

HELLESDON HIGH SCHOOL

PAY AND PERFORMANCE MANAGEMENT POLICIES

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Signed: _____



Chair

Introduction

Hellesdon High School has adopted the model policy contained herein as published by the Norfolk County Council in April 2010 for the Pay and Performance Management of its staff.

The first chapter contains guidance on the requirements of all Governing Bodies of Schools with regards to Pay Policies and includes a model policy for Pay (part 2).

Chapter 2 contains the model policy for Performance Management, review and appeals.

For both model policies, where Hellesdon High School has made any amendments to make the policy school-specific, these have been highlighted in red.

**Pay and Performance Management Policy
A Model for Schools**

REVISED APRIL 2010

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Introduction

Governing Bodies, under education legislation, have full responsibility for how money is spent in their school. This, of course, includes decisions on the pay and grading of all their staff but the Teachers' Pay and Conditions Document now places a statutory duty on schools to adopt policies which set out the basis on which they determine teachers' pay and for determining appeals. In addition, the Education (School Teacher Performance Management) (England) Regulations 2006 require that the Governing Body ensures that the performance of teachers and the Headteacher is managed and reviewed in accordance with those regulations. This advice, once adopted by the Governing Body, should ensure fair and equitable treatment for all staff and minimise the prospect of disputes about legal challenges to pay or performance management decisions.

Set out in the model policy text are a number of options which enable the complex issues of pay and performance management to be effectively managed. These options are highlighted in a variety of ways and allow the Governing Body to produce its own policy and identify ways of actively managing the various processes.

In the chapter on Performance Management, the text is mainly drawn from a National Model which sets out text in **Bold** areas required by regulation. ***Bold italics*** identifies issues which are required by legislation but where there are options in the way they are interpreted. Text in *Italics* is good practice guidance recommended for inclusion.

Given that the Performance Management chapter reflects strong contributions from the Rewards and Incentives Group (RIG) partners, essentially there has been no attempt to change their advice.

Staff Pay

School staff pay is affected by a complex range of legislation, and national and local pay agreements, which give Governing Bodies some flexibility to determine pay levels to meet local circumstances.

Operating a sound pay policy will enable Governing Bodies to:

- define clearly Governors' responsibilities;
- identify how pay and conditions issues will be managed in school;
- allow staff to be confident that they will receive fair treatment under the arrangements approved by Governors;
- enable Governing Bodies to adhere to the requirements of Equal Pay and other relevant Legislation;
- ensure confidentiality through the application of the pay policy.

Through a pay policy Governing Bodies will be able to:

- determine the most effective allocation of funds;
- agree levels of pay for Headteachers, other leaders and teachers;

- determine the appropriate grading of support staff;
- decide how good performance in school is to be recognised within a pay structure.

Performance Management

For teachers and headteachers the Regulations set out above came into force from 1st September 2007 and although mandatory, state clearly where governing bodies' are able to exercise discretion.

Regulation 7(9) requires that each governing body shall establish a written policy that shall:

- state what results the policy is intended to achieve and how these will be measured;
- show how the school's arrangements for school teacher performance management link with those for school improvement, school self-evaluation and school development planning;
- show how the school will seek to achieve consistency of treatment and fairness between those teachers with similar experience or levels of responsibility;
- set out the timing of the cycle;
- include a classroom observation protocol;
- provide performance management training to be made available as the need arises;
- state the arrangements for monitoring and evaluating the policy: and

specify any ancillary or supplementary procedures necessary for the operation of the performance management of teachers at the school in accordance with these Regulations.

Pay and Performance Management Policy

Chapter One

PAY

Managing Your School's Pay Policy

1.1 An Effective Pay Policy

For a pay policy to work effectively, a number of components need to be present. These are:

- the principles underpinning the policy;
- roles and responsibilities;
- clarity about the operational decisions required, flowing from the policy;
- integration with the overall management of the school's budget;
- consistency with the delivery of the School Improvement and Development Plan;
- compliance with legislative requirements;
- defined pay determination procedures;
- a timetable for action.

1.2 Principles of the Pay Policy

Each Governing Body will need to decide upon the principles underpinning its pay policy. These principles are likely to cover a wide range of issues such as its approaches to salaries on appointment of all new staff, the basis upon which increased responsibility is rewarded, pay progression, etc. A model pay policy is featured in Part 2, which will enable Governors to establish their own school policy.

Support is available from Children's Services Human Resources (CSHR) in adopting an appropriate policy framework for your school. The section 'Pay Determination Procedures' also provides advice on how to go about developing your pay policy.

1.2.1 Role of the Governors

Governing Bodies have the power to determine the pay for staff in their schools. Where a school pay policy has been adopted, as previously indicated, Governors will wish to ensure that all pay decisions made fall within the framework of that policy. It is expected that Governing Bodies will rely heavily on the recommendation of the Headteacher (or line-manager where this has been delegated) in making decisions about staff salaries, with the exception of decisions about the Head teacher's own pay.

School government regulations which cover withdrawal from a Governing Body meeting (or a committee meeting), apply, of course, to discussions on pay. This is of particular note in relation to the role of staff Governors, who must withdraw from any meeting during consideration of the pay or performance appraisal of any other employee, and not vote on related matters.

1.2.2 Role of Head teachers

Head teachers, whether they are Governors or not, have a key role in supporting Governing Bodies in reaching decisions on pay. The Head teacher must withdraw from the meeting, where his/her pay is being discussed.

Under the Regulations covering pecuniary interests, Head teachers may not, of course, vote on their own salaries.

1.2.3 Role of Children's Services HR (CSHR)

CSHR is available to advise on any aspect of managing and implementing pay policies.

1.3 Operational Decisions

Before seeking to make decisions about an individual's pay, the school's Governing Body will want to take an overview of how the application of pay will meet the school's needs. The more obvious factors that could be considered are whether:

- the school has problems in recruiting and retaining staff generally or in specific areas;
- current pay arrangements ensure that the school has the right balance of staff to deliver curriculum needs;
- the school's personnel data on turnover, vacancies, sickness, absence, etc., indicate problems with pay policy;
- monies are available within the school budget to pay current salaries and any anticipated pay advancements.
- whether the school is eligible for any grants specifically for performance pay progression.

The Governing Body will need to undertake an annual review of pay for all teaching staff. This should be undertaken during the Autumn Term but no later than 31 October (31 December for the Headteacher) when data will be available to help with the review of performance. Any decisions on pay will be backdated to 1st September. The specific items that form part of the annual review are the determination of:

- the Head teacher's salary;
- other leaders' salaries;
- teaching staff salaries.

Although pay progression for support staff can be considered at any time, an annual review needs to be undertaken in order to ensure that grading is still current.

Reviews may also take place at other times of the year to reflect any changes in circumstances or job description that lead to a change in the basis for calculating an individual's pay.

A written statement will be given to the employee affected after any review of their pay and where appropriate will give information about the basis on which a decision was made and their right of appeal.

1.4 School Budget

The continued development and management of pay policy will be determined by the allocation Governors decide to devote to salary and wage costs.

1.5 School Improvement and Development Plan

It is important to integrate pay with the School Improvement and Development Plan and Staffing Plan in order to provide opportunities to reward and motivate staff who undertake the tasks and responsibilities required to implement the Development Plan.

Through consideration of these issues, Governing Bodies will be in a position to examine the pay of school staff against a clearer view of current, and future, needs. This should aid the decision-making process.

1.6 Pay Determination Procedures

In order to undertake an annual review of the school's pay arrangements (including the pay of Head teachers and other leaders), Governing Bodies will wish to lay down clear ground rules as to how it will happen in their school. What follows is a suggested approach that Governing Bodies can tailor to their own local circumstances.

Firstly, it is necessary to ensure that the Governing Body has adopted a pay policy. The key elements in drawing up and adopting a pay policy are:

- gathering documentation;
- appointing/convening committee (Staff Pay Committee) who will:
 - draft a school pay policy and circulate to all Governors and all staff for comment;
 - amend the policy in the light of comments;
 - circulate the final draft to all staff and Governors;
- a process whereby the full Governing Body considers the final draft and any further comments and formally adopts (and minutes) the policy;
- copying or making available to every Governor and member of staff the agreed pay policy.

1.6.1 The Pay Committee

It is recommended the Pay Committee has fully delegated powers and, if so, must be established in accordance with the appropriate school government regulations.

The Staff Pay Committee should consist of at least three Governors and no more than five, and its terms of reference should be approved by the full Governing Body.

In relation to the Head teacher's salary, Governing Bodies are required to appoint two or three Governors to appraise the Headteacher. This Committee (Head teacher's Pay Committee) should undertake the Head teacher's performance review for pay purposes and Governing Bodies are advised to delegate to this Committee responsibility for deciding whether or not to award a point on the pay spine. These Governors may well be members of the Staff Pay Committee.

The full Governing Body decides on matters of policy, but cannot determine individual salaries. If all Governors have been party to a decision on a salary and an appeal is subsequently made, all Governors could be prejudiced and there might be none to hear the appeal. The Governing Body must ratify the ranges for the leadership group and the reasons for them.

Once the pay policy has been agreed, it is important that all pay decisions are made and communicated in accordance with the policy. It will be necessary to review the policy on an annual basis to ensure that it is still relevant.

The pay committees should have sufficient information and knowledge to enable them to make clear decisions on pay. This could include:

- for staff other than the Headteacher, any recommendations made by the Headteacher or where so delegated, the line-manager
- outcomes of Performance Management;
- position on the relevant pay spine and other salary components;
- Teachers' Pay and Conditions Document;
- information on pay and gradings for support staff;
- details of the school budget;
- forecast information on pay awards;
- details of the School Improvement and Development Plan and Staffing Plan.

1.6.2 Appeals

The Governing Body must set up a committee (Pay and Performance Management Appeals Committee) which would hear pay appeals. The members of this Committee should not have participated in pay determination procedures in the current round. The Chair of the Pay and Performance Management Appeals Committee must inform

the member of staff of the outcome of the appeal and should also notify the Governing Body.

1.7 Timetable For Action

The key dates together with decisions required of Governing Bodies are shown on the 'Pay Timetable' overleaf.

PAY TIMETABLE

PAY EVENTS EXTERNALLY DETERMINED		SCHOOL ACTION ON PAY
<p>April</p> <p>¹Local Government Scheme staff national pay award</p>	<p>School Budget fixed</p>	<p>Implementation of changes arising from annual pay review for Local Government Scheme staff backdated to 1st April. This will be reviewed following the outcome of the Modern Reward Strategy</p>
<p>May/June</p>		<p>Annual pay review undertaken for LGS staff, including review of performance.</p>
<p>September</p> <p>Teachers' annual pay award</p>		<p>Teaching staff receive notification of pay determination. Implementation of changes arising from annual pay review for teachers commence from 1st September.</p>
<p>Sept/Oct</p>		<p>Annual pay review undertaken for teachers, including members of the leadership group, (except Headteacher) including outcomes of Performance Management Review. Any progression backdated to 1st September.</p> <p>Setting of Leadership (except Headteacher) performance objectives including pay for next year.</p>
<p>December</p>		<p>Annual pay review undertaken for the Headteacher, including outcomes of Performance Management review. Any progression backdated to 1st September. Setting of Headteacher performance objectives including pay for next year.</p>

PART 2

MODEL PAY POLICY

1. Introduction

The Governing Body of **Hellesdon High School** recognises that pay is of considerable importance in managing 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 which surrounds it.

For these and statutory reasons the following pay policy was adopted by the Governing Body in **October 2010**

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

2. Qualified Teachers

The salaries of teaching staff will be assessed:

- annually to take effect from 1st September (and individual teachers notified as required by the School Teacher' Pay and Conditions Document);
- upon appointment to the school;
- at any other time provided for by the School Teachers' Pay and Conditions Document.

2.1 This assessment will be determined as set out in the current School Teachers' Pay and Conditions Document. In order to determine the position on the pay spine the following criteria will be used:

2.1.1 **Qualifications**

- (i) Qualified teachers will commence on at least point M1 of the pay scale for qualified teachers;
- (ii) Serving teachers will be awarded an additional point for a good honours degree (second class or above) if they completed their study in, or prior to the academic year ended 31st August, 2002;
- (iii) These points will be awarded on a permanent basis.

2.1.2 Experience

- (i) One point will 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 England or Wales (such as Scotland) on their return to England and Wales;
- (ii) The Governing Body may award an additional point for experience in the previous academic year where a teacher's performance during that year was deemed to be excellent;
- (iii) The Governing Body will also consider other relevant experience and may award additional points (subject to a maximum of one full point per year) if they consider this experience to be appropriate upon appointment. This is likely to include teaching in a City Academy, City Technology College, independent school, sixth form colleges or in higher or further education. For each period of three years service as a qualified teacher in an overseas school outside the European Economic Areas in the maintained sector of the country concerned, or outside teaching but working in a relevant area (including industrial or commercial training, time spent in an occupation relevant to the teacher's work at school and experience with children/young people) one point will be awarded. *Normally the Governing Body will award no more than one point for every year of other relevant experience;*
- (iv) The Governing Body will consider awarding on a case by case basis with regard to equal opportunities, fairness and transparency;
- (v) Points for experience will be awarded on a permanent basis. The maximum number of points available in respect of experience is five. Once awarded, experience points cannot be rescinded. Moreover, teachers transferring from another school will retain their accumulated experience points;
- (vi) The Governing Body may decide not to award an experience point when a teacher has performed unsatisfactorily. This will normally only take place in the context of a formal disciplinary or capability procedure and must follow prior written notification to the teacher concerned.

2.1.3 Short notice/Supply Teachers

Teachers who work on a day to day or other short notice basis have their pay determined in line 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. Similarly teachers who work less than a full day will be hourly paid and will also have their salary calculated as an annual amount to which a full-time member of staff would be entitled, calculated in accordance with a pro-rata process based in the number of hours that the teacher is employed during the course of the school's 'timetabled teaching week' as a proportion of the total number of hours that a full-time person would work. The timetabled teaching week is defined in the School Teacher's Pay and Conditions document as 'the aggregate period of time and in the school timetable during which students are normally taught'. This will then be divided by one hundred and ninety five and then divided again by 6.5 to arrive at the

hourly rate. As a result of dividing by one hundred and ninety five all such staff's pay will include an amount of holiday pay

2.2 Upper Pay Scale

2.2.1. Performance Threshold Applications

- 2.2.1.1 A qualified teacher may apply once in any school year to the Governing Body for assessment against the performance threshold standards set out in the Teachers' Pay and Conditions Document when, or at any time after, he/she has been placed on point M6 of the main pay scale.
- 2.2.1.2 The Governing Body delegates the receipt and assessment of any application to the Headteacher. The application must contain a summary of the evidence the teacher wishes to rely on in order to demonstrate that his/her performance has met the performance threshold standards throughout the relevant period of not less than two and not more than three years of employment, as defined in the regulations, ending with the date of application.
- 2.2.1.3 Having considered the application, the evidence referred to in the application and such other evidence as he/she thinks appropriate, the Headteacher must determine whether the applicant has, or has not, met all the performance standards throughout the relevant period.
- 2.2.1.4 Where a teacher is eligible for and successful at threshold assessment, he/she will be placed on point 1 of the upper pay scale from 1st September of the academic year in which the application was made.
- 2.2.1.5 Former LA advisers/inspectors/headteachers/deputies, assistant headteachers or teachers previously assessed as an Advanced Skills Teacher, if appointed to a post on the teachers' pay scale will be deemed to have passed threshold if they return to a teaching post (unless other protection arrangements apply). The Governing Body will determine which upper pay spine point would be most appropriate, when doing so consider any pay progression such teachers made in their previous employment based on comparable criteria to requirements for progression on the upper pay scale and will not unreasonably withhold payment at the equivalent point on the upper pay scale.
- 2.2.1.6 Further progression on the upper pay scale will be subject to the Headteacher firstly collecting and then making an assessment that the teacher has demonstrated a substantial and sustained performance and contribution by the teacher and will accord to the provisions set out in Annex 3. Where the assessment produces an unfavourable outcome, the Headteacher should inform the teacher concerned of their right of appeal (see section 20).

- 2.2.1.7 Determination on progression on the upper pay scale will be made by Governors in the light of an annual review of eligible teachers under the School's policy on progression, including any recommendations of the Headteacher;
- 2.2.1.8 Only in exceptional circumstances will progression on the upper pay scale occur at intervals of less than two years. The Pay Committee will determine exceptional circumstances on a case by case basis having regard to equalities, fairness and transparency;
- 2.2.1.9 Performance points on the upper pay scale may be withdrawn when a teacher has performed unsatisfactorily. This will normally only take place in the context of a formal capability or disciplinary procedure and must follow prior written notification to the teacher concerned.
- 2.2.1.10 There is no scope for teachers transferring between establishments to voluntarily relinquish these upper scale points on transfer.

2.3 Discretionary Allowances and Payments

2.3.1 Management Allowances

The Governing Body recognises that Management Allowances have been phased out as of 31st December 2008 and have been replaced by Teaching and Learning Responsibility payments (TLR's). Salary Protection/Safeguarding is covered in Section 10.

2.3.2 Teaching and Learning Responsibility payments (TLR's)

The Governing Body recognises that TLR's have replaced Management Allowances, as of 1st January 2009.

In this School, TLR's will be awarded to the holders indicated in the attached Staffing Structure (Appendix 3). It is recognised that such classroom teachers will undertake a sustained additional responsibility in the context of the School's staffing structure for the purpose of ensuring the confirmed delivery of high quality teaching and learning for which he/she is made accountable.

The values of the TLR's to be awarded at this School are set out in the Staffing Structure.

2.3.2 Recruitment and Retention

The Governing Body has chosen not to exercise its discretion to award incentives for recruitment and retention at this stage.

2.3.3 Special Educational Needs Allowances

Special Needs Allowances will be awarded by the Governing Body to teachers meeting the criteria set out in the Teacher's Pay and Conditions Document as follows where applicable:-

Special Educational Needs Allowance One

- If a special school to all classroom teachers.
- If a mainstream school to all classroom teachers who are engaged wholly or mainly in taking charge of special classes of children who are hearing impaired or visually impaired or who teach students with statements in designated special classes (as defined by the local authority).
- Is a mainstream school to classroom teachers who make a particular contribution to the teaching of students with special educational needs which is significantly greater than that which would normally be expected of a classroom teacher.

Special Educational Needs Allowance Two

To classroom teachers who qualify for SEN Allowance One and who

- Hold a recognised and relevant special educational needs qualification.

3. Unqualified Teachers

The salaries of unqualified teachers will be assessed upon appointment within the unqualified scale and may be reviewed at the discretion of the Governing Body.

Points may be awarded in respect of relevant qualifications and/or experience as follows:

Qualifications:

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.

Experience:

One point on the scale for each year's school teaching as an overseas trained teacher or teaching in higher/further education.

Where a teacher is appointed with experience of working in a relevant area (this includes industrial or commercial training, time spent in an occupation relevant to the teacher's work at the school and experience with children/young people) and the Governing Body considers this to be of value to the performance of their duties, they may award an additional point or points. Given that until August 2008, it was the Governors policy to consider awarding 1 point for every three years of relevant service where it was a 9 point unqualified scale, in recognition that the scale has been reduced to 6 points, the Governors will consider awarding 1 point for every 4½ years of working in a relevant area.

Where a teacher is appointed below the maximum point of the unqualified teacher scale, one increment will be awarded on an annual basis (with effect from 1st September) for every completed year of service until the maximum of the scale is reached.

Notwithstanding this, the Governing Body may award additional increments as it considers appropriate up to the maximum of the scale. An unqualified teacher is not eligible to apply for threshold assessment.

The Governing Body will consider awarding additional increments on a case by case basis, consistently, with regard to equal opportunities, fairness and transparency.

The Governing Body may decide not to award an experience point when an unqualified teacher has performed unsatisfactorily. This will normally only take place upon the advice of the Headteacher and in the context of a formal disciplinary or capability procedure and must follow prior written notification to the teacher concerned.

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

Where appropriate, the Governing Body will pay an unqualified teacher on one of the employment based routes into teaching. These payments will be at the discretion of the Governing Body and be consistent with other payments made to other such unqualified staff employed.

4. Excellent Teachers

Where the Governing Body decides to appoint Excellent Teachers, the relevant staff will be subject to the process of appointment and standards set out in the Pay and Conditions Document.

For pay purposes

- (i) Existing Excellent Teachers' salaries will be re-determined by the Governing Body and either, from September 2008:
 - have their salary increased or
 - if their salary decreases, pay the teacher the safeguarding sum, in accordance with the Pay and Conditions document requirements.
- ii) Salaries of Excellent Teachers will be assessed:
 - Upon appointment to the school
 - at any other time as provided for by the School Teachers Pay and Conditions Document.
- iii) In accordance with the Pay and Conditions Document, the Governing Body will within the range laid down, select a pay range and determine the number of points.

An Excellent Teacher will be paid such salary, within the range set out in the School Teachers Pay and Conditions Document having regard to:

- the nature of the work to be undertaken: and
- the degree of challenge of the role

5. **Advanced Skills Teachers (ASTs)**

Where the Governing Body decides to appoint AST's , the relevant staff will be subject to the process of appointment and standards set out in the Pay and Conditions Document.

For pay purposes:

- (i) ASTs will be paid on the Advanced Skills Teachers' pay spine;
- (ii) Salaries of ASTs will be assessed:
 - upon appointment to the school;
 - at any other time as provided for by the School Teachers' Pay and Conditions Document.
- (iii) The Governing Body will select a pay range consisting of five consecutive points on the pay spine for each AST.
- (iv) When determining an appropriate five-point pay range, the Governing Body will have regard in particular (but not exclusively) to the following criteria:
 - the nature of the work to be undertaken, including any work with teachers from other schools;
 - the degree of the challenge of the role;
 - the professional competencies required of the teacher;
 - any other recruitment considerations which it considers relevant.
- (v) The salary of a newly appointed advanced skills teacher shall be that corresponding to the lowest point on that five-point range;
- (vi) In accordance with the School's Pay and Performance Management Policy the Governing Body shall require the Headteacher to agree performance criteria annually with the advanced skills teacher and review performance against those criteria;
- (vii) When determining the salary of an advanced skills teacher, the Governing Body shall not determine that there shall be any movement up the pay spine unless there has first been a sustained high quality of performance by the advanced skills teacher (including any appropriate work undertaken at other schools, in higher education facilities, at facilities of the LA and elsewhere) in the light of the performance criteria previously agreed between the Governing Body and the advanced skills teacher. Such points awarded will not exceed two in the course of the academic year and will be effective from 1st September each year.

6. Leadership Group

Members of the leadership group are paid on the leadership pay spine. Salaries of members of the leadership group will be assessed:

- annually to take effect from 1st September;
- upon appointment to the school;
- upon any adjustment to the Individual School Range (ISR) or pay range;
- at any other time as provided for by the School Teachers' Pay and Conditions Document.

6.1 Head Teachers

6.1.1 The Governing Body will determine the group size of the school and then select an ISR consisting of seven consecutive points on the leadership pay spine (normally in the range applicable to the group size) as set out in the School Teachers' Pay and Conditions Document.

6.1.2 When determining the ISR the Governing Body will base this on the school's size, circumstances, and other responsibilities of the post and will take account of any difficulties there may be in recruiting or retaining a Headteacher.

6.1.3 The Governing Body may consider setting the ISR up to two groups above the school's group when recruiting a new Head or retaining an existing Head only in the following exceptional circumstances:

- if the school is subject to a formal warning, or in serious weaknesses or subject to special measures and needs to appoint a new Headteacher to turn the school around;
- where the Governing Body determine that an ISR within the school's group would not be sufficient to attract a suitable candidate to the vacant Headship or is not sufficient to retain the existing Head and there is a perceived need to do so;

6.1.4 Where the Governing Body agree and the Headteacher is appointed as Headteacher of more than one school or where collaboration arrangements are made under the Collaboration Arrangements (Maintained Schools and Further Education Bodies) (England) Regulations 2007, if the Governing Body are the original school it will determine the Individual School Range/Annual Salary Range in accordance with the provisions of the School Teachers Pay and Conditions Document.

6.1.4.1 Where such arrangements are temporary:

- The pay arrangements will be for the duration of such appointment only
- The Governing Body will recognise the expectation that these temporary arrangements should have a maximum duration no longer than two years.
- The contractual arrangements will be set out as a fixed term variation of the Headteacher's employment contract
- The Governing Body will consider and determine the requirement for additional staff and/or temporary pay increases for other staff whose responsibility are increased in the absence of the substantive postholder.

- The Governors note that in such circumstances safeguarding provisions will not apply when the arrangements cease.
 - The Governors will ensure that the payment for additional responsibilities is compatible with the provisions of the School Teachers Pay and Conditions Document and the School's Pay and Performance Management Policy.
- 6.1.5 Where the Governing Body and Headteacher agree to participate in Local Area Plans for the provision of a range of extended services on the school site for children and young people from the area and where this involves significant additional responsibility, the Governing Body will:
- Consider this when setting the Headteacher's ISR.
 - Consider this when assessing the remuneration of other members of the leadership team or teachers.
 - Exercise their responsibilities in accordance with the School Teachers Pay and Conditions Document.
- 6.1.6 In accordance with its Performance Management Policy the Governing Body will seek to agree performance objectives annually with the Headteacher, relating to school leadership, management and student progress and, in default of agreement, the Governing Body will set such performance objectives.
- 6.1.7 Commencing salary will be determined in accordance with the provisions of the Teachers' Pay and Conditions Document. The Governing Body shall not determine that there shall be any further progression up the pay spine unless there has been a sustained high quality of performance in the case where the Headteacher is not subject to the 2002 Regulations or the 2006 Regulations a review of his/her performance has been carried out under 6.1.4 above or where the Headteacher is subject to the 2002 Regulations or the 2006 Regulations having regard to the result of the most recent appraisal carried out in accordance with the 2002 Regulations or the results of the most recent review carried out in accordance with the 2006 Regulations as the case may be. The Governing Body has decided to accord to the provisions set out in Annex 3.
- 6.1.8 When making any determination under 6.1.5 above in relation to the 2006 Regulations, if they apply, the Governing Body will have regard to any recommendation on pay progression recorded in the Headteacher's most recent planning and review statement.
- 6.1.9 Other than when it is necessary, after a change in the ISR, to move the Headteacher up the pay scale to ensure the salary equals the minimum of the ISR, the Headteacher's salary will not be increased by more than two points in the course of the academic year. Such points awarded, will be effective from 1st September each year. Where a higher ISR is set, any performance points for the previous year will be granted on the basis of the lower ISR before the salary is assimilated on to the higher range.
- 6.1.10 In relation to the setting and review of performance objectives the Governing Body will be advised by a School Improvement Partner (or equivalent external adviser).

6.2 Deputy Headteachers

- 6.2.1 The Governing Body will select a Deputy Headteacher pay range, for each Deputy Headteacher, consisting of five consecutive points on the leadership pay spine as set out in the School Teachers' Pay and Conditions Document.
- 6.2.2 When determining each Deputy Headteacher's pay range the Governing Body 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 Headteacher.
- 6.2.3 The maximum of the pay range for a Deputy Headteacher must be at least one point below the minimum of the ISR for the Headteacher and the minimum of the range for any Deputy Headteacher must be higher than the salary* of the highest paid classroom teacher.
- 6.2.4 In accordance with its Pay and Performance Management Policy the Governing Body, require the Headteacher, to agree performance objectives annually with the Deputy Headteacher(s) relating to school leadership and management and student progress and in default of agreement the Headteacher will set such performance objectives.
- 6.2.5 Commencing salary will be determined in accordance with the provisions of the School Teachers' Pay and Conditions Document. The Governing Body shall not determine that there shall be any further progression up the pay spine unless there has been a sustained high quality of performance in the case where the Deputy Headteacher is not subject to the 2002 Regulations or the 2006 Regulations having regard to the performance objectives agreed or set under 6.2.4 or where the Deputy Headteacher is subject to the 2002 Regulations or the 2006 Regulations, having regard to the result of the most recent appraisal carried out in accordance with the 2002 Regulations or the results of the most recent review carried out in accordance with the 2006 Regulations as the case may be. The Governing Body has decided to accord to the provisions set out in Annex 3.
- 6.2.6 When making any determination under 6.2.5 above in relation to the 2006 Regulations, if they apply, the Governing Body will have regard to any recommendation on pay progression recorded in the Deputy Headteacher's most recent planning and review statement.
- 6.2.7 Other than when it is necessary to move the Deputy Headteacher up the pay scale to ensure the salary equals the minimum of his/her Deputy Head pay range, the Deputy Head's salary will not be increased by more than two points in the course of the academic year. Such points awarded will be effective from 1st September each year. Where a higher Deputy Head range is set, any performance points for the previous year will be granted on the basis of the lower pay range before the Deputy Headteacher's pay is assimilated on to the higher range.

6.3 Assistant Headteachers

- 6.3.1 The Governing Body will select an Assistant Headteacher pay range for each Assistant Headteacher, consisting of five consecutive points on the leadership pay spine as set out in the School Teachers' Pay and Conditions Document.

- 6.3.2 When determining each Assistant Headteacher's pay range the Governing Body will base this on the circumstances and responsibilities of the post and will take account of any difficulties there may be in recruiting an Assistant Headteacher.
- 6.3.3 The maximum of the pay range for an Assistant Headteacher must be at least one point lower than the maximum of the range for any Deputy Headteacher and the minimum of the range for any Assistant Headteacher must be higher than the salary* of the highest paid classroom teacher.
- 6.3.4 Other than when it is necessary to move the Assistant Headteacher up the pay scale to ensure the salary equals the minimum of his/her Assistant Headteacher pay range, the Assistant Headteacher's salary will not be increased by more than two points in the course of the academic year. Such points awarded will be effective from 1st September each year. Where a higher Assistant Headteacher range is set, any performance points for the previous year will be granted on the basis of the lower pay range before the Assistant Headteacher's pay is assimilated on to the higher range.
- 6.3.5 In accordance with its Pay and Performance Management Policy the Governing Body, require the Headteacher, will seek to agree performance objectives annually with the Assistant Headteacher(s) relating to school leadership and management and student progress and in default of agreement the Headteacher will set such performance objectives.
- 6.3.6 Commencing salary will be determined in accordance with the provisions of the School Teachers' Pay and Conditions Document. The Governing Body shall not determine that there shall be any further progression up the pay spine unless there has been a sustained high quality of performance in the case where the Assistant Headteacher is not subject to the 2002 Regulations or the 2006 Regulations having regard to the performance objectives agreed or set under 6.3.5 or where the Assistant Headteacher is subject to the 2002 Regulations or the 2006 Regulations, having regard to the result of the most recent appraisal carried out in accordance with the 2002 Regulations or the results of the most recent review carried out in accordance with the 2006 Regulations as the case may be. The Governing Body has decided to accord to the provisions set out in Annex 3.
- 6.3.7 When making any determination under 6.3.6 above in relation to the 2006 Regulations, if they apply, the Governing Body will have regard to any recommendation on pay progression recorded in the Assistant Headteacher's most recent planning and review statement.

*Please refer to the definition as outlined in the School Teachers' Pay and Conditions Document. The Governing Body *has/has not* decided to include recruitment and retention allowances in this calculation.

Additional Payments to Teachers

- (i) The Governing Body has chosen not to exercise its discretion to award additional payments for inservice training;
- (ii) The Governing Body has chosen not to exercise its discretion to award additional payments for out of school hours learning activities;

- (iii) The Governing Body may exercise its discretion to award additional payments to teachers (including the Headteacher) for activities related to the provision of Initial Teacher Training, in which case the Pay Committee will determine any payments on an individual basis;
- (iv) Where a teacher is assigned and carries out the duties of a Headteacher, Deputy Headteacher, or Assistant Headteacher, but has not been appointed in an acting capacity the Governing Body 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;
- (v) The Governing Body may, as an incentive for the recruitment of new teachers and the retention of existing teachers, exercise its discretion to make payments or provide other financial assistance, support or benefits for the purposes of assisting the teacher with:
 - the provision of housing;
 - relocation expenses†;
 - travel expenses incurred in connection with his/her journey to and from his/her place of work†;
 - the provision of care for children or other dependants; or
 - leisure club membership

As far as relocation is concerned, the school will operate the appropriate current Local Authority Scheme. †Reference should be made to Section 1 of the Schools Personnel Handbook (see Part 5: Relocation expenses on recruitment; Travel and meal allowances).

8. Residential Duties

Where teaching staff work in residential establishments, the Governors 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.

9. Support Staff

The Governing Body will ensure that the salaries determined for support staff are in accordance with nationally or locally agreed conditions of service.

9.1 The salaries of all support staff will normally be assessed:

- upon appointment to the school;
- annually to take effect from 1st April;
- upon an appropriate request by the postholder;
- at any other time deemed appropriate by the Governing Body.

9.2 This assessment will be determined by the following criteria:

- responsibilities of the post;

- performance of the postholder in accordance with previously agreed objectives; and the relationship between the outcome and the agreed scheme for progression.
- taking into account any current grading/job descriptions/job evaluation framework in force in the Local Authority;
- in accordance with any career progression scheme for support staff adopted by the school.

10. Salary Protection/Safeguarding

The Governing Body will ensure appropriate salary protection/safeguarding in accordance with the School Teachers' Pay and Conditions Document/NJC national agreements and Local Authority Policy and/or any formal agreements related to individual staff. Employees in receipt of Safeguarding will be expected to undertake commensurate work.

11. Pay Differentials

Salaries assessed in accordance with this policy will take into account different levels of responsibilities and other material differences between posts and postholders, together with any requirements of the School Teachers' Pay and Conditions Document or any Local Authority Job Evaluation Scheme.

12. Staffing Budget

The amount of money allocated to implementing the school's pay policy will be determined at the beginning of each financial year through the budget allocation process of the school.

13. Relationship With The School Improvement And Development Plan

The Governing Body will ensure that any pay-related decisions support and reflect the overall objectives identified in the School Improvement and Development Plan. Wherever possible, career progression and staff development will also be taken into account.

14. Pensions

The Governing Body will not promote staff through the grading systems or use other pay flexibilities to assist in securing an employee's improved pension entitlement on retirement. The Governing Body recognises that, were this to be done, the DCFS and Local Authority, where appropriate, may use their powers to substitute a notional salary for calculation of pension.

15. Access to Development Opportunities

The Governing Body believes that access to development opportunities (for example promotion, additional responsibilities) should be available to all staff, whether full or part-time, permanent or fixed term and will advertise their availability internally.

16. **Equalities**

In the implementation of this policy the Governing Body recognises its responsibilities to comply with:¹

Race Relations Act 1976
Sex Discrimination Acts 1975 and 1986
Equal Pay Act 1970
Employment Relations Act 2002
Disability Discrimination Act 1995
The Employment Rights Act 1996
The Employment Relations Act 1999
Part Time Workers (Prevention of Unfavourable Treatment) Regulations 2002
Fixed Term Employees (Prevention of Unfavourable Treatment) Regs 2002
Employment Equality (Sexual Orientation) regulations 2003
Employment Equality (Religion or Belief) Regulations 2003
Employment Equality (Age) Regulations 2006
The Employment Act 2008

1. This section will be updated following the enactment of the equalities act 2010 which will consolidate some of these acts.

Appropriate consideration will be given where staff have been absent for long periods e.g. due to sickness or maternity leave.

It is the intention of the Governing Body that pay is awarded fairly, equitably and in direct support of the School's policy on equality.

17. **Consultation Arrangements**

In establishing and in subsequently reviewing the school's pay policy, the Governing Body will consider the views of school staff prior to determining the approved policy. A copy of the pay policy will be made available to every member of staff.

18. **Communication Arrangements**

The Governing Body is committed to ensuring that all staff are aware of the school's pay policy and that the reasons for pay-related decisions are understood. The application of the school's pay policy will be undertaken in as open a way as possible. However, the salary details of individual members of staff shall remain confidential between themselves and the Headteacher/Pay Committees/Governing Body/accredited external parties. The chairs of the pay committees are responsible for informing staff of any decisions of the pay committees.

19. **Initial Determination of Pay**

The Governing Body will have overall responsibility for all pay matters. However, other than the determination of salary/pay ranges for members of the leadership group, the Staff Pay Committee and the Headteacher's Pay Committee will both have fully delegated powers to make decisions within the pay policy approved by the Governing Body.

20. **Appeal Against Pay Decisions**

A member of staff may appeal against any determination in relation to his/her pay or any other decision taken that affects pay. Details of the appeals process are set out in Annexes 1 & 2 of the Pay and Performance Management Policy.

Pay and Performance Management Policy

Chapter Two

PERFORMANCE MANAGEMENT

MODEL PERFORMANCE MANAGEMENT POLICY

In the model policy text in **Bold** is required by regulation. Text in ***Bold italics*** identifies issues which are required by regulation but where there are options on the way they are interpreted. Text in *Italics* is good practice guidance recommended for inclusion.

APPLICATION OF THE POLICY

The policy applies to the head teacher and to all teachers employed by the school except teachers on contracts of less than one term, those undergoing induction (ie NQTs) and those who are the subject of capability procedures.

PURPOSE

*This policy sets out the framework for a clear and consistent assessment of the overall performance of teachers and the head teacher **and for supporting their development needs within the context of the school's improvement plan and their own professional needs.** Where teachers are eligible for pay progression, the assessment of performance throughout the cycle against the performance criteria specified in the statement will be the basis on which the recommendation is made by the reviewer.*

From 1 September 2009 (Threshold Round 10) for teachers subject to the 2006 performance management regulations who request assessment against the post threshold standards, headteachers will normally only use the evidence recorded in their performance management (PM) review statements covering the two-year period prior to the receipt of the request for assessment.

LINKS TO SCHOOL IMPROVEMENT, SCHOOL SELF EVALUATION AND SCHOOL DEVELOPMENT PLANNING

To comply with the requirement to show how the arrangements for performance management link with those for school improvement, school self-evaluation and school development planning and to minimise workload and bureaucracy the performance management process will be the main source of information as appropriate for school self-evaluation and the wider school improvement process.

Similarly, the school improvement and development plan and the school's self evaluation form are key documents for the performance management process.

All reviewers are expected to explore the alignment of reviewees' objectives with the school's priorities and plans. The objectives should also reflect reviewees' professional aspirations.

CONSISTENCY OF TREATMENT AND FAIRNESS

The Governing Body is committed to ensuring consistency of treatment and fairness in the operation of performance management.

To ensure this the following provisions are made in relation to moderation, quality assurance and objective setting.

Quality assurance

*The head teacher has determined that he will **delegate the reviewer role for some or all teachers for whom s/he is not the line manager. In these circumstances the head teacher will:***

b) moderate a sample of planning statements to check that the plans recorded in the statements of teachers at the school:

- ***are consistent between those who have similar experience and similar levels of responsibility;***
- ***comply with the school's performance management policy, the regulations and the requirements of equality legislation***

The Governing Body will: *nominate up to three governors who will not be involved in the head teacher's performance management or any appeal regarding the head teacher's performance management to ensure that the head teacher's planning statement is consistent with the school's improvement priorities and complies with the school's performance management policy and the Regulations.*

The Governing Body will review the quality assurance processes when the performance policy is reviewed.

OBJECTIVE SETTING

*The objectives set will be rigorous, challenging, achievable, time-bound, fair and equitable in relation to teachers with similar roles/responsibilities and experience, **and will have regard to what can reasonably be expected of any teacher in that position given the desirability of the reviewee being able to achieve a satisfactory balance between the time required to discharge his professional duties and the time required to pursue his personal interests outside work, consistent with the school's strategy for bringing downward pressure on working hours. They shall also take account of the teacher's professional aspirations and any relevant pay progression criteria. They should be such that, if they are achieved, they will contribute to improving the progress of students at the school.***

*The reviewer and reviewee will seek to agree the objectives but **where a joint determination cannot be made the reviewer will make the determination.***

In this school all teachers, including the head teacher, will have no more than 3 objectives.

Though performance management is an assessment of overall performance of teachers and the head teacher, objectives cannot cover the full range of a teacher's roles/responsibilities. Objectives will, therefore, focus on the priorities for an individual for the cycle. At the review stage it will be assumed that those aspects of a teacher's roles/responsibilities not covered by the objectives or any amendment to the statement which may have been necessary in accordance with the provisions of the regulations have been carried out satisfactorily.

Reviewing Progress

At the end of the cycle assessment of performance against an objective will be on the basis of the performance criteria set at the beginning of the cycle. Good progress towards the achievement of a challenging objective, even if the performance criteria have not been met in full, will be assessed favourably.

The performance management cycle is annual, but on occasions it may be appropriate to set objectives that will cover a period over more than one cycle. In such cases, the basis on which the progress being made towards meeting the performance criteria for the objective will be assessed at the end of the first cycle and will be recorded in the planning and review statement at the beginning of the cycle.

APPEALS

At specified points in the performance management process teachers and head teachers have a right of appeal against any of the entries in their planning and review statements. *Where a reviewee wishes to appeal on the basis of more than one entry this would constitute one appeal hearing.*

Details of the appeals process are set out in Annexes 1 & 2 of this Pay and Performance Management Policy.

CONFIDENTIALITY

The whole performance management process and the statements generated under it, in particular, will be treated with strict confidentiality at all times. Only the reviewee's line manager or, where s/he has more than one, each of her/his line managers will be provided with access to the reviewee's plan recorded in her/his statement, upon request, where this is necessary to enable the line manager to discharge her/his line management responsibilities. Reviewees will be told who has requested and has been granted access.

TRAINING AND SUPPORT

The school's CPD programme will be informed by the training and development needs identified in the training annex of the reviewees' planning and review statements.

The governing body will ensure in the budget planning that, as far as possible, appropriate resources are made available in the school budget for any training and support agreed for reviewees.

An account of the training and development needs of teachers in general, including the instances where it did not prove possible to provide any agreed CPD, will form a part of the head teacher's annual report to the governing body about the operation of the performance management in the school.

With regard to the provision of CPD in the case of competing demands on the school budget, a decision on relative priority will be taken with regard to the extent to which: (a) the CPD identified is essential for a reviewee to meet their objectives; and (b) the extent to which the training and support will help the school to achieve its priorities. The school's priorities will have precedence. Teachers should not be held accountable for failing to make good progress towards meeting their performance criteria where the support recorded in the planning statement has not been provided.

APPOINTMENT OF REVIEWERS FOR THE HEAD TEACHER

Appointment of Governors

In this school: The Governing Body is the reviewer for the head teacher and to discharge this responsibility on its behalf may appoint 2 or 3 governors.

Where a head teacher is of the opinion that any of the governors appointed by the governing body under this regulation is unsuitable for professional reasons, s/he may submit a written request to the governing body for that governor to be replaced, stating those reasons.

Appointment of School Improvement Partner or External Adviser

The local authority has appointed a School Improvement Partner for the school, who will provide the Governing Body with advice and support in relation to the management and review of the performance of the head teacher.

APPOINTMENT OF REVIEWERS FOR TEACHERS

In the case where the head teacher is not the teacher's line manager, the head teacher may delegate the duties imposed upon the reviewer, in their entirety, to the teacher's line manager. In this school the head teacher has decided that:

The head teacher will be the reviewer for those teachers he directly line manages and will delegate the role of reviewer, in its entirety, to the relevant line managers for some or all other teachers.

The maximum number of reviews that any line manager will be expected to undertake per cycle is 4.

Where a teacher has more than one line manager the head teacher will determine which line manager will be best placed to manage and review the teacher's performance.

Where a teacher is of the opinion that the person to whom the head teacher has delegated the reviewer's duties is unsuitable for professional reasons, s/he may submit a written request to the head teacher for that reviewer to be replaced, stating those reasons.

Where it becomes apparent that the reviewer will be absent for the majority of the cycle or is unsuitable for professional reasons the head teacher may perform the duties himself/herself or delegate them in their entirety to another teacher. Where this teacher is not the reviewee's line manager the teacher will have an equivalent or higher status in the staffing structure as the teacher's line manager.

A performance management cycle will not begin again in the event of the reviewer being changed.

All line managers to whom the head teacher has delegated the role of reviewer will receive appropriate preparation for that role.

THE PERFORMANCE MANAGEMENT CYCLE

The performance of teachers must be reviewed on an annual basis. Performance planning and reviews must be completed for all teachers by 31 October and for head teachers and non teaching staff by 31 December.

The performance management cycle in this school, therefore, will run from 1st November to 31st October for teachers, and from 1st November to 31st December for the head teacher.

Teachers who are employed on a fixed term contract of less than one year, will have their performance managed in accordance with the principles underpinning the provisions of this policy. The length of the cycle will be determined by the duration of their contract.

Where a teacher starts their employment at the school part-way through a cycle, the head teacher or, in the case where the teacher is the head teacher, the governing body shall determine the length of the first cycle for that teacher, with a view to bringing his cycle into line with the cycle for other teachers at the school as soon as possible.

Where a teacher transfers to a new post within the school part-way through a cycle, the head teacher or, in the case where the teacher is the head teacher, the governing body shall determine whether the cycle shall begin again and whether to change the reviewer.

RETENTION OF STATEMENTS

Performance management planning and review statements will be retained for a minimum period of 6 years.

MONITORING AND EVALUATION

The governing body will monitor the operation and outcomes of performance management arrangements.

The head teacher will provide the governing body with a written report on the operation of the school's performance management policy annually. The report will not contain any information which would enable any individual to be identified. The report will include:

- **the operation of the performance management policy;**
- **the effectiveness of the school's performance management procedures;**
- **teachers' training and development needs.**

The Governing Body is committed to ensuring that the performance management process is fair and non-discriminatory.

On appointment, all teachers will be invited to provide the following personal data:

- *Race*
- *Sex*
- *Sexual Orientation*
- *Disability*
- *Religion and belief*
- *Age*
- *Part-time contracts*
- *Trade Union membership*

The Head teacher will, therefore, also report annually to the Governing Body, in a confidential section, appropriate details of:

1. *Any appeals or representations on an individual or collective basis on the grounds of alleged discrimination under any of the categories above in relation to Performance Management.*
2. *Cases, including the circumstances, where teachers have not made satisfactory progress towards objectives.*
3. *Any instances where the training and development set out in the training and development annex of a planning and review statement has not been provided.*

Where the relevant personal data is available the Headteacher will include an analysis of the cases specified in 1 to 3 above.

REVIEW OF THE POLICY

The Governing Body will review the performance management policy every school year.

The Governing Body will take account of the head teacher's report in its review of the performance management policy. The policy will be revised as required to introduce any changes in regulation and statutory guidance to ensure that it is always up to date.

The Governing Body will seek to agree any revisions to the policy with the recognized trade unions having regard to the results of the consultation with all teachers.

To ensure teachers are fully conversant with the performance management arrangements, all new teachers who join the school will be briefed on them as part of their introduction to the school.

ACCESS TO DOCUMENTATION

Copies of the school improvement and development plan and SEF are published on the school's intranet and/or can be obtained from the school office.

CLASSROOM OBSERVATION PROTOCOL

All classroom observation will be undertaken in accordance with the performance management regulations, the associated guidance published by the Rewards and Incentives Group and the classroom observation protocol that is appended to this policy in Annex 4.

SECTION 9

ANNEX 1

PAY AND PERFORMANCE MANAGEMENT APPEAL PROCEDURE

A member of staff may make an appeal against any determination or proposed determination in relation to his/her pay or performance management.

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

a) Teachers

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

b) Support Staff

If the appeal is against the grade of the post, since this will have been allocated by the County Council, the arrangements it adopts will be followed and the school will facilitate those arrangements wherever possible.

For Appeals against non spinal point progression within an agreed grade, the arrangements set out in ii) below will apply.

ii) For teachers and support staff, other than in respect of grade allocation, the appeal process is as follows:

- the member of staff receives written confirmation of the pay determination and where applicable the basis on which the decision was made;
- if the member of staff is not satisfied, he/she should seek to resolve this by discussing the matter informally with the decision maker within ten working days of the decision;

- where this is not possible, or where the member of staff continues to be dissatisfied, he/she may follow a formal procedure as set out below;
- the member of staff should set down in writing the grounds for questioning the pay decision – including details – which relate to the grounds set out above. This should be sent to the person (or committee) who made the determination, within ten working days of the notification of the decision, or within ten days of the informal discussions that attempted to resolve the matter. This being appeals against the decision or of the outcome of the discussion referred to above;
- 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 a Pay Appeal Committee composed of three governors 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 appropriate Pay Committee (or where the decision was made by the Headteacher, the Headteacher) will present the 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 Pay Appeals Committee will deliberate in private and will communicate their decision to all parties within 48 hours.

The decisions of the Governing Body's Pay Appeals Committee are final, and there is no recourse to the staff grievance procedures.

Such appeals relate only to decisions made by the Governing Body and not to any determination made under changes to Pay and Conditions provision by accredited external parties.

- iii) 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.

- iv) The detailed procedure for the hearing of the appeal is set out in Annex 2 to the School's Pay and Performance Management Policy.

PAY APPEAL PROCEDURE

Procedure at a Hearing of the Pay Appeal Committee of the Governing Body (Headteacher)

1. The committee should elect a Chair who should then introduce those present and explain the purpose of the hearing.
2. The Headteacher, or nominated person, should present evidence on the case, referring to any relevant documentation.
3. The designated member of the appropriate Pay Committee should be given the opportunity to ask questions.
4. The members of the committee and their adviser(s) should be given the opportunity to ask questions.
5. The designated member of the appropriate Pay Committee should present his/her case referring to any relevant documentation.
6. The Headteacher, or his/her representative, should be given the opportunity to ask questions.
7. The members of the Committee and their adviser(s) should be given the opportunity to ask questions.
8. The Headteacher, or his/her representative, should make a closing statement.
9. The designated member of the appropriate Pay Committee should make a closing statement.
10. The Chair of the Pay 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.

PAY APPEAL PROCEDURE

Procedure at a Hearing of the Pay Appeal Committee of the Governing Body (for staff other than the Headteacher)

1. The committee should elect a Chair who should then introduce those present and explain the purpose of the hearing.
2. The appellant or his/her representative should present evidence on the case, referring to any relevant documentation.
3. The Headteacher or designated member of the appropriate Pay Committee and his/her representative should be given the opportunity to ask questions.
4. The members of the committee and their adviser(s) should be given the opportunity to ask questions.
5. The Headteacher or designated member of the appropriate Pay Committee and his/her representative should present his/her case referring to any relevant documentation.
6. The appellant, or his/her representative, should be given the opportunity to ask questions.
7. The members of the Committee and their adviser(s) should be given the opportunity to ask questions.
8. The appellant, or his/her representative, should make a closing statement.
9. The Headteacher, or his/her representative should make a closing statement.
10. The Chair of the Pay 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.

PERFORMANCE PAY

The Governing Body agrees the school budget and will ensure that appropriate funding is allocated for performance pay progression at all levels. The Governing Body recognises that funding cannot be used as a criterion to determining Upper Pay Spine progression.

The Governing Body will take fully into account the application of the criteria for progression for various appropriate groups as set out below:-

1. Application of Leadership Group Pay Progression Criteria - Clarification

Those on the leadership spine play a critical role in the life of the school. They inspire confidence in those around them and work with others to create a shared strategic vision which motivates students and staff. They take the lead in enhancing standards of teaching and learning and value enthusiasm and innovation in others. They have the confidence and ability to make management and organisational decisions and ensure equity, access and entitlement to learning.

To achieve progression, the School Teachers' Pay and Conditions Document (STPCD) requires individuals on the leadership spine to have demonstrated sustained high quality performance. To be fair and transparent, judgements must be properly rooted in evidence and there must have been a successful review of overall performance.

A successful performance review, as prescribed by the Education (School Teacher Performance Management) (England) Regulations 2006, will involve a performance management process of:-

- performance objectives;
- classroom observation (where relevant);
- other evidence.

To ensure that there has been high quality performance, the performance review will need to assess that the teacher has grown professionally by developing their leadership and (where relevant) teaching expertise.

2. Application of Upper Pay Spine Progression Criteria - Clarification

USP3 teachers play a critical role in the life of the school. They provide a role model for teaching and learning, make a distinctive contribution to the raising of student standards and contribute effectively to the work of the wider team. They take advantage of appropriate opportunities for professional development and use the outcomes effectively to improve students' learning.

The following paragraphs refer to all teachers seeking to progress on the Upper Pay Scale.

To achieve progression, the School Teachers' Pay and Conditions Document (STPCD) requires that the achievements of post-threshold teachers and their contribution to school(s) should have been substantial and sustained. To be fair and transparent, judgements must be properly rooted in evidence and there must have been a successful review of overall performance.

Progression on UPS should be based on two successful consecutive performance management reviews, other than under the exceptional circumstances as set out in the STPCD.

A successful performance review as prescribed by the Education (School Teacher Performance Management) (England) Regulations 2006 involves a performance management process of

- performance objectives;
- classroom observation;
- other evidence.

To ensure that the achievements and contribution have been substantial and sustained, that performance review will need to assess that the teacher has:

- continued to meet threshold standards; and
- grown professionally by developing their teaching expertise post threshold.

CLASSROOM OBSERVATION PROTOCOL

The Governing Body is committed to ensuring that classroom observation is developmental and supportive and that those involved in the process will:

- *carry out the role with professionalism, integrity and courtesy;*
- *evaluate objectively;*
- *report accurately and fairly; and*
- *respect the confidentiality of the information gained.*

The amount of classroom observation for each teacher should reflect and be proportionate to the needs of the individual.

In this school 'proportionate to need' will be determined by the Headteacher.

The arrangements for classroom observation will be included in the plan in the planning and review statement and will include the amount of observation, specify its primary purpose, any particular aspects of the teacher's performance which will be assessed, the duration of the observation, when during the performance management cycle the observation will take place and who will conduct the observation.

Where evidence emerges about the reviewee's teaching performance which gives rise to concern during the cycle classroom observations may be arranged in addition to those recorded at the beginning of the cycle subject to a revision meeting being held in accordance with the Regulations.

Information gathered during the observation will be used, as appropriate, for a variety of purposes including to inform school self-evaluation and school improvement strategies

in accordance with the school's commitment to streamlining data collection and minimising bureaucracy and workload burdens on staff.

In keeping with the commitment to supportive and developmental classroom observation those being observed will be notified ²of their observation, conducted for the purposes of performance management or for the evaluation of standards of teaching and learning (or for both purposes), at least five working days in advance.

Classroom observations will only be undertaken by persons with QTS. *In addition, in this school classroom observation will only undertaken by those who have had adequate preparation and the appropriate professional skills to undertake observation and to provide constructive oral and written feedback and support, in the context of professional dialogue between colleagues.*

Oral feedback will be given as soon as possible after the observation and no later than the end of the following working day. It will be given during directed time in a suitable, private environment.

Written feedback will be provided within five working days of the observation taking place. *If issues emerged from an observation that were not part of the focus of the observation as recorded in the planning and review statement these should also be covered in the written feedback and the appropriate action taken in accordance with the regulations and guidance.*

*The written record of feedback also includes the date on which the observation took place, the lesson observed and the length of the observation. **The teacher has the right to append written comments on the feedback document.** No written notes in addition to the written feedback will be kept.*

A head teacher has a duty to evaluate the standards of teaching and learning and to ensure that proper standards of professional performance are established and

² The text that has been underlined has come from consultation with Local Norfolk Teacher Trade Unions and is commended for inclusion by the Local Authority.

maintained. Heads have a right to drop in to inform their monitoring of the quality of learning.

Clearly the performance management arrangements are integral to fulfilling this duty and head teachers may consider the classroom observations they have agreed for performance management are sufficient and that drop in will not be needed.

In this school as this school is a large school, drop ins will be undertaken by the head teacher supported by the appropriate and designated members of staff.

Drop ins will only inform the performance management process where evidence arises which merits the revision of the performance management planning statement, in accordance with the provisions of the regulations.