to appraisal outcomes and meeting objectives. The minimum expectation to achieve pay progression is that the majority of their appraisal targets are met.

### **8.0 Pay ranges for members of the leadership group**

Pay ranges for Principals and members of the leadership team will be determined by consideration of national guidelines and benchmarked against schools of a similar size in England (outside of London and the Fringe Area). The pay range will take into account all permanent responsibilities of the role, any challenges that are specific to the role and all other relevant considerations including the skills and competencies required. Pay ranges will allow appropriate scope for performance related progression over time. Pay spine points are those published in STPCD for 2023/24 and will be reviewed and updated annually as per STPCD guidance.

### **9.0 Principals/Headteachers**

9.1 The academy or group of academies will be assigned to a group using STPCD as a guidance.

9.2 A pay range will be determined for the Principal / Headteacher will not normally exceed the maximum of the group(s).

### **10.0 Pay progression for members of the leadership group**

10.1 Eligible members of the leadership group will be automatically considered for further progression and no application will be necessary. However, annual pay progression within the range is not automatic and decisions regarding pay progression will be clearly attributable to the leadership group member's performance with reference to the appraisal process and KPIs.

10.2 Leadership group members will progress by one point every year until they reach the top of their range if they can demonstrate, and the Governing Body is satisfied that there is, evidence of sustained high-quality performance.

## Teaching and Learning Responsibility (TLR) payments

10.3 In this Trust we pay TLR1a-c, TLR2a-d, TLR3a-b to a classroom teacher for undertaking a sustained additional responsibility in the context of our staffing structure for the purpose of ensuring the continued delivery of high quality teaching and learning and for which the teacher is made accountable. The award is made whilst the teacher remains in the same post or occupies another post in the absence of a post-holder.

10.4 Current values are as follows in accordance with the staffing structure and STPCD:

	Minimum	Maximum
TLR1	£9,272	£15,690
TLR2	£3,214	£7,847
TLR3	£639	£3,169

10.5 TLRs pay spine points will be reviewed annually as our schools expand in size over the next 3 years.

10.6 In addition, we may award a Retention and Recruitment fixed-term payment as per the criteria in the STPCD.

### 11.0 Part time teachers

Teachers who work less than a standard working week are deemed to be part time. Their working time obligations will be set out in their contracts of employment, or in a letter following an agreed flexible working request. The pay of part time teachers will be determined in the same way as full time teachers and any increase in pay will be paid pro-rata to full time equivalent salary rates.

### 12.0 Short notice / supply teachers

Teachers employed on a day-to-day or other short notice basis will be paid 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. They will be paid the agreed rate for the job and are not subject to the appraisal process.

### 13.0 Pay protection & Transition Arrangements

Pay protection arising from changes to pay and structure will be in line with the provisions of STPCD.

### 14.0 Absence and pay progression

14.1 Employees who are absent long term (including, but not limited to, maternity leave and long term sick leave due to a disability) are still eligible to be considered for pay progression. For UPS, employees will still need to demonstrate that they can meet the necessary criteria.

14.2 The Trust will take into account the criteria set out in this policy, but use the period of time prior to the employee commencing their period of absence. In most cases, this will be the preceding year or two years for progression on to the upper pay range. If there is sufficient time for assessment in the current cycle, that period may also be considered.

## **15.0 Appeals**

The steps of the pay appeals process perform the function of the grievance procedure on pay matters. Employees will not be able to raise the complaint under the Trust's grievance procedure following conclusion of a pay appeal.

Employees may be represented by a recognised trade union or colleague at any formal stage of this procedure. The employee is responsible for making these arrangements and for providing their representative with any paperwork they require for the hearing. The employee should inform the chair of the appeals panel / clerk to governors who their chosen companion is in good time before the hearing.

### **16.1 Informal discussion**

As part of the normal salary review process, the Principal will inform the teacher of the pay decision by letter. Upon receipt of written notification of the pay decision, if the employee is dissatisfied, they should first discuss the decision with the Principal within five working days of receipt of the notification.

This discussion gives an opportunity for an employee to raise/challenge the decision on their pay, to gain an understanding of why the pay recommendation and decision were made and to resolve issues quickly and informally. If this does not resolve an issue, a teacher may follow the formal procedure set out below.

### **16.2 Stage One Appeal**

If, following discussion with the Principal, the employee remains dissatisfied, they can make a formal appeal in writing within five working days of the discussion with the Principal. The possible grounds for appeal are:

- a) incorrect application of policy e.g. criteria for advancement
- b) failure to have proper regard for statutory guidance
- c) failure to take proper account of relevant evidence
- d) taking account of irrelevant or inaccurate evidence
- e) bias
- f) unlawful discrimination against the teacher

Appeals against pay decisions should be made initially to the Principal stating the grounds of their appeal in accordance with the above grounds.

The Principal will convene a meeting to consider the appeal as soon as is practically possible. The employee will be invited in writing, giving a minimum of five working days' notice, and copies of any relevant documents to be considered at the meeting will be enclosed.

The teacher will have the opportunity to make representations to the panel and an academy representative will also attend to present the management case. A note taker will also be present.

The panel (or their representative) will review their decision and will confirm the outcome in writing to the teacher within five working days.

### **16.3 Stage Two Appeal**

If a teacher wishes to appeal against the decision made at stage one, they may do so within five working days of the written decision on the grounds that the committee who made the decision:

- a) incorrectly applied policy i.e. criteria for advancement
- b) failed to have proper regard for statutory guidance
- c) failed to take proper account of relevant evidence
- d) took account of irrelevant or inaccurate evidence
- e) was biased
- f) unlawfully discriminated against the teacher

Appeals against the decision at stage one should be made in writing and addressed to the Clerk to Governors stating the grounds of their appeal in accordance with the grounds above.

Upon receipt, an appeals panel of 3 different executive leaders and governors, who have not been involved in the original decision, will convene a meeting to consider the appeal as soon as is practicably possible. The employee will be invited in writing, giving a minimum of five days' notice, and copies of any relevant documents to be considered at the hearing will be enclosed.

The teacher will have the opportunity to make representations to the appeals panel and a representative of the original decision-making panel will also attend. A note taker will also be present.

The decision of the panel will be confirmed in writing to the teacher within five days. The appeal panel's decision is final; there is no further right of appeal.

## **Section C – Determining support staff pay**

### **1.0 Pay reviews**

The Remuneration Committee will ensure that each member of support staff's salary is reviewed annually with effect from 1 September (if eligible).

### **2.0 Salary scales**

The salary scales used will be in accordance with the Trust's published pay scales.

### **3.0 Job descriptions**

3.1 The Operations and Business Manager or Principal/Headteacher, in conjunction with the line manager of the role, will ensure that an up to date job description is available for each post which identifies the appropriate duties. These are Trust job descriptions and pay ranges.

3.2 The job description will be reviewed as appropriate or when duties or responsibilities have changed. It will be amended to reflect the current role; although, it should be recognised that job descriptions are not intended to list all tasks. An employee may request changes to their job description if they feel their duties or responsibilities have changed significantly. If appropriate, consideration may be given to whether the grade for the post should be re-determined. This should be done with the Chief of Finance and Operations in order to benchmark against similar roles across the Trust. If it is, the post holder will be paid the new grade from a date determined by the Principal and Trust HR Manager.



#### **4.0 Basic pay determination on appointment**

The Trust will determine the grade for a vacancy prior to advertising. On appointment, the Principal will determine the appropriate point within the grade to be offered to the successful candidate (which will usually be the bottom point of the grade). However, in making such determinations, this may take in to account a range of factors, including:

- a) the nature of the post
- b) the level of qualifications, skills and experience required
- c) market conditions
- d) the wider Trust context and strategic priorities

#### **5.0 Incremental progression**

5.1 Increments will be payable on 1 September and are subject to satisfactory service and as such may be withheld where there are concerns about an employee's performance. For example, this could be achievement of objectives under the academy's appraisal policy or wider performance concerns during the appraisal year. Where concerns arise, these will be discussed with the employee and a support plan put in place. In cases where incremental progression is withheld, the employee will receive confirmation of this in writing (including the reasons and informing them of their right of appeal). Pay progression may be refused without recourse to the capability procedure.

6.0 An honorarium may be paid on a temporary basis where an employee is offered and agrees to:

- A) undertake higher level work in addition to their normal duties.
- b) 'act up' for at least four weeks to a higher graded post which has become temporarily vacant, (for example, due to sick leave).

7.0 The Principal will determine the amount of this honorarium payment. Where the employee is undertaking higher level work not equivalent to a higher graded post, a fixed sum will be agreed. Where the employee is acting up and carrying out the full responsibilities of the role, the payment will usually be the difference between the minimum point of the higher graded role and their current salary.

7.1 The employee will return to their substantive post and salary when they are no longer required to undertake the higher level work or 'act up'.

7.2 This should usually only be a temporary solution and the Principal should consider whether it may be more appropriate to advertise the post (or duties) on a fixed term basis.

#### **8.0 Appeals**

A member of support staff has the right to appeal against a decision that affects their pay. The principles of the appeals process for teachers apply. The member of staff should contact their line manager in the first instance. They will be advised who they should appeal to if this is necessary.

Note: nothing in this policy should be considered to create a contractual obligation.