



# Pay Policy 2022-23

EKC Schools Trust

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## Contents

<b>EKC Schools Trust</b> .....	<b>1</b>
<b>Part A - Policy</b> .....	<b>4</b>
1. Policy Statement .....	4
2. Scope .....	5
3. Adoption Arrangements and Date .....	5
<b>Part B – Framework for Pay Decisions</b> .....	<b>5</b>
4. Delegation .....	5
5. Teachers .....	5
5.1 Support Staff .....	6
6 Notification of pay determinations.....	6
7 Withholding Pay Progression .....	6
8 Appeals.....	6
9 Equality Considerations .....	7
<b>Part C – Pay for Teachers</b> .....	<b>7</b>
10 Teachers’ Pay Ranges.....	7
11 Pay on Appointment .....	7
11.1 Post Threshold Teachers .....	7
11.2 Newly Qualified Teachers .....	8
11.3 Unqualified Teachers .....	8
12 Discretionary Allowances and Payments for Teachers .....	8
12.1 Teaching Learning and Responsibility Payments (TLR) .....	8
12.2 Recruitment and Retention Payments.....	9
12.3 Special Educational Needs Payment (SEN) .....	9
12.4 Additional Payments .....	9
12.5 Additional Payments to Unqualified Teachers.....	9
13 Pay Progression for Classroom Teachers .....	10
14 Upper Pay Range Applications .....	10
14.1 Criteria for Progression to the Upper Pay Range.....	11
14.2 Procedure for assessing Upper Pay Range Applications.....	11
15 Absence during the pay review cycle.....	11
16 Other Pay Considerations for Teachers .....	12
16.1 Salary Safeguarding.....	12
<b>Part D – Pay for Leadership Teachers</b> .....	<b>12</b>

	3
17 Leadership Pay Range .....	12
18 Pay on Appointment .....	12
18.1 Headteacher.....	12
18.2 Deputy and Assistant Headteachers .....	13
19 Pay Progression for Leadership Teachers .....	13
20 Other considerations regarding the pay of Leadership Teachers.....	13
21.1 Redetermination of Leadership Ranges.....	13
21.2 Temporary Payments to a Headteacher .....	14
21.3 Acting Allowances .....	14
21.4 Salary Safeguarding.....	14
<b>Part E – Pay for Support Staff .....</b>	<b>14</b>
22 Support Staff Pay Range.....	14
23 Pay On Appointment.....	14
24 Pay Progression for Support Staff .....	15
25 Annual Pay Determination.....	15
26 Absence during the pay cycle .....	16
27 New Employees and staff changing roles during the pay cycle.....	16
28 Discretionary Allowances and Additional Payments for Support Staff .....	16
28.1 Overtime .....	16
28.2 Cash Awards.....	17
29 Other Pay Considerations for Support Staff .....	17
29.1 Acting up arrangements.....	17
29.2 Redetermination of Grade .....	17
29.3 Salary Protection.....	17
<b>Appendix 1: Terms of Reference .....</b>	<b>19</b>
<b>Appendix 2: Pay Framework for Teachers and Leadership Teachers.....</b>	<b>20</b>
<b>Appendix 3: Pay Progression Criteria for Teachers .....</b>	<b>23</b>
<b>Appendix 4: Criteria for Progression to the Upper Pay Range .....</b>	<b>24</b>
<b>Appendix 5: Pay Progression Criteria for Leadership Teachers .....</b>	<b>25</b>
<b>Appendix 6: Pay Framework for Support Staff .....</b>	<b>26</b>
<b>Appendix 7: Pay progression Criteria for Support Staff .....</b>	<b>27</b>
<b>Appendix 8: Pay Appeals .....</b>	<b>29</b>
<b>Appendix 9: Recruitment of Senior Post Holders to the Central Trust Team .....</b>	<b>31</b>

## **Part A - Policy**

### **1. Policy Statement**

This policy sets out the framework for making pay decisions for all Employees of EKC Schools Trust.

The Trust understands the importance of ensuring all Employees are appropriately recognised and rewarded for the contribution they make to the performance of the Trust and to outcomes for pupils. The Trust will endeavour to reward all staff appropriately within the budget available.

Pay determinations will be made within the framework set out in the School Teachers' Pay and Conditions Document for Teachers and the Kent Scheme Conditions of Service for Support Staff. The Trust may use the discretions and flexibilities available within these terms and conditions to recruit, reward and retain the highest quality Employees according to the needs of the Academies.

The Trust will ensure that all Employees are treated fairly and equitably and that pay determinations are managed in an objective and transparent manner.

Pay on appointment will be determined with reference to the accountabilities of the role and the skills and knowledge required to fulfill the responsibilities of the post.

Each Academy will review the pay of all eligible Employees on an annual basis. In making pay decisions, careful consideration will be given to recommendations regarding pay progression made by the Headteacher / Appraiser. Annual pay progression within the pay framework for all Employees is not automatic and will be subject to a performance related assessment. Continued good performance as evidenced through the appraisal process should give an expectation of pay progression.

The criteria against which entitlement to pay progression will be assessed is set out in this policy. In applying these criteria each Academy will ensure there is a clear and robust link between evidence of performance, as demonstrated through appraisal, and pay determinations. Where an Employee is not meeting the performance expectations of the Academy, pay progression may be withheld.

All Employees have a responsibility to engage in the appraisal process and ensure there is appropriate evidence available from this on which pay decisions can be made.

Each Academy will ensure that Employees are informed in a timely manner about any pay determination and will endeavour to ensure appeals against pay decisions are managed promptly, fairly and objectively.

This policy has been developed to comply with the provisions of the School Teachers' Pay and Conditions Documents (STPCD), Kent Scheme Conditions of Service, The Education (School Teacher's Appraisal) (England) Regulations 2012 for Teachers and relevant equalities legislation (Employment Relations Act 1999, the Equality Act 2010, Part Time Workers (Prevention of Less Favourable Treatment Regulations) 2000 and the Fixed Term Employees (Prevention of Less Favourable Treatment Regulations) 2002).

This policy explains:

- The Trust's adopted pay framework for Teachers and Support Staff
- The criteria which will be considered when making pay decisions
- The process by which pay determinations / decisions will be made

- The role of the Trust, Governors, the Headteacher / Line Manager with regards to pay decisions

## **2. Scope**

This Policy applies to all current Employees of EKC Schools Trust.

## **3. Adoption Arrangements and Date**

This policy was adopted by the Trustees of the EKC Schools Trust and supersedes any previous Pay Policy.

This policy will be reviewed by the Trustees annually or earlier if there is a need. Where changes are proposed this will involve consultation with the recognised unions where there are material changes.

## **Part B – Framework for Pay Decisions**

### **4. Delegation**

In each Academy the Governing Body has been delegated pay decisions for all Employees, with the exception of pay decisions for members of the Leadership team, to the Headteacher.

Pay recommendations will be made by the individual Employee's line manager for consideration by the Headteacher.

All pay decisions for members of the Leadership team / individuals paid on the Leadership pay range, including the Headteacher, will be made by a Pay Committee of the Governing Body. The pay committee will be comprised of one or more members of the Governing Body.

Pay appeals will be heard by a panel of one or more members of the Governing Body.

Staff Governors will not be appointed to serve on any Pay Committee or appeal panel.

The terms of Reference for the Governing Body, Pay Committee and Headteacher with regards to pay decisions are at Appendix 1 to this policy.

### **5. Teachers**

The EKC Schools Trust will determine annually the uplift to Teachers' salaries and allowances. Any increase will be made with reference to the minimum / maximum of each of the pay ranges published annually within the STPCD.

The pay of eligible Teachers will be reviewed annually.

Pay reviews will be completed in a timely manner and individuals notified not later than one month after their pay decision. The pay decisions will be made for Leadership Teachers by 31<sup>st</sup> December and for all other teachers by 31<sup>st</sup> October each year.

Any pay determination will be backdated to 1<sup>st</sup> September.

### **5.1 Support Staff**

Support staff are paid in accordance with the Trust Pay Range framework.

Performance related pay increases are determined via the KCC Total Contribution Pay (TCP) process.

The EKC Schools Trust will determine annually how any performance related uplift to Kent Scheme salaries will be applied to the Trust framework.

The pay of eligible members of support staff will be reviewed annually.

All Employees who are in post at the assessment date will be eligible for a pay review. In this Trust the assessment date is 31<sup>st</sup> July.

Any pay determination will take effect from 1<sup>st</sup> September.

### **6 Notification of pay determinations**

The Chair of the Pay Committee / Headteacher will confirm in writing the pay determination of all teaching and support staff and notify the School's payroll /personnel provider of any salary increase. In the case of pay decisions relating to the Leadership Team, this will be the responsibility of the Chair of the Pay Committee or their delegated representative.

As required by the STPCD the Trust will provide Teachers with a formal salary statement on an annual basis setting out the component elements of their salary.

### **7 Withholding Pay Progression**

Pay progression may be withheld where performance, as evidenced through appraisal, does not meet the Trust's criteria to receive a pay increase.

Pay progression may be withheld even in cases where the Employee is not subject to the Trust's capability procedure.

Employees currently under the formal stages of the capability procedure will not receive pay progression.

To allow an Employee the opportunity to address performance concerns the Academy will endeavor to have early conversations during the assessment period where performance may not warrant pay progression.

### **8 Appeals**

An Employee may seek a review of any pay determination.

Prior to making an appeal an Employee is encouraged to speak informally to their appraiser / Headteacher about any concerns they have with regard to the pay recommendation which has been made.

Pay appeals will be heard by a committee of the Local Governing Body. The arrangements for pay appeals are set out in Appendix 8.

## **9 Equality Considerations**

The Trust is committed to ensuring consistency of treatment and fairness and will give due regard to equality and equal pay considerations when making pay determinations.

## **Part C – Pay for Teachers**

### **10 Teachers' Pay Ranges**

The EKC Schools Trust has determined the pay framework for Teachers. This is attached at Appendix 2.

The EKC Schools Trust will review the pay framework annually with effect from 1<sup>st</sup> September to reflect any changes to the national pay framework as set out in the STPCD.

### **11 Pay on Appointment**

The Headteacher will determine the appropriate pay range for a teaching post prior to advertising. When determining the pay range, consideration will be given to the responsibilities of the post and the need to ensure pay is fairly differentiated between roles across the school with differing levels of accountability.

On appointment the Headteacher will determine the starting salary within the pay range to be offered to the successful candidate.

In determining the appropriate starting salary the following factors will be taken into consideration:

- The nature and responsibilities of the post
- The qualifications, skills and experience required
- The market conditions
- The wider Academy context

Consideration will be given to ensuring that Teachers returning to the profession following a career break / time out to care for a family are not placed at a disadvantage in terms of pay offered on appointment.

The Academy will give every regard to the current salary of a Teacher who is appointed from another School. A Teacher may be paid a rate equivalent to their current salary, however there is no assumption that a Teacher will automatically be paid at the same level or on the same pay range as they were in their previous School.

#### **11.1 Post Threshold Teachers**

Where a Teacher has been paid on the upper pay range in a previous school or made a successful threshold application in a previous post there is no obligation for the school to honour this assessment, however consideration may be given to this when determining the starting salary or range.

## **11.2 Early Career Teachers**

Early Career Teachers in their first year of teaching will usually be appointed at the minimum of the main pay range, however the Headteacher has discretion to appoint at a higher salary in recognition of prior skills and experience.

Early Career Teachers who start employment with the School before receiving confirmation of their QTS status and completion of the basic skills test will initially be engaged as an Unqualified Teacher and paid within the unqualified Teacher salary range.

## **11.3 Unqualified Teachers**

Unqualified Teachers may be appointed by the school as trainees working towards qualified teacher status; as instructors with a particular skill, specialist qualification or experience; or, for a maximum of 4 years only, as an overseas trained teacher (trained outside of the EEA).

An Unqualified Teacher who gains QTS within the Trust will be appointed on a starting salary that equals or exceeds any previous salary and allowances they received as an Unqualified Teacher.

## **11.4 Pay on appointment in particular circumstances**

Where a Teacher is engaged in 2 schools simultaneously there is no requirement for them to receive the same rate of pay for each employment, even within the Trust.

Where a Teacher is appointed on a part time basis their salary, allowances and working time will be calculated in accordance with the pro rata principle.

Teachers engaged on a supply basis will receive a daily rate equivalent to 1/195 of the annual pay they would be entitled to if they were engaged on a regular contract. Supply Teachers who work less than a full day will receive a proportion of the daily rate pro rata'd to the hours for which they have been engaged.

## **12 Discretionary Allowances and Payments for Teachers**

Allowances and additional payments will be determined in accordance with the provisions of the STPCD. The Headteacher may determine on appointment or at any point during employment whether any allowance or additional payment is to be made to a Teacher.

### **12.1 Teaching Learning and Responsibility Payments (TLR)**

TLR payments may be awarded to identified posts which require a Teacher to undertake a sustained additional responsibility for which they are accountable.

The Academy will make reference to the current criteria and provisions within the STPCD in determining which posts will warrant a TLR.

TLR 1 and 2 will be awarded for additional responsibilities undertaken on a permanent basis. A TLR 3 payment may be awarded on a temporary basis for clearly time limited school improvement projects or externally driven responsibilities. No safeguarding will be paid when a TLR 3 payment ends.

The current values of TLR payments in EKC Schools Trust are specified in Appendix 2.



Where a TLR is awarded the reason, additional payment, and in the case of a temporary TLR3, duration will be confirmed in writing to the Employee.

A Teacher cannot be in receipt of both a TLR1 and TLR2 but can receive a TLR1 or TLR2 in addition to a TLR3.

A member of the Leadership Group, Leading Practitioner or Unqualified Teacher cannot receive a TLR payment.

### **12.2 Recruitment and Retention Payments**

Additional payments may be awarded as an incentive for the recruitment or retention of a Teacher in accordance with the criteria and provisions of the STPCD. Such payments may be made as a lump sum or as a periodic / recurring payment.

Other financial assistance may be awarded at the discretion of the Academy – for example full or partial reimbursement of travel or relocation costs.

When awarding such additional payments the reason and duration and end or review date will be confirmed in writing to the Employee.

### **12.3 Special Educational Needs Payment (SEN)**

SEN allowances will be awarded in accordance with the criteria and provisions set out in the STPCD.

The current value of SEN Payments in EKC Schools Trust specified in Appendix 2.

A member of the Leadership Group, a Leading Practitioner or Unqualified Teacher cannot receive a SEN payment.

All payments will be made at the hourly or daily rate appropriate to their substantive salary.

### **12.4 Additional Payments**

The Academy may make, at its discretion, additional payments to a Teacher in respect of the following activities:

- Continuing professional development undertaken outside of the School day
- Participation in out of School learning activities
- Additional responsibilities and activities related to the provision of services to raise the educational standards in other Schools
- Activities relating to the provision of initial Teacher training

### **12.5 Additional Payments to Unqualified Teachers**

An Unqualified Teacher may receive an additional allowance where they have taken on sustained additional accountability focused on teaching and learning and requiring the application of a teacher's professional skills and judgement or possess qualifications or experience relevant to the role.

The value of any additional payment will be determined by the Headteacher.

### **13 Pay Progression for Classroom Teachers**

Decisions regarding pay progression will be made with reference to the Teacher's appraisal report and the pay recommendations it contains.

Continued good performance as evidenced through the appraisal process should give the Teacher an expectation of progression to the top of their current pay range.

The EKC Schools Trust has determined the criteria for pay progression for each of the pay ranges. The criteria reflect the Teaching Standards and expectations appropriate to the career stage and seniority of the Teacher.

The Trust's criteria for pay progression for each of the pay ranges is at Appendix 3.

Where a Teacher paid on the main pay range is meeting the performance expectations in this school it is usual that they will receive pay progression annually.

In the case of Teachers paid on the upper pay range pay progression can be awarded every 2 years subject to meeting and sustaining the performance expectations for pay progression through the upper pay range.

In the case of NQTs whose appraisal arrangements are different, pay decisions will be made with reference to evidence from the statutory induction process. It should be noted that NQTs have no automatic entitlement to pay progression on completion of their induction period.

The amount awarded in pay progression will be determined annually with reference to any pay uplift stated in the STPCD. The schools pay progression arrangements are at Appendix 2.

In circumstances where a teacher does not receive pay progression, appropriate feedback will be provided explaining the reasons for this decision and how any developmental issues can be addressed.

### **14 Upper Pay Range Applications**

All qualified Teachers may apply to be paid on the upper pay range.

It is the responsibility of the Teacher to decide whether they wish to apply to be considered for progression to the upper pay range. All applications must be submitted to the Headteacher using the appropriate EKC Schools Trust process. All threshold applications will be assessed by the Headteacher.

A Teacher may only submit one application in each academic year for progression to the upper pay range. In the EKC Schools Trust the deadline for submitting an application is 31<sup>st</sup> August. The Headteacher will have until 30<sup>th</sup> September to consider the application.

In assessing the application the Headteacher will have regard to the outcome of the 2 most recent appraisal reviews. Teachers who have had significant period of absence from work may submit additional evidence from the 2 appraisal cycles immediately prior to their period of absence to demonstrate how they meet the criteria for progression.

Where a Teacher is simultaneously employed at another school(s), they are required to submit separate applications for each employment. The Academy will not be bound by any threshold progression decision made by another school.

#### **14.1 Criteria for Progression to the Upper Pay Range**

To progress to the Upper Pay Range a Teacher will be required to demonstrate that they have consistently made good progress towards their appraisal objectives over the 2 most recent appraisal cycles.

In addition they will need to demonstrate that:

- they are highly competent in all elements of the professional standards
- their achievements and contributions to the Academy are substantial and sustained
- Their overall quality of teaching is outstanding.

Appendix 4 sets out how the school will interpret whether a Teacher meets the criteria to progress to the Upper Pay Range.

#### **14.2 Procedure for assessing Upper Pay Range Applications**

The Headteacher will assess the Teacher's application against the school's criteria and advise the individual in writing within 30 working days whether the application has been successful.

Where the application is successful the Teacher will progress to the minimum value of the upper pay range from 1<sup>st</sup> October.

Where an application is unsuccessful the Teacher will receive feedback on the reasons for the decision from the Headteacher.

A Teacher may appeal against an unsuccessful application by following the EKC Schools Trust pay appeal process detailed in Appendix 8.

#### **15 Absence during the pay review cycle**

Consideration will be given to adjusting the pay review process where a Teacher has had a significant period of absence due to maternity / family related leave, sick leave or disability related absence.

The length and impact of the absence on the Teacher's ability to achieve his/her objectives will be taken into consideration when making pay recommendations and determinations.

The end of year review meeting may be brought forward to enable performance to be reviewed prior to a planned period of absence. Any pay recommendation would still be considered in line with the EKC Schools Trust usual timescales and pay progression awarded from 1<sup>st</sup> September.

Where a Teacher is not in work at the end of the appraisal cycle or has been absent for some or all of the assessment period, an assessment may be based on performance during any periods of attendance and/or prior performance. Evidence from the 2 appraisal cycles immediately prior to the period of absence may also be considered.

The precise nature of the adjustments will be determined on a case by case basis following discussion with the Teacher.

## **16 Other Pay Considerations for Teachers**

### **16.1 Salary Safeguarding**

Where a TLR 1 / TLR2 or other allowance is withdrawn as a result of organisational change, salary safeguarding will be paid for up to 3 years in accordance with the provisions of the STPCD.

The Headteacher may require a Teacher in receipt of safeguarding to undertake reasonable duties commensurate with the value of the safeguarded sum.

## **Part D – Pay for Leadership Teachers**

### **17 Leadership Pay Range**

The pay framework for Teachers paid on the Leadership Pay Range is attached at Appendix 2

The Governing Body will review the pay framework for Leadership Teachers annually with effect from 1<sup>st</sup> September to reflect any changes to the national pay framework as set out in the STPCD.

### **18 Pay on Appointment**

#### **18.1 Headteacher**

The Governing Body and CEO of EKC Schools Trust will review the Headteacher group size whenever it proposes to appoint a new Headteacher.

The Headteacher group size will be calculated in accordance with the provisions of the STPCD.

The Headteacher Recruitment Panel and CEO will identify a pay range within the group size for the Academy taking into consideration the permanent accountabilities of the post to which the Headteacher will be appointed.

In determining the pay range consideration will be given to:

- The specific requirements of the post
- The Academy context and challenge
- The complexity of the post
- The requirement to recruit and retain appropriate candidates
- Affordability and comparable salary benchmarking

However, the local governing body in agreement with the CEO, may consider using its discretion to determine a range up to 25% greater in value than the maximum group size for the Academy should the circumstances warrant.

In determining the salary range for the Headteacher, the pay and ranges of other staff will also be taken into account to ensure appropriate differentials are maintained between posts of differing responsibility.

On appointment the Headteacher Recruitment Panel and CEO will determine the appropriate starting salary to be offered to the successful candidate. Consideration will be given to ensuring there is appropriate scope within the range to allow for performance related pay progression over time.

## **18.2 Deputy and Assistant Headteachers**

The Pay Committee in agreement with the CEO will determine the appropriate pay range for other Leadership posts within the Academy prior to advertising.

Consideration will be given to the accountabilities of the role, challenges of the post and any potential recruitment issues when determining the pay range.

The maximum of the Deputy or Assistant's range will not exceed the minimum of the Headteacher range.

When determining the pay ranges of Leadership posts, consideration will also be given to the respective levels of accountability and the need to ensure pay is fairly differentiated between Leadership roles across the Academy with differing levels of responsibility and between teaching and Leadership posts.

On appointment the Pay Committee in agreement with the CEO, will determine the starting salary to be offered within the identified pay range ensuring there is appropriate scope for performance related pay progression over time.

## **19 Pay Progression for Leadership Teachers**

Decisions regarding the pay progression of Leadership Teachers will be made with reference to their appraisal report and the recommendations it contains.

Sustained performance as evidenced through the appraisal process should give the Leadership Teacher the expectation of progression through the range.

The Local Governing Body has determined the criteria for pay progression for Teachers paid on the Leadership pay range. The criteria reflect expectations appropriate to the career stage and seniority of the Teacher.

The Trust's criteria for pay progression are at Appendix 5.

The amount awarded in pay progression will be determined annually with reference to any pay uplift stated in the STPCD.

## **20 Other considerations regarding the pay of Leadership Teachers**

### **21.1 Redetermination of Leadership Ranges**

The Local Governing Body, in agreement with the CEO, may redetermine the pay range of any Leadership Teacher in post should it be considered necessary where there has been a significant change in the permanent accountabilities of the post.

This may include circumstances where post holders take on additional accountabilities for more than one Academy on a permanent basis.

### **21.2 Temporary Payments to a Headteacher**

The Local Governing Body, in agreement with the CEO, may determine that an additional temporary payment be made to a Headteacher for time limited responsibilities / duties additional to the substantive post for which their salary has been determined. This may include circumstances in which a Headteacher is temporarily accountable for the Leadership of another Academy.

Any such payment should not exceed 25% of the Headteacher's annual salary. The total of all discretionary payments in any one year should not be more than 25% above the ceiling of the Headteacher group size for the Academy.

### **21.3 Acting Allowances**

An Acting Allowance may be payable to individuals who are assigned to carry out the duties of a Headteacher, Deputy or Assistant Headteacher on a temporary basis.

Payment of an acting allowance will be at the discretion of the Governing Body. Consideration as to whether to pay an acting allowance will be made within 4 weeks of the start of the additional duties.

Where it is determined that an acting allowance should be paid this will be at a rate no less than the minimum of the pay range of the substantive post holder and will be backdated to the start of the additional duties.

### **21.4 Salary Safeguarding**

Where the pay range of a Leadership Teacher is reduced as a result of organisational change, salary safeguarding may be paid for up to 3 years in accordance with the provisions of the STPCD.

A Teacher in receipt of safeguarding is expected to undertake reasonable duties commensurate with the value of the safeguarded sum.

## **Part E – Pay for Support Staff**

### **22 Support Staff Pay Range**

Support staff will be appointed in accordance with the Trust Range Grade Framework. The Trust Range Grade Framework is attached at Appendix 6.

### **23 Pay On Appointment**

The Headteacher will determine the grade of a support staff post prior to advertising.

In determining the grade for the post consideration will be given to the scope and accountabilities of the role.

On appointment, the Headteacher will determine the starting salary to be offered within the pay range. New starters will normally be appointed at the minimum of the main pay range for the grade.

However the Headteacher has discretion to pay above the minimum in recognition of prior skills, qualifications and experience.

Where a member of support staff joins the Academy from another School post – there is no obligation for the Academy to match their current grade or salary.

Where an Employee works part time (i.e. less than 37 hours per week / 52 weeks per year) their salary will be pro rata to the hours and weeks worked. Employees engaged on a term time only basis will receive a payment in respect of their annual leave entitlement incorporated within their annual salary.

## **24 Pay Progression for Support Staff**

Annual pay progression will be determined with reference to the outcome of the Employee's appraisal and Total Contribution Pay Assessment.

Continued good performance as evidenced through appraisal should give the Employee the expectation of pay progression to the top of their grade.

In assessing an Employee's Total Contribution the following will be taken into consideration:

- Performance against the accountabilities of the job role and individual Appraisal Objectives
- Values and behaviours demonstrated
- Wider contribution to the School
- Application and impact of any personal development undertaken
- Working Better – evidence of actions the Employee takes which leads to continuous improvement

Employees on grade TR7 and above are expected to demonstrate evidence of wider contribution for an outstanding or above assessment. Where Employees on lower grades have had an opportunity to demonstrate wider contribution this will form part of their assessment. However where an Employee has not had the opportunity to demonstrate wider contribution their assessment will not be adversely affected.

Performance will be assessed against one of 4 contribution levels

- Outstanding: Performance exceeds expectations most of the time
- Excellent: Performance exceeds expectations some of the time
- Successful: Performance meets expectations all of the time
- Performance Improvement Required: Performance does not meet expectations all of the time

Descriptors for these different levels of performance are available at Appendix 7.

## **25 Annual Pay Determination**

The performance related TCP increase to be applied to the Employee's current salary will be determined annually in accordance with their assessed contribution level.

The percentage increase to be applied annually to each of the TCP contribution levels will be determined by the EKC Schools Trust.

Whilst consideration will be given the TCP ratings published by KCC, the EKC Schools Trust will determine locally the percentage pay increase to be applied each year to each TCP rating.

Please refer to Appendix 6 for details of the current pay framework and Appendix 7 for progression arrangements for support staff in this school.

Employees who are at the top of their pay grade may receive a one-off payment consistent with the percentage increases applied for their assessed contribution level. Where staff are nearing the top of their pay grade a combination of salary increase and lump sum may be paid.

Performance related pay increases are effective from 1<sup>st</sup> September each year. The details of the pay award for the current year is at Appendix 6.

## **26 Absence during the pay cycle**

Employees who have been absent for a period of time will be considered for salary progression.

A 'successful' rating will be given to any employee who is on maternity leave or who has been on maternity leave during the period being reviewed unless there is evidence from before or after their period of absence which suggests an alternative rating might be more appropriate. This also applies to employees on adoption or shared parental leave.

A 'successful' rating will be given to any employee who is on extended sick leave at the time the assessment is due or who has had several periods of sickness absence unless there is evidence which indicates a different rating is more appropriate.

In instances where performance before or after a period of absence has not met the expectations of the school pay progression may be withheld.

## **27 New Employees and staff changing roles during the pay cycle**

New starters or those who changed roles during the pay cycle due to secondment or promotion will normally have a Total Contribution Assessment at the time the assessment is due.

The assessment may be deferred where there is insufficient evidence to make a judgement about an employee's performance. If an assessment is deferred the school will ensure that an assessment is carried out at such time they judge there to be evidence available. This will usually be within 6 months from the date of the deferral. Any increase in pay will be backdated to 1<sup>st</sup> September.

## **28 Discretionary Allowances and Additional Payments for Support Staff**

### **28.1 Overtime**

Overtime for Employees graded TR8 or less who work in excess of 37 hours in any week will be paid as follows:

Monday to Friday	Saturday / Sunday	Public Holidays
1.33	X 1.33	X 2



Overtime should only be worked with the prior approval of the Headteacher and all claims must be appropriately authorised.

Extra time of less than half an hour each day will not constitute overtime. Overtime is aggregated for each calendar month and paid in complete half hours. Where less than half an hour overtime is worked in a month this will be paid at plain time.

Overtime will not be paid to staff Graded TR9 or above. Time off with lieu may be granted with the prior agreement of the Headteacher.

It is the responsibility of the employee to claim their overtime within one calendar month of the additional hours being worked. The Academy may not make payments for late overtime claims.

## **28.2 Cash Awards**

The Headteacher may at its discretion make a cash award to recognise members of support staff who have undertaken a specific task or project. In the EKC Schools Trust cash awards to an individual will not exceed £500 in any one year.

## **29 Other Pay Considerations for Support Staff**

### **29.1 Acting up arrangements**

Where a member of staff takes on additional accountabilities on a temporary basis the Headteacher may determine whether they should move to a higher grade commensurate with the additional responsibilities for a time limited period.

An Employee may also be seconded to a higher graded post to cover the temporary absence of the substantive post holder.

Where an Employee is on secondment or acting up they will receive their TCP assessment and pay progression on their temporary role. When they revert to their substantive post any percentage increase received in their temporary role will be applied to their substantive pay.

### **29.2 Redetermination of Grade**

Where the Headteacher determines that there has been a permanent change in the accountabilities of a post, a role may be regraded.

Written notification will be provided of any change in salary or grade.

Salary changes as a result of a regrading will take effect from the beginning of the month in which the assessment took place. Where an individual is upgraded they will normally be placed at the bottom of the new grade.

### **29.3 Salary Protection**

Employees who are engaged on Kent Scheme terms may be eligible to be paid salary protection for up to 18 months should the grade of their post be reduced or if they are redeployed to a lower graded post as a result of organisational change.

Where the redeployment is to a post which is more than two grades below the Employee's previous post, the Loss of Earnings compensation will only apply to a maximum of two grades above the grade of the new substantive post.

Changes in hours / weeks worked will not attract salary protection.

## **Appendix 1: Terms of Reference**

EKC Schools Trust

It is the role of the Trust to:

- establish the Trust Pay Policy, including the criteria and framework for pay decisions and review these provisions annually
- determine which functions are to be delegated to the Headteacher
- to ensure the Academy meets its statutory and contractual obligations with regards to pay
- determine the annual budget for pay and any uplift to be applied to the Trust's pay scales for Teachers and support staff

### **Local Governing Body**

It is the role of the Local Governing Body to:

- monitor the application and effectiveness of the policy on behalf of the Trust, ensuring pay decisions are linked to evidence of performance and the criteria for pay progression are applied consistently, fairly and objectively

It is the role of the Pay Committee to:

- determine the pay progression to be awarded to individual Employees
- apply the criteria set out in the EKC Schools Trust Pay Policy and consider fully the recommendations made by the Headteacher regarding an individual's pay
- ensure all Employees are made aware of the outcome of their individual pay review in writing
- record the reasons for the pay decisions taken
- report summary information regarding pay decisions to the full Local Governing Body as required

The Headteacher may provide professional advice and guidance to the panel to assist with decision making.

It is the role of the Headteacher to:

- ensure Employees are appraised in accordance with EKC Schools Trust policy
- Make written recommendation to the Local Governing Body Pay Committee regarding an individual's pay with reference to the criteria for pay progression within the Academy.
- ensure that appropriate written records are kept of appraisal discussions – including targets set and any progress / review meetings
- undertake moderation of pay recommendations to ensure consistency and fairness across staff groups

## **Appendix 2: Pay Framework for Teachers and Leadership Teachers**

EKC Schools Trust has adopted an approach to pay whereby differentiated rates of progression will be determined by a teacher's assessed contribution level.

From **1<sup>st</sup> September 2022** Teachers and Leadership Teachers will be paid in accordance with the following framework.

### **Main Pay Range**

Minimum	28,000
Maximum	38,810

### **Upper Pay Range**

Minimum	40,625
Maximum	43,685

### **Unqualified Pay Range**

Minimum	19,340
Maximum	30,172

### **Leadership Pay Range**

Minimum	44,305
Maximum	123,057

### **Leadership Teachers**

The **Headteacher** is appointed within the Group range of the Academy.

#### *School Group Size:*

Group 1 L6 – L18	50,122 – 66,684
Group 2 L8 – L21	52,659 – 71,765
Group 3 L11 – L24	56,796 – 77,237
Group 4 L14 – L27	61,042 – 83,126
Group 5 L18 – L31	67,351 – 91,679
Group 6 L21 – L35	72,483 – 101,126
Group 7 L24 – L39	78,010 – 111,485
Group 8 L28 – L43	86,040 – 123,057

For other Leadership Teachers, the Academy / Pay Committee will identify an appropriate salary range within the Leadership Pay Range with due regard for group size, Head Teacher Salary range and the salary of higher-paid teachers within the Academy.

New leaders appointed within the Trust will be placed on the relevant pay ranges as set out below.

SPINE POINT	1 SEPT 2021 TO 31 AUG 2023*	Group 2 Up to 300 pupils	Group 3 Up to 500 pupils	Group 4 Up to 900 pupils
L1	£44,305	AHT 5 pt scale within this band	AHT 5 pt scale within this band	AHT 5 pt scale within this band
L2	£45,414			
L3	£46,548			
L4	£47,706			
L5	£48,895			
L6	£50,122	DHT 5 pt scale within this band	DHT 5 pt scale within this band	DHT 5 pt scale within this band
L7	£51,470			
L8	£52,659			
L9	£53,973			
L10	£55,360			
L11	£56,796			
L12	£58,105			
L13	£59,558	HT 6 pt scale 1 point above the top of DHT	HT 6 pt scale within the band 1 point above the top of DHT	HT 6 pt scale within the band 1 point above the top of DHT
L14	£61,042			
L15	£62,561			
L16	£64,225			
L17	£65,699			
L18	£67,351			
L19	£69,022			
L20	£70,733			
L21	£72,483			
L22	£74,283			
L23	£76,122			
L24	£78,010			
L25	£79,949			
L26	£81,927			
L27	£83,956			

*\*Each year cost of living/ inflationary rises will be added to the leadership scale in accordance with Teachers Pay and Conditions.*

Incremental pay rises will be awarded following successful appraisal outcomes, within the pay range.

### Allowances

Headteachers will determine the range within the individual Academy in accordance with the agreed protocols set out in this policy.

### TLR

	<i>Minimum</i>	<i>Maximum</i>
TLR1 Range	8,706	14,732
TLR2 Range	3,017	7,368
TLR3 Range	600	2,975

**SEN Allowance**

	Minimum	Maximum
Range	2,384	4,703

**Pay Progression**

The EKC Schools Trust will review the pay framework for teachers with effect from 1<sup>st</sup> September annually to reflect with the provisions of the STPCD.

The EKC Schools Trust will increase the minimum and maximum pay values of each pay range in line with any uplift to the values stated in the STPCD.

Any teacher paid the minimum of the pay range will progress to the new minimum value.

A consolidated award of £250 is awarded to all teachers whose full-time equivalent basic earnings are less than £24,000.

Any teacher paid the maximum of the pay range may progress to the new maximum subject to meeting the school's criteria for pay progression.

The EKC Schools Trust will determine annually the rate of pay progression between the minimum and maximum values.

Where the teacher is eligible for a pay review and evidence of performance meets the school's criteria for pay progression as set out in this policy, the Employee will progress as follows:

The value of the increase will be determined annually.

The EKC Schools Trust will determine annually the percentage increase to be applied to each of the contribution levels.

TLR / SEN Allowances – the Academy will consider annually the increase to be applied to any allowances in payment.

The Headteacher will be able to allocate (or recommend to the Pay Committee in the case of staff on the leadership scale) an honorarium of between £50 and £1000 as a one off payment to reward exceptional performance.

### **Appendix 3: Pay Progression Criteria for Teachers**

#### **Main Pay Range**

In EKC Schools Trust the following criteria will be considered when assessing whether pay progression will be awarded to a Teacher paid on the Main Pay Range:

- The Teacher must have been successful in achieving their appraisal objectives
- The Teacher must be able to demonstrate sound evidence of consistently good teaching, learning and assessment practice throughout the assessment period
- The Teacher must be able to evidence that they have met the Teachers Standards throughout the assessment period

#### **Upper Pay Range**

In this School the following criteria will be considered when assessing whether pay progression should be awarded to a Teacher paid on the Upper Pay Range:

- The Teacher must have been successful in achieving their appraisal objectives
- The Teacher must be able to demonstrate sound evidence of consistently outstanding teaching, learning and assessment practice throughout the assessment period.
- The Teacher must be able to evidence that they are highly competent in the Teachers Standards throughout the assessment period – demonstrating an increasing breadth and depth of knowledge, skill, understanding and application
- The Teacher must demonstrate evidence that they have continued to meet the criteria for moving to the Upper Pay Range and they have further developed their practice
- The Teacher must be able to demonstrate that they are continuously developing as a practitioner and effectively supporting colleagues in developing their practice
- The Teacher must evidence they are providing a significant wider contribution to the Academy.

#### **Unqualified Pay Range**

In this School the following criteria will be considered when assessing whether pay progression should be awarded to a Teacher on the Unqualified Pay Range:

- Good progress towards their appraisal objectives
- Development of the effectiveness and impact of their teaching practice
- An increasing positive impact on outcomes for students
- An increasing contribution to the work of the school

#### **Sources of Evidence**

*Schools may wish to set out examples of the range of evidence which may be considered*

- Assessment against Appraisal Objectives
- Assessment against Teachers Standards
- Classroom Observations
- Self-Assessment & Peer Review
- Relevant Pupil Progress Data

#### **Appendix 4: Criteria for Progression to the Upper Pay Range**

To progress to the Upper Pay Range a Teacher must meet the following criteria:

- highly competent in all elements of the professional standards
- their achievements and contributions to the Academy are substantial and sustained
- Providing a significant and wider contribution to the Academy.

In the EKC Schools Trust, this is interpreted as follows:

##### **Highly Competent**

- The Teacher demonstrates consistently outstanding teaching and learning
- The Teacher evidences an excellent depth and breadth of knowledge, skill, understanding and application of the Teachers standards
- The Teacher contributes to the professional development of colleagues through coaching / mentoring, demonstrating effective practice and providing advice, guidance and feedback. The Teacher continually develops their practice through effective application of professional development activities

##### **Substantial**

- The Teacher plays a critical role in the life of the Academy outside of their classroom
- The Teacher is making a significant wider contribution to Academy improvement and pupil outcomes outside of their class
- The Teacher makes a significant contribution to policy and practice which has improved teaching and learning across the Academy
- The teacher makes a significant contribution to the ethos and community of the Academy outside of classroom practice.

##### **Sustained**

- The Teacher's performance levels should be sustained over a two year period as evidenced in the two previous appraisal reports

##### **Sources of Evidence**

- Assessment against Appraisal Objectives
- Assessment against Teachers Standards
- Classroom Observations, monitoring of pupils' work, learning environment
- Self-Assessment & Peer Review
- Relevant Pupil Progress Data
- Impact on teaching, learning and outcomes of staff the Teacher has supported
- Evidence of wider contribution to the Academy's community
- Attendance of class
- Parent and pupil voice.



## **Appendix 5: Pay Progression Criteria for Leadership Teachers**

### **Headteacher**

The following criteria will be considered when assessing whether pay progression should be awarded to the Headteacher:

- The Headteacher must have met their appraisal objectives
- The Headteacher must be able to evidence that they are highly competent in the Teachers' Standards to a level consistent with their Leadership responsibilities
- The Headteacher must be able to demonstrate sustained high-quality performance with particular regard to strategic Leadership and management practice and their positive impact on whole Academy standards, pupil progress and outcomes.

### **Leadership Teachers**

In this Trust the following criteria will be considered when assessing whether pay progression should be awarded to a Leadership teacher, other than the Headteacher:

- The Leadership Teacher must have met their appraisal objectives
- The Leadership Teacher must be able to evidence that they are highly competent in the Teachers' Standards to a level consistent with their Leadership responsibilities
- The Leadership Teacher must be able to demonstrate sustained high-quality performance with particular regard to strategic Leadership and management practice and their positive impact on whole Academy standards, pupil progress and outcomes or operational areas in the school for which they have responsibility.

### **Sources of Evidence**

- Assessment against Appraisal Objectives
- Assessment against relevant standards – e.g. Ofsted Inspections
- SIP / SEF
- Relevant Pupil Progress Data
- Self-Assessment
- External moderation and reviews
- Feedback from CEO visits

**Appendix 6: Pay Framework for Support Staff**

<b>Trust Pay Range</b>		
<b>KR Grade</b>	<b>Minimum (£)</b>	<b>Maximum (£)</b>
TR15	68,074	77,009
TR14	60,131	67,735
TR13	53,662	59,832
TR12	45,817	53,395
TR11	39,812	45,589
TR10	33,678	39,613
TR9	29,446	33,510
TR8	25,692	29,299
TR7	22,581	25,564
TR6	20,585	22,469
TR5	19,335	20,483
TR4	18,346	19,239
TR3	18,327	18,327
TR2	National Minimum Wage (under 23s)	
TR1	National Apprenticeship rates	

*\*These are national rates updated each April*

From **1<sup>st</sup> September 2022** where a member of support staff is eligible for a pay review and evidence of performance meets the school's criteria for pay progression as set out in this policy; the Employee will progress as follows:

<b>TCP Contribution Level</b>	<b>% Pay Increase</b>
Performance Improvement Required	0%
Successful: Performance meets expectations all of the time	1%
Excellent: Performance exceeds expectations some of the time	2%
Outstanding: Performance exceeds expectations most of the time	3%

**Appendix 7: Pay progression Criteria for Support Staff**

<b><i>Contribution Level</i></b>	<b><i>Summary of Definition</i></b>
<b><i>Not Assessed</i></b>	<p>Assessment was not made because of</p> <ul style="list-style-type: none"> <li>• the employee’s performance is being monitored and reviewed within the school’s formal capability procedure or</li> <li>• there is insufficient evidence of performance and the TCP assessment will be deferred</li> </ul>
<b><i>Performance Improvement Required</i></b>	<p>Employee did not achieve the standards expected in the job. This may be due to one or a combination of:</p> <ul style="list-style-type: none"> <li>• one or more performance management objectives not being met without adequate explanation</li> <li>• evidence of behaviour or conduct contrary to that expected in the role</li> <li>• a less than satisfactory attendance or punctuality record compared to the normal standards across the school</li> <li>• overall standards of performance in the job are less than expected</li> </ul>
<b><i>Successful - Performance meets expectations all of the time</i></b>	<p>The Employee has achieved all the performance objectives or if this is not the case there is an understandable and acceptable reason for this.</p> <p>Additionally, performance generally is consistently sound across all key areas of the role and the behaviours demonstrated by the Employee are consistently positive.</p> <p>In common terms an Employee with this assessment would be regarded as sound, positive, reliable and doing a ‘good job’ all round and there will be a range of evidence to substantiate this.</p>
<b><i>Excellent: Performance exceeds expectations some of the time</i></b>	<p>Employees at this level will be those whose performance clearly stands out as above the norm. Their work will be seen to be consistently of a high calibre with a sense of pride in the quality of their work. Performance objectives will have been met and exceeded in some way unless the objectives were regarded as ‘stretch’ targets or particularly challenging in some way.</p> <p>There will be evidence of using own initiative and taking personal responsibility to seek out new tasks or responsibilities that are desirable, appropriate and have a positive impact on children and/or colleagues.</p>

	<p>Typically attendance would be expected to be very high.</p> <p>The Employee will also consistently demonstrate very positive behaviours towards their work, children and colleagues with clear evidence of effective outcomes.</p>
<p><b><i>Outstanding: Performance exceeds expectations most of the time</i></b></p>	<p>Performance objectives will be delivered to an exceptionally high standard. The quality of work throughout the year will be regarded as first class and impressive in terms of what is achieved and how it is delivered.</p> <p>Employees at this level will be regarded by others as 'exceptional' in their role and they demonstrate exceptionally positive behaviours towards children, parents (if appropriate to role) and colleagues.</p> <p>There will be clear evidence of often going the 'extra mile', of doing things over and above expectation on a regular basis and constantly demonstrating behaviours consistent with the values, principles and ethos of this school.</p>

#### Sources of Evidence

*Guidance Note: Schools may wish to set out examples of the range of evidence which may be considered*

- Appraisal Objectives
- Lesson Observations (where relevant)
- Training / CPD Records

## **Appendix 8: Pay Appeals**

Prior to making an appeal an Employee is encouraged to speak informally to their appraiser / Headteacher about any concerns they have about their pay recommendation which has been made.

An Employee may register a formal appeal against a decision regarding their pay. Appeals should be made in writing to the Headteacher / Chair of the Pay Committee within 10 working days of receipt of written confirmation of the pay decision.

An appeal may be made on the following grounds – The Academy has:

- incorrectly applied the Trust Pay Policy
- incorrectly applied any provision of the national or local terms and conditions of service
- failed to have proper regard for statutory guidance
- failed to take proper account of relevant evidence
- taken account of irrelevant or inaccurate evidence
- failed to act objectively or fairly in making the pay assessment

The letter of appeal should include full details of the reasons why the Employee is making an appeal on the stated grounds.

The Employee must submit to the Chair of the Appeal Committee any documentation in support of their appeal together with a summary of their case at least five working days prior to the Appeal Hearing.

Appeals will be considered by a panel of one or more governors and the CEO within 20 working days of the receipt of the appeal.

The role of the panel is to review the original pay decision on the basis of the grounds of appeal presented by the Employee.

The outcome may be to:

- To uphold the original pay decision
- To uphold the Employee's appeal
- To refer the matter for reassessment by the Headteacher / Pay Committee who made the original decision or to seek the advice of an additional independent advisor

The Employee will be advised of the outcome of the appeal hearing, including reasons for the decision, usually within 5 working days of the Committee's decision being made. There is no further right of appeal.

The Employee is entitled to be accompanied at the Appeal Hearing by a workplace colleague or trade union / professional association representative. A postponement of up to 5 working days may be requested to allow the Employee's trade union or workplace colleague of choice to attend.

### **Procedure for an Appeal Meeting**

- The chair of the appeal panel will introduce those present and their roles, explain the case to be considered, the procedure to be followed and the format of the meeting.

- The Employee or their representative shall put the case in support of the grounds for appeal. This may include referring to written submissions and evidence. The Academy's representative and panel and their respective advisors may ask questions of the Employee and their representative.
- The Academy's representative (Headteacher / Chair of the Pay Committee) presents the case for upholding the original pay decision and refers to written documentation. The Employee, their representative and the panel may ask questions of the Academy's representative.
- The panel will invite both parties to sum up their cases, with the Employee or their representative having the final word. The hearing will then be adjourned whilst the panel deliberates over the evidence.
- Adjournments may be requested by both parties or by the panel during the appeal hearing. If new evidence is presented the appeal may need to be adjourned while this is investigated.
- The appeal hearing will then be adjourned whilst the panel deliberates over the evidence. If further clarity is required both parties may be recalled and the hearing reconvened so that all parties may hear any additional evidence.
- The appeal hearing is reconvened and the outcome is communicated verbally to the Employee. This should also be confirmed in writing. On occasion it may not be possible for the panel to reach a decision on the day of the hearing in which case the panel will reconvene at the earliest opportunity to make a decision and the outcome communicated in writing within 5 working days of the decision being made.

### **Appendix 9: Recruitment of Senior Post Holders to the Central Trust Team**

In the event a new Executive or Senior Post Holder is recruited to the Central Trust Team the following process will be followed:

- Trustees will be informed that a new appointment will need to be made.
- For all posts other than the CEO, the CEO will design and approve a Job Description and Person Specification for the role. For the appointment of a CEO, Trustees will agree a Job Description and Person Specification for the role
- Benchmarking will be carried out to ensure an appropriate salary / pay range for the post in line with similar roles nationally
- A recruitment panel will be arranged. For the CEO this will be made up of no less than three Trustees and appointed in agreement with the Full Trust Board. For roles other than the CEO, the panel will be made up of the CEO, one other Senior Leader at Trust level and at least one Trustee
- Adverts will be posted nationally for all Senior Leader positions
- Trustees, Local Governors and Headteachers will be informed of the recruitment process
- A full interview and recruitment process will be held, following all Safer Recruitment practices
- Any offer made for a CEO appointment will be subject to ratification by the Full Trust Board. Panel members will arrange an extraordinary meeting directly following the recruitment process and recommend the appointment for ratification to the full Trust Board
- Any offer made by the panel for roles other than the CEO will be made on the full support of the panel. Trustees will be informed of the appointment at the next Full Board meeting