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Cenedlaethol
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Cymru

Sample Pay Policy

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yr undeb sy'n
diogelu athrawon
a darlithwyr Cymru

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1. Introduction / Preamble

Although the majority of issues relating to education in Wales are devolved, teachers' pay and working conditions are determined by the Secretary of State for Education (Department for Education) in Westminster, and are reviewed and published annually in the School Teachers' Pay and Conditions Document and Guidance on School Teachers' Pay and Conditions (**the Document**).

The Westminster Government is introducing substantial changes to Teachers' Pay including expecting head teachers and governing bodies to take far more responsibility for salary determinations. Some changes will be introduced in September 2013 and Performance Related Pay will be in operation in schools for salary determinations in September 2014, based on the 2013-14 Performance Management cycle. Head teachers will be expected to submit recommendations to the Governors (Pay Panel / Pay committee) on individual teachers' pay, without being able to depend on the clear guidance of the statutory regulations published in the 2012 version of the School Teachers' Pay and Conditions Document.

The Government claims that the purpose of the changes is to give schools flexibility that will be advantageous to schools and to the education system. UCAC believes that using all the flexibilities will lead to problems within the education system and create an excessive additional workload for head teachers and governors. UCAC believes that schools can fulfil all the requirements of the 2013 Document, and also keep much of the certainty with regard to pay that is beneficial to schools, head teachers, governors and teachers.

It is essential for a school to be able to attract teachers (staff) to posts in the school and also to motivate the school's present teachers (staff). It is vital that a school should have a transparent and fair pay policy which will form the basis for planning the school's workforce, allow for judicious financial planning and also safeguard the school's leaders (head teacher and Governing Body) from accusations of discrimination, challenges to salary determinations, recruitment and retention problems and an additional excessive workload. The Governing Body will be expected to be able to justify salary determinations and there will be a higher level of accountability than in the past because of the increased level of flexibility within the system.

Below is a summary of the changes - see Appendix 8 for fuller details of the changes and, of course, the Document (STPCD 2013) itself. **Please note that the final version of the School Teachers' Pay and Conditions Document is the September 2013 version which replaces earlier drafts.** The changes are also included, where appropriate, in the Sample Pay Policy.

Summary of the changes

Salary determinations effective 1 September 2013

- Main Pay Scale – point 1-6 to continue for September 2013 salary determinations.
- Upper Pay Scale – point U1-U3 to continue for September 2013 salary determinations.
- Introduction of a new category of post, Leading Practitioner – the school can choose whether to create such a position. The school can define the role (but it should be for a person modelling and leading on the improvement of teaching skills), decide on a pay range (within specific limits), with progression on the pay range based on performance.
- TLR3 worth £505 - £2,525 for short-term / temporary projects only
- Recruitment and retention allowances – doing away with the three-year time limit.

After 1 September 2013

- A new member of staff's pay does not have to be based on previous pay
- Introduction of a Main Pay Range, with the minimum and maximum points of the present Main Pay Scale becoming the minimum and maximum of the Main Pay Range.
- Introduction of an Upper Pay Range with the minimum and maximum points of the present Upper Pay Scale becoming the minimum and maximum of the Upper Pay Range.
- Abolition of the present threshold rules (i.e. the Threshold applications); the school to create its own process for applications to go onto the Upper Pay Range, including how to make an application. Any teacher has the right to submit at least one application in a school year. The head can appoint someone else to be responsible for the process of assessing applications.

1 September 2014

- Performance Related Pay for pay progression from 1 September 2014 (based on the 2013-14 Performance Management cycle)

Note: the Secretary of State has now confirmed his acceptance of the School Teachers' Review Body's recommendation of a 1% pay rise for all teachers. We have included in the Annex relevant figures, with and without the 1% pay rise, for ease of reference.

Sample Policy for determining teachers' salaries including the members of the Leadership Team

The Governing Body of _____ School adopted this pay policy on _____.

This Policy has been drawn up by the head teacher in consultation with the staff and their unions.

It is effective from 1 September 2013 and will be reviewed before September 2015, or sooner should the need arise.

Scope and intention

This policy sets out the framework for making decisions concerning the pay of the school's teachers/staff. It was developed in order to comply with current legislation and the requirements of the School Teachers' Pay and Conditions Document (STPCD) – the Document. The School Teachers' Pay and Conditions Document 2013 and Guidance on School Teachers' Pay and Conditions states that '*procedures for determining pay should also be consistent with the principles of public life - objectivity, openness and accountability,*' and this is the intention of this policy.

All of the recognised trades unions and the school staff were consulted on it and there is a copy available for every member of staff and in the Teachers' Staff Room/or_____. All relevant documents relating to pay and working conditions will be available to the school staff.

The Governing Body has responsibility for salary determinations in this school and the Governing Body has delegated some of the responsibilities to the Pay Panel (see Appendix 1). The head is responsible for giving advice to the Pay Panel on salary determinations. It is the full Governing Body that has the final say on decisions.

In adopting this policy the head and Governing Body are committed to (*you can note the aims of your school*), e.g.

- promoting the recruitment and retention of teachers (staff) of the highest quality
- ensuring that teaching and education within the school are of a high standard
- the creation of a fair, transparent and objective framework for salary determinations and ensuring accountability
- ensuring equal opportunities for all members of the school staff

Equality legislation

This policy is subject to legislation protecting the workforce from discrimination on the grounds of race, age, sex, sexual orientation (whether lesbian, gay, bisexual or heterosexual); being a transgender person; disability (or on the grounds of anything connected with their disability); religion or belief; the fact that they have just had a baby or are pregnant; the fact that they are married or in a civil partnership.

The following are the key pieces of legislation:

- Employment Relations Act 1999
- Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002
- Equality Act 2010

Job descriptions

Every member of staff will be provided with a job description at the time of his/her appointment in accordance with the school's Staffing Structure (See Appendix 7). The job description will be a basis for discussions within the Performance Management structure. The job description will set out the responsibilities common to all members of staff and some that are specific to the individual together with the details of the level of pay. The aim will be to review the job description annually in consultation with the member of staff, making adaptations as necessary as the school's requirements and the individual's professional development needs change.

UCAC information and advice

Because of the introduction of the changes it is more important than ever that all members of staff have a current job description. The Welsh Government Guidelines on Performance Management for Teachers (Document 073/2012) indicate specifically that an appraiser within the process should 'be familiar with the teacher's job description'. It is important, therefore, that there is reference to the job description in the annual Appraisal Review.

To reduce the administrative burden it is possible to draw up Job Descriptions in two parts – the first part outlining the responsibilities common to all teachers/members of staff (the Local Authorities often have a template for this) and the second part setting out the specific responsibilities of the individual and any remuneration for that. Where there is no Local Authority document to turn to, it is suggested that the job description is based on the wording in Section 6 of the School Teachers' Pay and Conditions Document which is in the contractual framework within which all teachers, including head teachers, operate. In the case of teachers, the job description should refer to the School Teachers' Pay and Conditions Document and to the Practising Teacher/Leadership Standards:

<http://wales.gov.uk/docs/dcells/publications/111004profstandardscy.pdf>.

Any change to a job description should be in full consultation with the member of staff. It is also essential that what is expected of staff on the same pay level is comparable. One must avoid listing 'voluntary' responsibilities within a job description and avoid, as far as possible, including ambiguous requirements. Although it is usual to have an open-ended clause within a job description e.g. 'any other reasonable duties at the request of the head,' it must be accepted that this is for special situations and not an opportunity to pile on additional duties in the middle of the year.

Staff employment conditions

The Local Authority is the employer but the appointment procedure is in the hands of the Governing Body in consultation with the Local Authority (see Appendix 1).

Although the majority of Education issues are devolved to Wales, teachers' conditions of employment are still determined by the Department for Education in London. However, the 'Revised professional standards for education practitioners in Wales,' and the requirements with regard to Performance Management have come from the Welsh Government and are specific to Wales.

<http://wales.gov.uk/docs/dcells/publications/111004profstandardscy.pdf>

Access to minutes

A signed and dated copy of the minutes of the Governing Body's meetings relating to pay and conditions will be available to read in the school. There may be some items left out for reasons of confidentiality, for example, when there is reference to individuals or the effect of a decision on individuals.

Guidelines are available on the Governors Wales website.

Responsibilities of the Governing Body: Setting pay

The Governing Body is responsible for decisions on staff pay but the implementation of the decisions will be in the hands of the Pay Panel who will receive recommendations from the head teacher.

The Pay Panel will ensure that the pay of all staff is reviewed annually. The aim will be to complete the reviews by 31 October at the latest, and any changes arising from them will take effect from the preceding 1 September. The Governing Body will give a written statement to the staff indicating their pay and any other financial benefits they are entitled to receive. Reviews may be held at other times of the year to reflect any changes in circumstances or a job description that will result in changing the basis for calculating an individual's pay. A written statement will be provided following any review and the statement will give information on the basis for the review.

The Pay Panel will determine the Pay Range for any vacancy before it is advertised. The Appointment Panel will determine the initial salary for the successful candidate (see Appendix 3).

UCAC information and advice

The School Teachers' Pay and Conditions Document applies to teachers employed by Local Authorities or the Governing Body of a maintained school. The Governing Body must:

- adopt a policy indicating on what basis it sets teachers' pay and by what date it will set teachers' annual pay review
- determine procedures for dealing with teachers' pay grievances in accordance with the Acas Code of Practice
- identify the school's head teacher group and the individual school range within that group (7 spinal points)
- set the Pay Range for a deputy head or assistant head (5 points)

The head teacher's responsibilities

- It is the head teacher's responsibility to ensure that this Pay Policy is implemented, with the support of the Pay Panel. The head teacher will develop clear guidelines for relating performance to pay, consulting with the staff and their union representatives in that process.
- The head teacher will submit recommendations to the Pay Panel on pay matters and ensure that the necessary information is available to support those recommendations. The minutes of the Pay Panel will confirm that the procedure has been followed and decisions made in accordance with the Pay Policy. Minutes referring to individual staff will be confidential minutes.
- The head teacher will ensure that all members of staff are familiar with this Policy and implement it in accordance with their responsibilities.
- The head teacher will ensure that the School Teacher Appraisal (Wales) Regulations 2011 and the associated Guidelines (Document 073/2012 Performance Management for Teachers and Document 074/2012 Performance Management for Heads) are in operation – see the school's Performance Management Policy.

- The head teacher will ensure that a record of recommendations and decisions is kept so that there is evidence to show that all decisions are fair and transparent. He/she will inform staff of the process, the recommendations and the decisions.
- The head teacher will moderate staff objectives to ensure that they are fair and consistent and moderate the Performance Management process again to ensure fairness and consistency.

The teachers' responsibilities

- All members of staff have a responsibility for being part of the school's Performance Management system. All members of staff will be expected to keep a record of their objectives and garner evidence of achieving them – see Performance Management Policy.
- Some teachers will act as an Appraiser for other staff within the Performance Management system and will therefore contribute to the recommendations on pay.
- It is the individual teacher's decision when to make an application to move to the Upper Pay Range and submit evidence to support that application.

Safeguarding

When a salary determination results in a period of safeguarding (or is likely to result in a period of safeguarding) the Governing Body will follow the steps set out in the current Document. The relevant information about the change in pay will be given as soon as possible and no later than a month after the decision.

Appeal process

A Governing Body is required to lay down procedures that will allow teachers to bring pay grievances, in accordance with the ACAS Code of Practice. See Appendix 2 for the steps to be followed to appeal against a decision regarding pay.

Setting salaries / Reviewing the pay of the Leadership Team

The head teacher's pay

- For a head teacher's pay the school is in Group x and the Governing Body has set the individual school range as points x – xx on the Leadership Group Scale. Performance objectives will be set relating to leadership, school management and pupil progress annually by a Panel of the Governing Body. The Panel will appraise the head's performance against these objectives in the autumn term and decide on the salary point for that school year.
- In accordance with the Document, a head teacher's pay at the time of his/her appointment will be equivalent to one of the first four points in the relevant Pay Range. The Appointment Panel will have discretion to determine the exact point on the basis of experience of working in a similar post and/or the successful candidate's qualifications.

A deputy / assistant head teacher's pay

- The deputy/assistant head teacher's Pay Range is points x – x on the Leadership Group Scale. Performance objectives will be set relating to leadership, school management and pupil progress annually by a Panel of the Governing Body. The Panel will appraise the deputy/assistant head teacher's performance in the autumn term against these objectives and decide on the salary point for that school year.
- In accordance with the Document a deputy head teacher or assistant head teacher's pay at the time of his/her appointment will be equivalent to one of the first three points in the relevant Pay Range. The Panel will have discretion to determine the exact point on the basis of experience of working in a similar post and/or the successful candidate's qualifications.

UCAC information and advice

The head teacher's Pay Range must extend over seven points. A deputy/assistant head teacher's Pay Range must extend over five points.

Pay for temporarily acting as a member of the Leadership Team

In a case where a teacher performs the work of a head teacher, deputy or assistant head teacher temporarily, in accordance with paragraph 29 of the Document, the Pay Panel will consider within 4 weeks of beginning the duties whether a temporary allowance ought to be paid. In a case of planned long-term absence a temporary allowance will be agreed in advance and paid from the first day.

Any teacher agreeing to act as a head, deputy or assistant head for 4 weeks or more will receive pay based on a suitable point on the head teacher, deputy or assistant head teacher's scale, in accordance with the decision of the Pay Panel. The pay will be backdated to the date on which the duties were commenced.

Pay of teachers who are not members of the Leadership Team

Pay progression based on performance (Performance Related Pay from 1 September 2014)

The Governing Body will come to a decision on Performance Related Pay progression based on the school's Performance Management system. The head will give advice to the Pay Panel based on a pay recommendation for individuals following the performance management cycle. The school will use the following performance measure for coming to a decision, taking into consideration the individual's level of performance as compared only with his/her personal performance management objectives.

e.g. Teachers will be eligible to move up on the relevant Pay Range (until they reach the maximum of the Pay Range) if they satisfy the majority of their performance management objectives and it is assessed that they satisfy the relevant standards (practising teacher standards).

UCAC information and advice

UCAC is of the opinion:

- that developing a fair and transparent Performance Related Pay system for teachers is very difficult considering the nature of the job; international evidence (e.g. OECD) supports this argument

- that it would not benefit the profession if schools were to differentiate levels of pay progression according to performance measures
- that it is entirely reasonable to base your judgement with regard to Performance Related Pay on the results of the Performance Management process and the individual's objectives, as measures of performance
- that it is reasonable to have different expectations of less experienced teachers in terms of how challenging the performance objectives should be and their achievement of the practising teacher standards
- that pay progression should only be denied if the teacher has not attained a satisfactory standard, there is a written record of this available to the teacher and the situation has been discussed and advice given

Schools will have the flexibility to differentiate, but UCAC is of the opinion that attempting to differentiate between individual teachers' levels of performance and offer differential pay progression would result in problems, including opening the door to challenges to salary determinations.

In UCAC's opinion, a school can reach a decision taking account of the individual's level of performance as compared only with his/her personal performance management objectives and the practising teacher standards. UCAC believes that one definition of a performance measure is sufficient and there is no need to differentiate between teachers' performance for the purposes of pay.

A school can create its own definition for a measure of performance and reach a decision on pay progression – see the example above.

Setting pay for teachers on the Main Pay Range: effective after 1 September 2013

The school has adopted the following points for the Main Pay Range:

	£	including the 1% increase
1.	21,588	21,804
2.	23,295	23,528
3.	25,168	25,420
4.	27,104	27,376
5.	29,240	29,533
6.	31,552	31,868

In order to move up on the Main Pay Range the arrangements for pay progression based on performance (Performance Related Pay) will be followed.

A NQT who passes the induction year will move onto the second point on the school's Main Pay Range.

UCAC information and advice

Although a school is entitled to place a teacher anywhere between the minimum and maximum of the Main Pay Range, UCAC suggests retaining the current points (including any further pay rise) for 2014 salary determinations, in order to ensure fairness and transparency. The decision to move an individual up on the

Main Pay Range will be based on the 2013-14 performance management cycle (see Performance Related Pay).

Setting pay for the Upper Pay Range: effective after 1 September 2013

The school has adopted the following points for the Upper Pay Range:

	£	including the 1% pay rise
U1.	34,181	34,523
U2.	35,447	35,802
U3.	36,756	37,124

Note relevant details for your school.

- Closing date for applications
- How to make an application
- The school's definition of the criteria in paragraph 18.2 of the Document
- The kind of evidence and over what period
- Who will assess the application
- Details of feedback: When? How? etc
- Any other relevant issues, e.g. arrangements in a case of long-term absence such as illness or maternity leave; timeframe for progression (up to 2012 it was two years)

In order to move up on the Upper Pay Range the school's arrangements for pay progression based on performance (Performance Related Pay) will be followed but usually with a two year timeframe for progression.

UCAC information and advice

After 1 September 2013 (Wales) an Upper Pay Range will exist instead of an Upper Pay Scale, with a minimum and maximum noted in the 2013 Document. The Department for Education has introduced more flexibility into the system, which, in UCAC's opinion, is going to create more work, not less work, and make it more difficult for schools and teachers. The additional flexibility includes:

- allowing any teacher to make an application (not only teachers who have reached the maximum of the Main Pay Scale / Range)
- allowing at least one application a year
- ensuring that decisions, from now on, apply only to the school where the application is submitted (creating more work for part-time teachers working in more than one school; can affect the pay of teachers on the Upper Pay Range when they move to work in another school)
- every school to create its own system for applications and assessments (UCAC believes that it could be beneficial if schools within the same LA could come to an agreement on a common system)
- every school to draw up its own definition of the criteria in the Document para. 18.2 a) and b), i.e. An application from a qualified teacher will be successful where the relevant body is satisfied: a) that the teacher is highly competent in all of the relevant standards (Practising Teachers Standards); and b) that

the teacher's achievements and contribution to an educational setting or settings are substantial and sustained

- Note that the wording of 18.2 b) (former 17.2) has been changed for the final version of the STPCD 2013, following the consultation period. The new 18.2 b) means that the process is less likely to disadvantage experienced teachers who have moved to a new school to work, as they can provide evidence from another school.

UCAC suggests:

- retaining the current steps on the Upper Pay Scale as steps for the Upper Pay Range (see the table above).
- allowing one application per year
- setting a specific closing date for the submission of applications, e.g. 31 May
- setting a definition of the criteria that will recognise experience and skills and measure attainment against the Practising Teacher Standards; it is likely that a teacher will need 4-5 years' experience to become proficient enough in the Practising Teacher Standards to move to the Upper Pay Range; those on M5 and M6 are the most likely to have sufficient experience and Skills and be able to demonstrate a substantial and sustained contribution to an educational setting or settings
- retaining the good practice existing in the current process, e.g. feedback and timing within 20 days of receiving the application
- creating a simple application form and including a copy of the school's application form in the appendix of the pay policy
- allowing progression based on two successful Performance Management Appraisals

Leading Practitioners (from 1 September 2013)

The Governing Body has decided to **create/not to create** Leading Practitioner posts within the school's structure.

If the decision is to create such a post the following will be required:

- a definition of the nature of the post based on modelling and leading improvement of teaching skills (deciding on duties, creating a job description and person specification)
- a record of the Pay Range for the post(s)

Progression on the Pay Range for Leading Practitioners will be based on the individual's performance management cycle following the same arrangements for Performance Related Pay set out above.

UCAC information and advice

There is no need to refer to this type of post if the Governing Body decides not to include one within the school's staffing structure. It is the decision of the Governing Body and head teacher whether or not to create the post of Leading Practitioner. There are no national criteria, other than that the chief purpose of

such a post is to model and lead on improving teaching skills. Advertising and appointment should be carried out according to the normal procedure.

The Pay Range for Leading Practitioners is **£37,836 - £57,802**. UCAC believes that it is important to consider the financial implications of creating such a post/posts and to assess carefully what the advantages and disadvantages of creating such a post would be.

Setting basic pay on appointment after 1 September 2013

The Governing Body has established relevant pay ranges for class teacher posts paid on the Main Pay Range and the Upper Pay Range, as set out above.

In order to set basic pay after making an appointment the Governing Body will decide on the initial pay for a class teacher vacancy, placing the teacher either on the Main Pay Range or the Upper Pay Range (see Appendix 3).

When appointing an individual to his/her first teaching post the school will place the teacher on the minimum of the Main Pay Range but it is possible to consider placing the teacher on a higher point in the Pay Range depending on whether he/she has relevant experience in another post / other posts that can be taken into account (see Appendix 3).

The Governing Body is committed to the principle of pay portability, that is to say protecting historic pay and allowing pay progression to those who would have received it if they had stayed in their previous school. The Governing Body Will, therefore, take into account the teacher's pay in his/her present post before coming to a decision on the precise pay for the post, in order to maintain levels of pay and allow appropriate pay progression.

Allowances for special responsibility will be decided separately.

UCAC information and advice

Under the arrangements of the 2013 Document there is no requirement to protect the pay level of a teacher moving to work in a new school after 1 September 2013. This will apply to appointments after September 2013. UCAC believes that implementing this change would threaten schools' chances of recruiting teachers when posts become vacant and, in general, curtail opportunities for members of the profession to move to new posts. UCAC believes, therefore, that implementing this "flexibility" would harm the profession.

In UCAC's opinion, it would be wise for schools to continue to set a teacher's basic pay following the process set out in Appendix 3, that is to say the arrangements from the 2012 Document – i.e. to retain the *status quo*.

Part-time teachers

- If teachers are employed on a continuous basis at the school but work less than a full working day or less than a full working week, they are known as part-time workers. The Governing Body will issue them with a written statement setting out their obligations as regards working time and the procedure used to set their pay.
- Subject to the provisions of the statutory pay arrangements a part-time teacher's pay will be determined as follows:

(Number of teaching periods) / (number of teaching periods on the school's weekly timetable) X relevant year's pay (FTE).

- TLR1 and TLR2 are paid on a *pro rata* basis
- TLR3 allowances are paid fully NOT on a *pro rata* basis
- The working conditions will not be different to the working conditions of full-time staff and the timetable will include PPA periods *pro rata* and the amount of directed time will be calculated *pro rata*.

Short-notice / supply teachers

- When teachers are employed day to day or otherwise at short notice, their pay will be determined in accordance with the statutory pay arrangements for other teachers. For teachers paid daily, their pay will be assessed as an annual sum, divided by 195 and multiplied by the number of days worked.
- For supply teachers working less than a full day, their daily pay will correspond to the portion of a day/teaching timetable to which they are committed. In UCAC's opinion this ought not to be less than half a day at a time.
- The working conditions will not be different to those of full-time staff and the timetable will include PPA periods *pro rata*.

Unqualified teachers

UCAC information and advice

We do not see the need to include reference to unqualified teachers unless the school employs unqualified teachers who are on the Graduate Training Programme. The same principles will apply with regard to setting pay and pay progression but on the unqualified teachers' Pay Range (see Appendix 3).

TLR allowances

Note any relevant arrangements for your school.

TLR1: (specific amounts)

TLR2: (specific amounts)

TLR1 and TLR2 are awarded for permanent responsibilities within the school's staffing structure. These posts will come under the relevant safeguarding arrangements if there is a change in the staffing structure of the school that results in a change in the value of these allowances.

TLR3: (specific amounts)

TLR3 allowances are awarded for short term projects. Agreements for projects of this kind will record the start and finishing dates for the responsibility and payment of the allowance. TLR3 allowances will not be protected beyond the agreed duration of the project.

See Appendix 7 for the school's staffing structure and full details of the school's TLR allowance posts.

UCAC information and advice

The arrangements for TLR1 and TLR2 are not changing for September 2013. A Governing Body can pay a TLR1 of no less than **£7,397** and no more than **£12,517** per annum to a class teacher in accordance with the criteria outlined in the Document 2013. A Governing Body can pay a TLR2 of no less than **£2,561** and no more than **£6,259** per annum to a class teacher in accordance with the criteria outlined in the Document.

TLR1 and TLR2 are paid pro rata to part time teachers.

A teacher may not be awarded more than one TLR1 or TLR2 concurrently.

The 2013 Document introduces TLR3 for the first time. A Governing Body can pay a TLR3 of no less than **£505** and no more than **£2,525** per annum to a class teacher in accordance with the criteria outlined in the Document. This sum is for an individual TLR3 – not the total annual sum that an individual can receive in TLR3s.

The Department has removed the requirement for TLR3 to be paid on a pro rata basis for part time teachers.

Teachers can be awarded more than one TLR3 or a TLR3 with a TLR1 or TLR2 concurrently. UCAC, however, believes that schools should consider carefully workload issues, the best way to provide opportunities for professional development and what would be best for the school before coming to a decision on this issue.

The new TLR3 allowance is for temporary projects only, “clearly time limited school improvement projects, or one-off, externally driven responsibilities”. Before awarding a TLR3 the Governing Body should ensure that the duty includes a substantial responsibility that is not required of all class teachers and that it:

- focuses on teaching and learning;
- requires that the teacher exercise professional judgement and skills
- has an impact on the educational progress of pupils other than the classes or groups of pupils assigned to the teacher.

UCAC can see potential for some useful projects and for professional development opportunities for teachers due to the introduction of TLR3. If the school decides to create TLR3 posts, the school's definition of a short-term project should be indicated. It is required that teachers be issued with written notification stating the amount of the payment, the reason for the payment and the end date of the payment.

See the STPCD for full details.

Special Educational Needs Allowance

Note any relevant arrangements for your school.

UCAC information and advice:

If relevant, details of SEN Allowance payments should be included. A Governing Body can pay an SEN allowance of no less than **£2,022** and no more than **£3,994** per annum to a class teacher in accordance with the criteria outlined in the Document (see Appendix 6).

It is required that teachers be issued with written notification stating the amount of the payment and the reason for the payment.

Additional benefits / Additional payments

Note any relevant arrangements for your school.

UCAC information and advice

A Governing Body can make relevant additional payments due to recruitment and retention problems, activities such as continuing professional development, teaching activities out of school hours, contributing to the provision of teachers' initial teacher training.

Recruitment and Retention Incentives and Benefits: the Governing Body can create incentives and benefits for the recruitment and retention of staff in the form of financial assistance, support or other benefits.

The Governing Body is required to indicate clearly from the outset the expectations with regard to any incentives and benefits and the date for review of the arrangement. From 1 September 2013 there will be no specific time limit for recruitment and retention incentives and benefits but the expected duration of any such incentives and benefits will require to be recorded along with the date of the formal review determining when they can be brought to an end.

Salary Sacrifice arrangements: a teacher can give up the right to part of his/her gross salary for an alternative benefit. This may include: childcare vouchers, a cycle travel scheme, a mobile telephone plan. That particular benefit will be exempt from income tax.

Monitoring the impact of the policy

The impact of the school's pay policy should be monitored by maintaining an overview of pay progression within the school and it should be ensured that teachers belonging to any one of the groups named on page 5 (Equality Legislation) are not disadvantaged.

Note any relevant arrangements for your school.

UCAC information and advice

A Governing Body has a duty to monitor any changes in pay. Any decision by the Governing Body should go hand in hand with an equality impact assessment.

To that end it is recommended that one member of the Governing Body has responsibility for ensuring equality issues in the school. This might be a member of the Pay Panel or a member of the wider Governing Body.

The Local Authority can offer support, advice and guidance in cases of doubt about the effect of implementing the policy in the school.

Appendix 1

Responsibilities of Governing Body / Local Authority

Appointment of Staff

- The Local Authority is the employer but the appointment procedure is in the hands of the Governing Body in consultation with the Local Authority.
- The Governing Body should have an Appointment Panel for appointments and a policy/guidelines setting out the processes and responsibilities. Full powers are normally delegated to this Panel by the Governing Body. It is usual for the Local Authority to send an Officer to advise the Panel when a head teacher or deputy is appointed.
- Commercial Services employ some of the support staff and normally include the Head and Chair in the appointment process.
- The Local Authority employs some support staff e.g. to provide SEN support in the school in co-operation with the Authority's provision. There is normally consultation with the school on these appointments.

Dismissal of Staff

- Action is taken in accordance with the Local Authority's guidelines and guidance in cases of resignation and dismissal, including
 - Redundancy
 - The Disciplinary Procedure
 - The Capability Procedure

Registration

All teachers employed by the school are required to be registered with the General Teaching Council for Wales. The Governing Body expects the head teacher to verify this when making any permanent or temporary appointment. A teacher registered with the GTCW has had a CRB / DBS (Disclosure and Barring Service) check.

Support Staff

- The employment of the school's support staff is based on the terms and conditions of Local Government staff. All members of the school's support staff will have had a CRB / (Disclosure and Barring Service) check from the Local Authority/School.

Pay

- The Governing Body will create a Pay Panel to come to a decision on pay issues. The head teacher will submit recommendations to the Pay Panel on pay issues and ensure that the necessary information is available to support those recommendations. The minutes of the Pay Panel will confirm that the procedure has been followed and decisions made in accordance with the Policy. Minutes referring to individual staff will be confidential minutes.
- The majority of staff will be paid monthly by arrangement with the Local Authority. Some support staff post holders will be paid weekly/fortnightly. Payments will be made directly into a bank account.

- When making decisions relating to pay the Governing Body will comply with the employment legislation current at the time.

Appendix 2: Appealing against a salary determination

A teacher/member of staff can appeal against any decision with regard to their pay or any other decision made by the Governing Body (or a panel/committee or individual acting with delegated authority) affecting their pay. The following list includes the usual reasons for requesting that a salary determination be reviewed;

That the person or committee/panel who made the determination:

- a) has applied any provision in the Document / terms and conditions incorrectly
- b) has failed to take due account of statutory guidance
- c) has failed to take due account of relevant evidence
- d) has taken account of irrelevant or incorrect evidence
- e) was prejudiced; or
- f) has discriminated unlawfully against the teacher in some other way

The appeal arrangements shall be as follows:

1. The teacher receives written confirmation of the salary determination and the basis of the determination where relevant.
2. If the teacher is not satisfied, he/she should attempt to resolve this by discussing the matter informally with those who made the decision within ten working days of the decision.
3. Where this is not possible, or if the teacher is still not satisfied, he/she may follow a formal appeal process.
4. The Pay Panel appeal committee should include three members of the Governing Body who have not had any prior involvement in the process.
5. The teacher should write to indicate on what basis he/she is questioning the salary determination and send that to the person (or committee) who made the determination, within ten working days of receiving the notification of the determination against which he/she is appealing or the outcome of the discussion referred to in clause 2 above.
6. The committee or person who made the determination should provide a hearing within ten working days after receiving the written grounds for questioning the salary determination, in order to consider it and give the teacher a chance to present comments in person. Following the hearing the employee should receive written notification of the decision of the hearing and the right to appeal.
7. Any appeal should be heard by a panel of three members of the Governing Body who were not involved in the original decision, normally within 20 working days of receiving the written notification of appeal. The teacher/member of staff will be given an opportunity to present comments in person. The appeal panel's decision will be given in writing, and where the appeal is rejected it will include a note explaining the evidence considered and the reasons for the decision.

Appendix 3: Setting an initial pay point

- One point on the Main Pay Scale / Main Pay Range for every year of service as a qualified teacher.
- One point on the Pay Scale / Range for every period of three years spent outside teaching but working in a field related to training or working with children/young people.
- It is not likely that the school will appoint unqualified teachers. Should that happen the pay point will be determined at that time according to circumstances, and based on the unqualified teachers' Pay Scale / Range.
- In accordance with the Document a head teacher's pay at the time of his/her appointment will be equivalent to one of the first four points in the relevant Pay Range. The Appointment Panel will have discretion to determine the exact point on the basis of experience of working in a similar post and/or the successful candidate's qualifications.
- In accordance with the Document a Deputy or Assistant Head Teacher's pay at the time of his/her appointment will be equivalent to one of the first three points in the relevant Pay Range. The Panel will have discretion to determine the exact point on the basis of experience of working in a similar post and/or the successful candidate's qualifications.

Main Pay Scale 1 September 2013

	£	including the 1% pay rise
1.	21,588	21,804
2.	23,295	23,528
3.	25,168	25,420
4.	27,104	27,376
5.	29,240	29,533
6.	31,552	31,868

Upper Pay Scale

	£	including the 1% pay rise
U1.	34,181	34,523
U2.	35,447	35,802
U3.	36,756	37,124

Main Pay Range after 1 September 2013

	£	including the 1% pay rise
1.	21,588	21,804
2.	23,295	23,528
3.	25,168	25,420
4.	27,104	27,376
5.	29,240	29,533
6.	31,552	31,868

Upper Pay Range after 1 September 2013

	£	including the 1% pay rise
U1.	34,181	34,523
U2.	35,447	35,802
U3.	36,756	37,124

Unqualified Teachers' Scale 1 September 2013

	£	including the 1% pay rise
1.	£15,817	15,976
2.	£17,657	17,834
3.	£19,497	19,692
4.	£21,336	21,550
5.	£23,177	23,409
6.	£25,016	25,267

Unqualified Teachers' Pay Range after 1 September 2013

	£	including the 1% pay rise
1.	£15,817	15,976
2.	£17,657	17,834
3.	£19,497	19,692
4.	£21,336	21,550
5.	£23,177	23,409
6.	£25,016	25,267

Appendix 4: School application and assessment process for the Upper Pay Range

Attach the school's application form and any relevant details about the process.

Appendix 5: Leading Practitioner posts

If the school includes a Leading Practitioner post in the school's staffing structure, set out

- the relevant definition(s) / job descriptions of the post(s)
- the school's Leading Practitioner Pay Range for the individual post(s)

Appendix 6: TLR and SEN allowances

TLR1 and TLR2

Having decided to award a TLR, the relevant body must determine whether it is going to award a first TLR ("TLR1") or a second TLR ("TLR2"), and its value, in accordance with its pay policy, provided that:

- (a) the annual value of a TLR1 may not be less than £7,323 (£7,397) or more than £12,393 (£12,517);
- (b) the annual value of a TLR2 may not be less than £2,535 (£2,561) or more than £6,197 (£6,259); and
- (c) if the relevant body awards TLRs of different annual values to two or more teachers, the minimum difference in the annual value will be £1,500 between each TLR1 award and £1,500 between each TLR2 award.

Before awarding a TLR 1 or 2, the relevant body must be satisfied that the teacher's duties involve a substantial responsibility that is not required of all class teachers and that it:

- (a) focuses on teaching and teaching;
- (b) requires that the exercise of a teacher's professional skills and judgement;
- (c) requires the teacher to lead, manage and develop a subject or curricular area; or to lead and manage pupils' development across the curriculum

- (d) has an impact on the educational progress of pupils other than the teacher's assigned classes or groups of pupils; and
- (e) involves leading, developing and enhancing the teaching practice of other staff.

In addition, before awarding a TLR1, the relevant body must also be satisfied that the substantial responsibility includes the line management responsibility for a significant number of people.

All TLR1 and TLR2 payments are paid *pro rata* to part-time teachers.

TLR1/TLR2 cannot be awarded concurrently to the same teacher.

TLR3

The relevant body must award a fixed-term TLR3 between £500 - £2,500 (**£505 - £2,525**) to a class teacher for school improvement projects with a clear time limit, or one-off external responsibilities. The duration of the term should be established from the outset.

Before awarding a TLR3 the Governing Body should ensure that the duty involves a substantial responsibility that is not required of all class teachers and that it:

- a) focuses on teaching and learning;
- (b) requires the exercise of a teacher's professional skills and judgement
- (c) has an impact on the educational progress of pupils other than the teacher's assigned classes or groups of pupils.

TLR3 payments are not paid pro rata to part-time teachers.

A teacher can have more than one TLR3 or a TLR1 or TLR2 and a TLR3 concurrently.

Special Educational Needs allowance

An SEN allowance of no less than £2,001 (**£2,022**) and no more than £3,954 (**£3,994**) will be paid

An SEN allowance must be awarded to a class teacher

- (a) in any SEN post that requires a mandatory SEN qualification
- (b) in a special school;
- (c) who teaches pupils in one or more designated classes or special units in a school or, in the case of an unattached teacher, in a local authority unit or service;
- (d) in any setting that is not designated (including any pupil referral unit) corresponding to a designated class or special unit, where the post -
 - (i) involves a significant element of working directly with children who have special educational needs;
 - (ii) requires that a teacher exercise professional judgement and skills in teaching children with special educational needs; and
 - (iii) relates more to teaching children with special educational needs than is a normal requirement for teachers throughout the school or the unit within the school or, in the case of an unattached teacher, the unit or service.

If an SEN allowance is paid, the relevant body must determine the value of the allowance at the time, taking into account the school's SEN provision structure and the following factors -

- (a) whether any mandatory qualifications are required for the post;

- (b) the teacher's qualifications or specialist expertise relevant to the post; and
- (c) the comparative demands of the post.

Appendix 7: School staffing structure

This structure has been designed

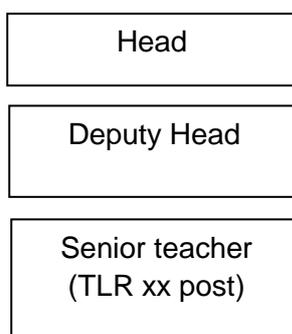
- a) as a means of striving towards the school's aims and objectives
- b) to strengthen the methods of learning and teaching in the school
- c) to use teachers for learning and teaching
- d) to raise standards
- e) to be fair, clear and transparent
- f) to make the most effective use of all of the school's resources

Pay scales and TLR levels:

The Governing Body recommends that posts in the school will be either:

- Leadership posts with a suitable pay range on the Leadership Scale (within the school's ISR)
- Teaching and Learning Responsibility posts on the following additional allowances – TLR xxxx
- SEN responsibility posts on the following allowance: SEN Allowance xxxx
- Teachers' posts on the Pay Scale / Range or the Main Pay Scale / Upper Pay Range as appropriate
- Support staff posts in accordance with the LA's current pay scale guidelines.

Diagram of sample structure:



Teacher		Teacher		Teacher		Teacher		Teacher
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Lunch hour supervisors	Classroom Assistant	SEN Support Assistant	Higher Level Classroom Assistant	Burden Reduction Administrative Assistants	Secretary
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Appendix 8: Changes to teachers' pay – a summary

Performance related pay

- Salary determinations for September 2014 will be based on performance. The 2013-14 performance management procedure will be a key component of the process of deciding on individuals' pay for September 2014.
- The School Teachers' Review Body has noted a general expectation that teachers progress in terms of pay over their career (although this may mean at different times from each other). The School Teachers' Pay and Conditions Document 2013 **para.22.2 (e)** notes "*continued good performance as defined by an individual school's pay policy should give a classroom **or unqualified** teacher an expectation of progression to the top of their **respective** pay range.*" Each school will be expected to define what will allow an individual to receive pay **progression** based on performance.

The Westminster Government argues that this will give head teachers and Governors much more flexibility. But UCAC believes that it will lead to a heavy, additional workload for school leaders and governors, a danger of more pay grievances and a very negative effect on morale in general if use is made of all the supposed "flexibility," that will be available to schools.

What is the situation for 1 September 2013 salary determinations?

Main pay scale (point 1-6) – September 2013

- The present arrangements for the pay of qualified teachers on the main pay scale will continue for the September 2013 salary determinations.
- The mandatory pay points from the main scale (point 1-6) will be used for the last time, on a statutory basis, for determining September 2013 pay.
- Anyone on point 1-5 of the main scale can expect to progress one point on 1 September 2013, if the standard of their work is satisfactory (i.e. if they are not on capability procedures).

Upper pay scale (crossing the Threshold) – September 2013

- The present arrangements for the pay of qualified teachers on the upper pay scale will continue for September 2013 salary determinations.
- Those wishing to make an application to cross the Threshold into the upper scale (in Wales) on 1 September 2013 will have to submit the application before 31 August 2013.
- UCAC advised members to submit the application before this in order to allow time for the head to carry out the assessment and ensure that the salary is paid from September 2013 on.
- If it is time for an individual to move up on the main scale to U2 or U3 the school should be reminded of that before August 2013, in order to give the school time to come to a decision before September 2013.

(The Union's advice is that these individuals make such an application by letter and before the end of the current school term.)

Pay Range for Leading Practitioners

- This new Pay Range will exist from 1 September 2013. It allows schools to create a new category of post paying from **£37,836 - £57,802**; any school creating such a post will have to create a pay range within this maximum and minimum
- The head teacher and governors will need to decide whether there is a need for such a post as part of the school's staffing structure and, if so, what the precise responsibilities of the post will be.
- It is the governors who will decide on a pay range **within the minimum and maximum** and the precise salary for the post.
- The head teacher will be expected to make recommendations to the governors before they come to a decision.

School Leaders' pay arrangements

- The present arrangements for School Leaders' pay will continue in September 2013.

TLR allowances

- The present arrangements for TLR1 and TLR2 Allowances will continue in September 2013.
- The Government is introducing a TLR3 in September 2013, i.e. a temporary TLR, worth **£505 - £2,525**, for temporary projects. It will be necessary to be very careful in defining temporary responsibility in order not to undermine the work and pay of teachers who have permanent responsibilities.
- Some of the mandatory criteria for TLR1 and 2 allowances will apply to TLR3, namely the following criteria:
 - focuses on learning and teaching;
 - requires that the teacher exercise professional judgement and skills
 - has an impact on the educational progress of pupils other than those classes or groups of pupils assigned to the teacher;

Special Educational Needs allowances – September 2013

The present arrangements for Special Educational Needs allowances will continue in September 2013.

Recruitment and retention benefits – September 2013

- There will be some more flexibility with regard to recruitment and retention benefits e.g. no three-year limit.

Changes following the September 2013 salary determinations

The Main Pay Range

- A main pay range will replace the main pay scale. The 6 points will disappear as statutory points, and the lowest and highest points, only, will remain as the minimum and maximum of the pay range. There will be no mandatory pay points for experience.
- Governors will determine the precise salary for each individual between the minimum and maximum of the Pay Range.
- Governors may decide to retain the present points within the school's pay policy, but this will be a decision for each individual school.
- Governors will make decide on moving individuals up the Pay Range, based on performance.
- The head teacher will be expected to make recommendations to the governors on individual teachers' pay before they come to a decision.

The Upper Pay Range (Wales)

- The Upper Pay Range will replace the Upper Pay Scale. The three points will disappear as statutory points, and the lowest and highest points, only, will remain as the minimum and maximum of the Pay Range.
- The present process of making an application to cross the Threshold will come to an end.
- Each school will be expected to determine their process for making an application to go on the Upper Pay Range and to define, for the school, the criteria noted in para 18.2 a) and b) of the STPCD.
- It will not be necessary to reach the maximum of the Main Pay Range before applying to go on the Upper Pay Range. Any teacher can apply.
- It will not necessarily be the head teacher who assesses the application.
- The governors will determine the precise salary between the minimum and maximum for an individual moving into the Upper Pay Range.
- The governors will make decisions on moving individuals up on the Upper Pay Range, based on performance.
- The head teacher will be expected to make recommendations to the Governors on individual teachers' pay before they come to a decision.

Historic pay

Historic pay will not have to count, i.e. there will be no pay security when a teacher moves to work in another school. This endangers individuals' present level of pay and could affect schools' ability to recruit and retain teachers.