

Policy for:	Pay Policy
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1. Introduction

The Directors of Eastern Multi-Academy Trust recognise that pay is of considerable importance in attracting and retaining staff. Pay will influence relationships at work and, if pay is to be a positive rather than negative force, it is important to secure as much agreement as possible about its aims and to reduce the amount of misunderstanding that surrounds it.

The purpose of this pay policy is to set out the way in which the Trust will assess the salary of a new member of staff (whether full or part time) on appointment, and the process by which salaries of all staff will be reviewed. The policy does not seek to address every situation covered, for example, by the School Teachers' Pay and Conditions Document, and the Trust reserves its right as the 'relevant' body to exercise its responsibilities in accordance with other pay and conditions issues not covered by this document.

The Trust's HR and Performance Management Committee is the body responsible for the review of all recommendations in relation to pay awards/reviews and the Board then ratifies those decisions.

2. Pay Scales

The Trust operates pay scales for support, teaching and leadership staff which are published. These are in line with the national pay scales. The only exceptions are staff on management contracts who are on fixed points which are reviewed annually. These staff tend to be Principals and senior posts within the Trust itself.

3. Annual Determination of Pay

All staff salaries will be reviewed annually for cost of living rises from:

- 1 September for all teaching staff and staff on leadership scales
- 1 April for a support staff
- 1 September for those on management contracts

In each case, the Trust has determined that it will follow, wherever possible, the national recommendations on pay. Where flexibilities exist within the recommendations, the Trust will determine and publish its own position.

4. Progression

Automatic progression will occur, where appropriate, within the relevant scale on

- 1 September for teaching staff – excluding those wishing to move to, or up, UPS

- 1 September for leadership staff
- 1 July for support staff

Staff who are subject to formal support and monitoring or formal capability procedures at the incremental date will not be eligible for incremental progression.

Whilst staff on management contracts usually do not have incremental progression, any pay review other than the cost of living award would take effect from 1 September. Should incremental progression be available to staff in senior post holder positions, that progression will remain subject to meeting objectives set under the appraisal process.

5. In year or interim review

There may be circumstances when a salary review is necessary outside of the normal recruitment, incremental and cost of living dates. These could occur in the following circumstances (which are not exhaustive)

- Significant change in the responsibilities or scope of the role
- Significant change in the market situation affecting retention

Any proposals will go through the normal processes for authorisation as set out in the relevant section.

6. Staffing budget

The budget for each Academy and its staffing will be determined annually at the beginning of each financial year and will take into account normal pay progression. Any proposal to change the staffing structure at this point or at any other time, will not be implemented without the prior approval of the Trust via the appropriate committees.

7. Relationship with the Trust Development Plan

The Trust will ensure that any pay related decisions support and reflect the overall objectives identified in the Trust Development Plan and any individual academy's development plans and OFSTED Action Plans. Wherever possible, career progression and staff development will be taken into account.

8. Pensions

The Trust will not promote staff through the grading systems or use any other pay flexibilities to assist in securing an employee's improved pension entitlement on retirement. The Trust recognises that, were this to be done, the DfE and local authority may use their powers to substitute a notional salary or calculation of pension. The definition of pensionable pay is determined by the provisions of either the Teachers' Pension Scheme or the Local Government Pension Scheme.

9. Safeguarding/Salary protection

Where circumstances require a period of safeguarding or salary protection, due to a restructure, TUPE or other processes, the Trust will comply with the relevant provisions of the STPCD or support staff terms and conditions of employment. Should this apply to senior post holders, they will receive the same protection as under the STPCD. The Trust will give the required notification as soon as possible

after the event. During any period of safeguarding or salary protection, staff will be expected to undertake commensurate work.

10. Appeals

The appeals procedure in relation to pay decisions for all staff is set out in the Appendices.

11. Equalities

The Trust will ensure that its processes are open, transparent and fair. All decisions will be objectively justified. Adjustments will be made to take account of special circumstances eg an absence on maternity or long term sick leave. The exact adjustments will be made on a case by case basis, depending on the individual circumstances and the Trust's circumstances.

For avoidance of doubt, all part time will be treated no less favourably than full time staff under this Policy.

In the implementation of this policy the Trust recognises its responsibilities to comply with the following legislation:

- Equality Act 2010
- Equal Pay Act 2010
- Employment Relations Act 2004
- Employment Rights Act 1996
- Employment Relations Act 1999
- Part Time Workers (Prevention of Unfavourable Treatment) Regulations 2000
- Fixed Term Employees (Prevention of Unfavourable Treatment) Regulations 2002
- Employment Act 2008.

12. Consultation arrangements

To ensure that meaningful consultation can take place in establishing and reviewing the Trust's pay policy, the Trust will consult with the recognised unions prior to determining the approved policy. A copy of the pay policy will be made available to every member of staff.

13. Monitoring

The Trust will monitor the outcomes and impact of this policy on a regular basis annually to assess its effect and the Trust's continued compliance with equalities legislation.

TEACHING AND LEADERSHIP STAFF

1. Unqualified teachers

The Trust has determined that it will employ unqualified teachers on its establishment. Where this occurs, there will be a qualified teacher/leader working with them. The salaries of unqualified teaching staff will be assessed:

- upon appointment to the Trust
- annually to take effect from 1 September

1.1 Appointment

The Trust will determine a starting salary for each unqualified teacher within the pay range for unqualified teachers. On appointment, the Trust has decided that points on this pay scale will be awarded as follows:

- one point for a recognised overseas teaching qualification, or for a recognised post -16 teaching qualification, or for a recognised qualification relevant to their subject area
- one point on the scale for each year's school teaching as an overseas trained teacher, or teaching in higher / further education.

In certain specific circumstances, the Trust may exercise its discretion to pay an additional allowance to a post paid on the unqualified teachers' pay range which, at the maximum, will not exceed in total the pay a qualified teacher would have received in the same post.

1.2 Salary progression

Where a teacher is appointed below the maximum point of the unqualified teachers' pay range, pay progression (with effect from 1 September each year) will be considered as follows.

Automatic incremental progression will occur on the 1 September in each year unless there are significant concerns regarding performance leading to formal monitoring and support or capability procedures.

No incremental progression will occur unless the employee has been employed for at least 6 months and has received favourable probationary reviews. If performance during the probationary period is causing significant concern the employee must be made aware using the normal process and be advised that there will be no incremental progression at that point.

Progression onto the main pay scale will be determined when the teacher becomes qualified. At that time, they will transfer to the nearest appropriate point on the main pay scale whilst ensuring there is no loss of salary.

2. Qualified teachers

The salaries of teaching staff will be assessed:

- annually to take effect from 1st September
- Or
- upon appointment to the Trust
- Or
- at any other time provided for in the School Teachers' Pay and Condition Document.

2.1 Main pay range

The Trust has decided to adopt a main pay scale that consists of the minimum and maximum values of the main pay range plus four further reference points as set out on the Trust's Scale, hereafter referred to as 'Trust Scale'.

On appointment, the Trust has decided that points on this pay scale will be awarded as follows:

- qualified teachers will commence on at least the minimum point of the Trust pay scale.
- further points (subject to a maximum of one point per year) **may** be awarded for each year of qualifying employment as defined by the School Teachers Pay and Conditions' Document including service in state schools in the EEA outside of England and Wales (such as Scotland) on their return to England and Wales.
- And further points (subject to a maximum of one point per year) **may** be awarded in respect of other relevant experience, if considered appropriate. This may include teaching in a City Academy, City Technology College, independent school, sixth form college, or higher or further education establishment.
- additional points (subject to a maximum of one point for every three years) **may** be awarded for service as a qualified teacher in an overseas school outside of the EEA in the maintained sector of the country concerned, or outside teaching but working in a relevant area (including industrial or commercial training, or time spent in an occupation relevant to the teacher's work at the school)
- points awarded on appointment will be awarded on a permanent basis while employed by the Trust.
- the Trust will honour the previous salaries of teachers from their last school where they have been paid on the Main Pay Scale or Upper Pay Scale or direct equivalent scales, such as the Trust Scale.
- there will be no provision for the portability of allowances or responsibility payments from any previous employer.
- where a teacher has been paid a salary not equivalent to the points of the Trust Scale, the Trust will offer a salary at the nearest equivalent point on the scale, whilst ensuring that this does not represent a decrease in overall salary excluding any allowances.
- where a teacher has been paid above the Trust scale as a teacher, the Trust may consider whether a candidate is suitable for a post on the Lead Practitioner scale, but must be satisfied that there is a need for such a post and that other employees have an opportunity to apply for it also. Alternatively, the Trust may consider the use of temporary recruitment allowances to attract candidates who have previously been paid on higher scales and who would not otherwise consider accepting a post with the Trust.
- whilst the Trust respects the principle of pay portability, should a teacher be absent from the profession for five or more years, and should such a teacher have been paid on the Upper Pay Range prior to their absence, the Trust reserves the right to begin the teacher's employment on the highest point of the Main Pay Range until there has been sufficient opportunity to

assess whether the teacher's performance still merits access to the Upper Pay Range of the scale.

2.2 Salary progression on the main pay scale

All teachers will be eligible for automatic progression on 1 September in each year unless:-

- they are subject to formal monitoring and support
- they are subject to formal capability procedures
- they have not been in post for more than 6 months at the increment date. If performance during the probationary period is causing significant concern the employee must be made aware using the normal process and be advised that there will be no incremental progression at that point.

Teachers shall be eligible for pay increases as follows:

- one point increase should all Teacher Standards and performance criteria be met or exceeded
- two point increase in exceptional circumstances, should the teacher make exceptional progress against all elements of the Teacher Standards and other performance criteria

A case would be made by the Principal in conjunction with the Regional/Director of Education to support a two point increase where exceptional performance has occurred over the last twelve months. This will be reviewed by the Trust's Director of HR in conjunction with the relevant Director of Education. A written outcome will be provided to the individual and Principal if approved or otherwise along with the ability to appeal.

3. Short notice / Supply teachers

Teachers who work on a day to day or other short notice basis and who are employed directly by a Trust academy to do so, must be paid in accordance with the statutory pay arrangements in the same way as other teachers. On a daily basis, such teachers will have their pay assessed as an annual amount, divided by one hundred and ninety five and multiplied by the number of days worked. The maximum number of hours that a supply teacher can be paid for on any one day is six and a half.

Teachers who work less than a full day will be hourly paid and also have their salary calculated as an annual amount which will then be divided to arrive at the hourly rate.

This ensures that Teachers who work on this basis have their entitlement to holiday pay incorporated into their hourly rate. No further payments will therefore be made for holiday periods.

The working arrangements will be confirmed with the supply teacher before the placement is undertaken.

Supply teachers contracted via an agency are paid by their employer and their terms and conditions are a matter for the individual and the agency employing them.

4.1 Upper pay range

The Trust has decided to adopt an upper pay scale that consists of the minimum and maximum values of the upper pay range plus one further reference point as set out on the Trust's pay scale.

4.2 Application process to the upper pay scale

A qualified teacher may apply once in any school year, by the deadline of 30 September, to the Trust for assessment to access the upper pay range using the Trust application form and providing additional supporting evidence. Applicants should have been at point 5 or higher of the main pay range for one year before making an application. The Trust has decided to delegate the receipt and assessment of any applications to the Principal of each academy with their Regional Director or Director of Education. They will recommend to the Trust agreement or otherwise.

Details of the application procedure, criteria and how it relates to the Appraisal process is to be found in the Appraisal Policy, together with the criteria for recommending the move to UPS.

Where the teacher's application is successful, they will be placed on the lowest point of the upper pay range from 1 September of the academic year in which the application was made.

4.3 Salary progression on the upper pay scale

For teachers on the Upper Pay Scale, an application may be made to move to the second and then the third and highest point on the scale **every two years**.

Further details on the procedure for applying to move up the Upper Pay Spine and the criteria for recommending the move can be found in the Appraisal Policy. The Teacher will have to provide evidence that they are meeting or exceeding Teacher Standards and meet the criteria for UPS set out in the Appraisal Policy.

5. Discretionary allowances and payments

5.1 Teaching and learning responsibility payments (TLRs)

Within the Trust, TLRs will be awarded to the posts indicated in each academy's staffing structure.

Such classroom teachers will be undertaking duties that include significant responsibilities that:

- focus on teaching and learning
- require the exercise of a teacher's professional skills and judgement
- require the teacher to lead, manage and develop a subject or curriculum area, or to lead and manage pupil development across the curriculum
- has an impact on the educational progress of pupils other than the teacher's assigned classes or groups of pupils
- involve leading, developing and enhancing the teaching practice of other staff.

Where a TLR1 is awarded, the teacher will have line management responsibility for a significant number of people. TLR2's will be awarded dependent upon the responsibility.

In addition, the Trust may exercise its discretion to award a TLR3 for specific, time limited school improvement projects or a one off, externally driven responsibility. The value, duration and the specific responsibilities of any TLR3 awarded will be made clear, in writing, at the outset of any arrangement in accordance with the School Teachers Pay and Conditions Document. The Trust notes that, in respect of TLR3 payments, safeguarding arrangements will not apply when the arrangements cease.

5.2 Special educational needs allowance (SEN)

An SEN allowance, in accordance with the School Teachers' Pay and Conditions Document, will be awarded by the Trust to any teacher meeting the criteria set out below:

- is employed in a special school
- is in an SEN post that requires a mandatory SEN qualification
- teaches pupils in one or more designated special classes or units in a school
- is in any non-designated setting (including any PRU) that is equivalent to a designated special class or unit where the post:
 - (i) involves a substantial element of working directly with children with special educational needs: **and**
 - (ii) requires the exercise of their professional skills and judgement in the teaching of children with special educational needs: **and**
 - (iii) has a greater level of involvement in the teaching of children with special educational needs than is the normal requirement of teachers throughout the school or unit.

The Trust will determine the spot value of the allowance for each relevant teacher taking into consideration the structure of the SEN provision and the following factors:

- whether any mandatory qualifications are required for the post
- the qualifications and expertise of the teacher relevant to the post, **and**
- the relative demands of the post.

6. Part time teachers

The proportion of time a part time teacher works is calculated against the school's timetabled teaching week (STTW). The STTW refers to the school session hours that are timetabled for teaching, including PPA time and other non-contact time but excluding where these are not part of the duties:

- break times
- registration, and
- assemblies.

7. Leading practitioners

Where the Trust decides to appoint leading practitioners, whose job purpose must contain taking a leadership role in developing, implementing and evaluating policies and practices that contribute to academy improvement, the relevant staff will be subject to the standards set out in the School Teachers' Pay and Conditions Document.

The Trust shall consider the need for leading practitioner posts within its scheduled reviews of the staffing structure for each academy. The Trust shall also consider the creation of central Leading Practitioner posts for cross-trust work according to need at any time.

Each leading practitioner will be paid on an individual pay range within the pay range for leading practitioners.

The Trust has decided to adopt a pay range for leading practitioners using reference points as set out on the Trust's pay scale. Each leading practitioner will be appointed on an individual pay range consisting of five points on the Trust's pay range for leading practitioners.

The Trust notes that, whilst the introduction of the option to appoint a leading practitioner coincides with the ending of the provisions to appoint excellent teachers (ET's) and advanced skills teachers (AST's):

- it will be for the Trust to determine whether to establish such a post, or posts, as part of the Trust's or any individual academy's staffing structure.

When determining the appropriate five point range, the Trust will have regard in particular, but not exclusively, to the following criteria:

- the nature of the work to be undertaken
- the degree of challenge of the role
- the professional competencies of the teacher
- any other recruitment considerations that it considers relevant.

The salary of a newly appointed leading practitioner shall be that corresponding to the lowest point of the five point range.

All leading practitioners will be eligible for automatic progression on 1 September in each year unless:-

- they are subject to formal monitoring and support
- they are subject to formal capability procedures
- they have not been in post for more than 6 months at the increment date. If performance during the probationary period is causing significant concern the employee must be made aware using the normal process and be advised that there will be no incremental progression at that point.

The Trust may decide to award movement up the pay range by two reference points if a case is put forward by the Principal and supported by the Regional/Director of Education identifying and evidencing exceptional performance over the preceding 12 months. This will be reviewed by the Trust's Director of HR with the relevant Director of Education. A written response will be given and if not awarded will set out the reasons why and the appeal mechanism.

Movement up the pay range will not exceed the equivalent of two reference points in any academic year.

8. Additional payments to teachers

The Trust may exercise its discretion to award additional payments to teachers (including the Principal) as follows:

8.1 Continuous professional development outside of normal school hours:

The Trust has chosen not to exercise its discretion to award additional payments for continuous professional development outside of normal school hours, unless part-time staff are invited by an

academy to attend training in addition to their normal directed hours and on a non-contracted day, in which case payment can be made on a pro-rata basis.

8.2 Activities relating to the provision of initial teacher training:

The Trust has chosen not to exercise its discretion to award additional payments in respect of the provision of initial teacher training.

8.3 Participation in out of school hours learning activities:

The Trust has chosen to exercise its discretion to award additional payments for participation in out of school learning activities where these are substantial and involve regular residential and overnight work, including weekends, for instance, Duke of Edinburgh Award. Such payments will be by individual arrangement with the Academy Principal and will only be paid if arranged and confirmed in advance of the additional work.

8.4 Acting allowances

Where a teacher is assigned and carries out the duties of a Principal, Vice Principal, or Assistant Principal but has not been appointed in an acting capacity, the Trust shall, within four weeks, determine whether or not an allowance should be paid in accordance with the provisions of the School Teachers' Pay and Conditions Document.

8.5 Recruitment and retention incentives and benefits

Exceptionally, the Trust may, as an incentive for the recruitment of new teachers and / or the retention of existing teachers, make payments or provide other financial support and benefits as it considers necessary. Where these payments are to be of a limited duration, the Trust will specify at the outset how long the payments will last. All other payments will be reviewed on an annual basis after which they may be withdrawn.

9. Residential duties

Where teaching staff work in residential establishments, the Trust will ensure that arrangements are made so that they receive such eligible payments as set by the Joint National Council for Teachers in Residential Establishments.

10. Leadership Group

Members of the Leadership Group, with the exception of Academy Principals, are paid on the pay spine for the Leadership Group. Salaries for members of this group will be assessed:

- annually, to take effect from 1 September
- upon appointment to the Trust
- upon any change to the role necessitating a review of the scale
- at any other time provided for within the School Teachers' Pay and Conditions Document

10.1 Deputy Principals, Vice Principals and Assistant Principals

The Trust will select a pay range for each Deputy Principal/Vice Principal/Assistant Principal consisting of five consecutive points on the pay spine for the Leadership Group.

When determining each Deputy Principal's/Vice Principal's/Assistant Principal's pay range the Trust will base this on the circumstances and responsibilities of the post and will take account of any difficulties there may be in recruiting and retaining a Deputy Principal, Vice Principal or an Assistant Principal.

The maximum of the pay range for a Deputy/Vice Principal must be below the starting salary for the Principal and the minimum of the range for any Deputy/Vice Principal must be higher than the salary of the highest paid classroom teacher, with teaching and learning responsibility payments.

The maximum of the pay range for an Assistant Principal must be at least one point lower than the maximum of the range for any Principal and the minimum of the range for any Assistant Principal must be higher than the salary of the highest paid classroom teacher, with teaching and learning responsibility payments.

Other than when it is necessary to move the Deputy Principal / Vice Principal / Assistant Principal up the pay scale to ensure the salary equals the minimum of his/her pay range, the Deputy Principal / Vice Principal / Assistant Principal's salary will not be increased by more than two points in the course of the academic year. One point may be awarded for sustained high quality performance. In rare circumstances, two points may be awarded for exceptional performance. A case must be made for this in line with those requirements set out for teachers.

Such points awarded will be effective from 1 September each year. Where a higher Deputy Principal / Vice Principal/ Assistant Principal range is set, any performance points for the previous year will be granted on the basis of the lower pay range before the Deputy Principal's / Vice Principal's / Assistant Principal's pay is assimilated onto the higher range.

Automatic progression will occur on 1 September in each year unless:-

- they are subject to formal monitoring and support
- they are subject to formal capability procedures
- they have been in post for less than 6 months at the increment date. If performance during the probationary period is causing significant concern the employee must be made aware using the normal process and be advised that there will be no incremental progression at that point.

10.2 Heads of School

Heads of School may be appointed where there is an Executive Principal in place over more than one Academy. Heads of School will be appointed to a fixed salary point above the top salary for teachers with an allowance.

There will be annual review of salary by the Trust Board on 1 September each year in line with the cost of living rise for teachers and leaders.

TRUST SENIOR POSTHOLDERS

1. Board appointments

The Trust Board of Directors are responsible for the determination of the terms and conditions including pay for

- the Chief Executive Officer
- Academy Principals
- Central Trust senior staff such as Directors

1.1 Recruitment Processes

The Board will determine the salaries of the Chief Executive Officer, Principals and Directors through an assessment based on the following factors:

- the nature of the post
- the level of qualifications, skills and experience required
- market conditions
- there is no assumption that any individual will be paid at the same rate as they were being paid by a previous employer

These posts are not subject to the School Teachers Pay and Conditions Document, as they work under separate and individual contractual arrangements.

1.2 Pay and Performance Appraisal

In accordance with its Appraisal Policy, the Chair of the Trust will seek to agree the performance objectives annually with the **Chief Executive Officer**.

In turn, the Chief Executive Officer will agree the performance objectives annually with each **Director**. They, in turn will agree the performance objectives annually with each **Academy Principal** or central Trust senior members of staff. All senior postholders will be paid on a 'spot salary' on commencing employment unless they join under TUPE and are protected.

Where senior postholders are on a scale, they must reach their performance objectives in line with the appraisal process each year in order to progress on the scale annually on 1 September until they reach the top of their scale. No progression will be allowed if they do not reach their objectives or are on formal monitoring and support or capability procedures. At this point they are removed from the Performance Appraisal cycle. At the point they come out of formal monitoring support or capability having reached the required standards they will return to the normal performance appraisal processes.

Salaries and any appropriate progression will be reviewed annually by the HR and Performance Management Committee of the Trust. No review of salary or award of cost of living rise for spot salaries will occur unless the postholder has been in post for a minimum of 3 months.

2. Future roles

As the Trust grows there will be a requirement for more roles which have an impact across more than one academy.

The pay arrangements for such postholders will be determined on a case by case basis following a job evaluation. This job evaluation will seek to match a central postholder's salary to that of a post of equivalent responsibility and/or management of a number of employees within an academy, to ensure consistency wherever possible. It will also look at similar roles in other relevant organisations.

Most posts will be paid on a spot salary, annually reviewable by the Performance Management Committee. Where existing staff on the leadership group of an academy are redeployed to a central trust role it is likely that they would remain on the leadership spine.

SUPPORT STAFF

1. Initial determination of pay

The Trust will determine the pay grade for each post prior to advertisement with due reference to the job description and person specification. This determination will take into account:

- The Trust pay scales in force for support staff
- The appropriate grading determined under the job evaluation processes by County
- Similar roles across the Trust
- Where similar roles do not exist, the general duties/responsibility levels under JE and consideration of similar roles outside the Trust/market values

2. Salary on appointment

Appointment will be to the lower point of the scale in each case unless there is a significant reason to increase this. Such reasons could be significant experience in the same/very similar role or in order to appoint a high calibre candidate who has been paid at a higher level previously.

3. Pay progression

- 3.1 Automatic incremental progression by one point will occur each 1 July unless the individual is subject to formal monitoring or support or formal capability procedures when they will not be eligible for pay progression
- 3.2 Where performance has been assessed as exceptional, an additional point may be award where there is scope within the pay grade upon the submission and agreement of a special case
- 3.3 Progression is not possible within the probationary period but automatic progression will occur on the next incremental date.

4. Acting-up payments and honoraria

- 4.1 In specific circumstances the Trust may consider an acting-up payment or an honorarium.
- 4.2 An acting-up payment may be appropriate where an employee takes on the full duties of a more senior post for a substantial period (usually 6 weeks or more) in the absence of the post holder or where there is a vacancy pending recruitment. Where there is an acting-up payment agreed, it will be no less than the minimum point of the salary for the relevant post, and at least one incremental point higher than their substantive salary.
- 4.3 Honoraria may be appropriate where an employee takes on additional duties of a higher paid post for a temporary period (for whatever reason), but not the full duties. Where an honorarium payment is agreed, the Trust will determine the payment with regard to the amount of higher level duties undertaken. Honoraria will normally be paid as a lump sum retrospectively.

5. Regrading

Where a member of staff feels that the grading for their role is no longer appropriate for reasons which may include (this is not exhaustive):

- Changes to the duties of the role over time
- Changes due to the allocation of responsibilities from other roles
- New/Increase in line management responsibilities
- Increased levels of expertise required due to technology or other changes

They can apply for a grading review via the regrading process at Appendix 3.

Appendix 1

Pay appeal procedure

A member of staff may make an appeal against any determination or proposed determination in relation to their pay .

The possible grounds for appeal are that the person(s) or committee by whom the decision was made:-

In the case of teachers, an appeal will be considered if the individual feels that the person(s) or committee:

- incorrectly applied any relevant provision of the School Teachers' Pay and Conditions Document
- failed to have proper regard for the relevant statutory guidance
- failed to take account of relevant evidence
- took account of irrelevant or inaccurate evidence
- failed to apply the Trust's own Pay Policy
- was biased, or
- otherwise unlawfully discriminated against the teacher.

In the case of support staff:

If the appeal is against the grade of the post, since this will have been allocated initially by the County Council using the MRS/job evaluation, the arrangements it adopted will be followed and the Trust will facilitate those arrangements wherever possible. The Trust itself will evaluate roles using the principles of the MRS/ job evaluation.

Where posts do not fit the job evaluation determinations due regard will be given to similar roles across the Trust and outside if applicable. This process will be determined via the regrading process at Appendix 3.

For appeals against non spinal point progression within an agreed grade, the arrangements set out below will apply:

- the member of staff will know that no progression will occur if they are subject to formal monitoring and support or capability procedures or there are concerns regarding performance during the full 12 month probationary period for teachers and leaders
- if the member of staff is not satisfied, they should seek to resolve this by discussing the matter informally with the decision maker within ten working days of the decision being notified to them
- where this is not possible, or where the member of staff continues to be dissatisfied, they may follow a formal procedure as set out below
- the member of staff should set down in writing the grounds set out above. This should be sent to the person / Committee who made the determination within ten working days of the notification of the decision, or within ten working days of the informal discussions that attempted to resolve the matter.

- the person or Committee who made the determination should provide a hearing within ten working days of receipt of the written grounds for questioning the pay decision to consider this. The member of staff must be given an opportunity to make representations in person and will be entitled to be accompanied by a colleague or trade union representative. Following the hearing, the member of staff should be informed in writing of the hearing's decision and the right of appeal
- any appeal should be heard by the Appeal Committee composed of a minimum of two and a maximum of three members of senior Trust staff (or in the case of a senior post holder, three Trustees) who were not involved in the original determination, normally within twenty working days of the receipt of the written appeal notification. At the hearing, the member of staff lodging the appeal should be given the opportunity to make representation in person and to be entitled to be accompanied by a friend or trade union representative
- a designated member of the Performance Management Committee (or where the decision was made by the Principal, the Principal) will present evidence to support the original decision
- both parties may call witnesses
- relevant papers will be exchanged by the parties no later than three working days before the hearing
- the Appeals Committee will deliberate in private and will communicate their decisions to all parties in writing within 48 hours.

The decisions of the Appeals Committee are final and there is no recourse to the staff grievance procedures.

Such appeals relate only to decisions made by the Trust and not to any determination made under changes to pay and conditions by accredited third parties.

Each step and action of this process should be taken without unreasonable delay. The timing and locations of the formal meetings must be reasonable and allow both parties to explain their cases.

The detailed procedure for the hearing of the appeal is set out in Annex 2 to the Trust's Pay Policy.

Appendix 2 (a)

Pay appeal procedure

Procedure at a hearing of the Appeal Committee of the Trust

(for senior post holder appeals eg Executive, Director/senior Manager or Academy Principal)

The Committee should elect a Chair who should then introduce those present and explain the purpose of the hearing.

The CEO/Principal, or other nominated person, should present evidence on the case referring to any relevant documentation.

The designated member of the Performance Management Committee should be given the opportunity to ask questions.

The members of the Committee and their adviser(s) should be given the opportunity to ask questions.

The designated member of the appropriate Performance Management Committee should present their case referring to any relevant documentation.

The Principal, or their representative, should be given the opportunity to ask questions.

The members of the Committee and their adviser(s) should be given the opportunity to ask questions.

The Principal, or their representative, should make a closing statement.

The designated member of the Performance Management Committee should make a closing statement.

The Chair of the Appeal Committee should call an adjournment. All parties will be required to withdraw except members of the Committee and their adviser(s) who consider the evidence, discuss the case and the Committee will reach a decision.

Note

The Chair of the Committee may vary the order of procedure in exceptional circumstances and at any stage in the proceedings a request by either side for the Chair may be granted at the discretion of the Committee.

Appendix 2 (b)

Pay appeal procedure

Procedure at a hearing of the Appeal Committee of central Trust senior staff

(for staff other than senior post holders)

The Committee should elect a Chair who should then introduce those present and explain the purpose of the hearing.

The appellant, or their representative, should present evidence on the case referring to any relevant documentation.

The presenting manager such as CEO/Principal or should be given the opportunity to ask questions.

The members of the Committee and their adviser(s) should be given the opportunity to ask questions.

The presenting manager such as CEO/Principal should present their case referring to any relevant documentation.

The appellant, or their representative, should be given the opportunity to ask questions.

The members of the Committee and their adviser(s) should be given the opportunity to ask questions.

The appellant, or their representative, should make a closing statement.

The presenting manager should make a closing statement.

The Chair of the Appeal Committee should call an adjournment. All parties will be required to withdraw except members of the Committee and their adviser(s) who consider the evidence, discuss the case and the Committee will reach a decision.

Note

The Chair of the Committee may vary the order of procedure in exceptional circumstances and at any stage in the proceedings a request by either side for the Chair may be granted at the discretion of the Committee.

Appendix 3

Regrading Procedure for support staff

Regrading requests should be made by support staff under this process where they feel that the grade for their role is incorrect as set out in the Policy.

The request should be submitted to the central HR Department in writing with appropriate supporting evidence as to the reasons why the grade is not believed to be appropriate. This will be acknowledged.

The HR Department will convene a panel to review any request within 15 working days consisting of:-

- the immediate line manager of the role in question
- the senior leader or Principal for the role
- a member of the HR Department

The member of staff may be asked to attend if it is felt that the information will need expansion or clarification. They can be accompanied by a workplace colleague or Trade Union representative if they wish. The non-availability of the colleague or representative will not unduly hold up the meeting.

The process will consist of:-

The individual stating their case for the regrading of the role if required – if not the application and supporting documentation will be used for this.

The panel being able to ask any questions to clarify the situation and duties undertaken by the individual if necessary

The panel will consider the evidence submitted and determine

- if there is a change to the role.
- Is it one which affects the responsibility levels. More duties at the same level will not warrant a grade change.
- How that fits with under MRS/job evaluation or similar roles within or outside the Trust
- What grade would be appropriate

As there may be a need to gather more information and consider roles both inside and outside the Trust in order to make a determination, the outcome will be communicated in writing within 5 days of the meeting.

There will be the ability to appeal the decision as per Appendix 2b.