

**School Employment Manual**

# **SCHOOL PAY POLICY**

This document applies to Community and Voluntary Controlled Schools and is advisory for Foundation and Voluntary Aided Schools

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## **PAY POLICY ADVISORY NOTES**

To allow Governors to be consistent and responsible over pay they must have a clear, whole School Pay Policy to guide them. Every school is different and sets its own aims in its development plan, which should be reflected in the Staffing Structure and the Pay Policy. The Governors carry considerable responsibility for the welfare and development of staff and must, therefore, be seen to act fairly at all times. They are likely to achieve this only if they operate within the framework of an open and agreed policy.

A model Pay Policy is attached at Appendix 1. This has been consulted on with recognised Trade Unions Trade union recognition and facilities agreement – Agreement overview - Lincolnshire County Council and may be adopted by the Governing Body.

The STPCD publishes pay ranges with the minimum and maximum pay reference points for Main, Upper Pay, Unqualified Teacher, Leading Practitioners and Leadership Group pay ranges however it continues to permit the adoption of the previous pay reference points (uprated as appropriate).

If you choose to exercise your discretion and vary this policy you may be required to consult with staff and trade unions to agree alternative arrangements. It is recommended that advice should be sought from your HR provider in such circumstances.

## **RESPONSIBILITIES**

Governors/Head Teachers are responsible for:

- determining the duties and the grade/salary/allowance to be attached to posts in school;
- applying the requirements of the School Teachers' Pay and Conditions Document and Burgundy Book.

The County Council remains responsible for:

- equal pay/value between maintained schools is achieved by Governors/Head Teachers within their schools. Guidance on this for staff on Green Book Terms and Conditions is contained within the County Council's Pay Policy.

## **PAY ARRANGEMENTS**

As part of the recruitment and selection process Governors/Head Teachers are required to provide the school's payroll provider with personal details of successful candidates to enable terms and conditions documentation to be issued and payment to be arranged. No payment of salary can be made until the necessary documentation has been provided and processed.

Head Teachers should ensure that any changes to staffing details, which affect contractual and/or payment circumstances are notified to the school's payroll provider as quickly as possible.

If any school fails to notify their payroll provider within the appropriate timescale that a member of staff intends to cease employment, payment of salary will continue and any overpayment which is not recovered will be debited against the school's budget share.

The recovery and writing-off of overpayments should be considered in relation to statutory requirements (e.g. Employment Relations Act 1996) and County Council policy. Advice on how to tackle such matters is available from the school's Payroll provider. Schools are urged to deal with such matters in a reasonable and sympathetic manner.

## **GRADING AND REGRADING OF POSTS**

It is assumed that "grading" includes all of those (non-discretionary) aspects of the payment to an employee covered by national or local provision as set out in the relevant document, e.g. NJC for Local Government Employees.

### **Teachers**

Governors/Head Teachers must pay the minimum rate and not exceed the maximum rate for teaching posts as prescribed by the School Teachers' Pay and Conditions Document.

Governors/Head Teachers do, however, have discretion to operate within the:

- full range of incentive allowances, subject to certain criteria, (see School Teachers' Pay and Conditions Document)
- equal pay/value requirements.

This and other discretionary aspects of pay are covered in the section on Key Elements of Discretionary Pay below.

### **Support Staff**

If a national prescription or a local collective agreement provides for the grading of a post, for example, for Teaching Assistants, then Head Teachers must apply such a grade.

Where no grading prescription exists, the Council's Human Resource provider has provided job descriptions and evaluated grades for a "menu" of school-based jobs. Head Teachers are advised to apply such grades to posts within their school where the duties and responsibilities reflect those model job descriptions.

The County Council's Human Resources provider provides an evaluation service and grades will be notified to Head Teachers on receipt of a job description. It is important that new grades are not applied before a formal evaluation has taken place. Those schools which use a different Human Resources provider will need to consult with them first but this service must be commissioned from the Council's Human Resource provider.

## **KEY ELEMENTS OF DISCRETIONARY PAY**

### **Teachers**

Allowances for teachers employed in schools are a matter for the Governors/Head Teachers subject to the guidance and requirements issued by the Department for Education, in the School Teachers' Pay and Conditions Document.

The starting point on the main pay range for teachers in delegated schools should be determined having regard for:

- the rules set out by the DfE (School Teachers' Pay and Conditions Document);
- any County Council policy/advice issued;
- the need for consistency in applying the above in light of equal pay/value responsibilities.

Teachers receiving an allowance on a permanent basis will enjoy salary safeguarding whilst they remain at the same school within the terms of the School Teachers' Pay and Conditions Document.

In accordance with the School Teachers' Pay and Conditions document, if a teacher loses a post through the reorganisation of a school or education establishment, takes up a new post and is employed by the same authority or at a school maintained by the same authority, then salary safeguarding applies to the individual concerned.

Under no circumstances can an honorarium payment be made to a teacher.

### **Support Staff**

The starting point within the grade of newly appointed or promoted support member of staff should be determined by Governors/Head Teachers, having regard for:

- the policy of the County Council is to appoint to the minimum point of the grade, except where:
  - the candidate is demonstrably above average in terms of qualification and experience;
  - there is no other suitable candidate who would be prepared to accept a lower salary (i.e. the minimum of the grade);
- the requirement to justify appointments above the lowest spinal point of the grade on grounds not associated with the sex, race etc. of the candidate;
- the need to consider possible implications for existing staff in terms of equal pay/value.

Staff temporarily working in a post which is normally graded at a higher level may be paid on a higher point on the pay spine for that period.

An honorarium payment may be made for exceptional or special work undertaken on a short-term basis.

Where Governors/Head Teachers have objective reasons to consider that the substantive grade of a vacant post falls short of the "market rate" (e.g. where two external advertisements have failed to attract suitable candidates) or that a retention problem has been identified with an existing employee (e.g. where he/she has other job interviews/offers), then a salary supplement can be attached to the post as a recruitment/retention incentive. Such action should only be taken subject to the advice through the school's Human Resource provider and the Council policy on Retention and Market Force Supplements.

Where an employee is redeployed within a school, the existing grade and conditions of service should be protected, in accordance with the "protection" rules in the County Council's Local Scheme of Conditions of Service. See the Redeployment Policy for school based staff.

Protection of grade arising from redeployment between schools is recommended but is discretionary, the decision to be made by the receiving Governors/Head Teacher. This discretion must be operated within the constraints of local conditions.

## **DEALING WITH GRADING APPEALS**

### **Teachers**

Appeals against pay determinations and pay grading should be made through the pay appeal mechanism adopted by the school in their Pay Policy.

### **Support Staff**

The right of appeal is contained within the National Conditions of Service (Green Book), which states that: "An employee dissatisfied with the grading of their job is entitled to appeal for a reconsideration of the grading. Procedures will be agreed locally to deal with such appeals."

## CHECKLIST FOR GOVERNORS

The checklist below is provided to further assist Governors in ensuring that all discretionary elements have been adopted and implemented.

1. This school has adopted the LCC model Pay Policy/has agreed alternative arrangements following a period of consultation (*delete as appropriate.*)
2. The Governors are committed to the following actions as set out in the Pay Policy:
  - a. Annual salary review timetable – The process will be followed, as identified in the pay policy.
  - b. Annual Salary Reviews – For teaching staff these will be completed by no later than 31<sup>st</sup> October each year and for the Head Teacher this will be completed by 31<sup>st</sup> December each year.
  - c. All teaching staff, including the Head Teacher, will receive written confirmation of the outcome of the annual salary review.
  - d. A staff structure will be attached to the pay policy.

**Signed** \_\_\_\_\_ **Date** \_\_\_\_\_

**Chair of Governors**