

THOMAS MILLS HIGH SCHOOL & SIXTH FORM



POLICY DOCUMENT 22

PAY POLICY

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Vision Statement

'Together we aim high, discover talents, and build a brighter future'

Thomas Mills High School is an Academy and a company limited by guarantee incorporated in England & Wales under number 7605059

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SECTION A - GENERAL INTRODUCTION

1. Introduction

- 1.1 This policy sets out the framework for making decisions on employees' pay. It has been developed to comply with current legislation¹, the requirements of the School Teachers' Pay and Conditions Document (STPCD), the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service ("Green Book") and in accordance with the principles of public life - objectivity, openness and accountability.
- 1.2 As part of the application of this policy, the School will collect, process and store personal data in accordance with our data protection policy. We will comply with the requirements of Data Protection Legislation (being the UK General Data Protection Regulation and Data Protection Act 2018) and any implementing laws, regulations and secondary legislation, as amended or updated from time to time, and our Workforce Privacy Notice sets out how we will gather, process and hold personal data of individuals in relation to pay.
- 1.3 In adopting this pay policy the aim is to:
- 1.3.1 achieve excellent outcomes for all students;
 - 1.3.2 support the recruitment and retention of a high-quality workforce;
 - 1.3.3 complement the School's performance management policies which are supportive and developmental and ensures employees have the skills and support to do their job effectively;
 - 1.3.4 complement the delivery of the statutory performance management/appraisal process and make robust decisions on teacher and leadership pay;
 - 1.3.5 ensure that there is no pay discrimination in decision making and that decisions on pay (where applicable) are based on evidence and can be justified.
- 1.4 This policy has been implemented following consultation with staff and the recognised trade unions.

¹ Including the Employment Relations Act 1999, the Equality Act 2010, the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 and the Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002.

2. Monitoring the impact of the policy

The Trustees will monitor the outcomes and impact of this policy on an annual basis, including trends in progression across specific groups of staff to assess its effect and the school's continued compliance with equalities legislation.

3. Review of policy

This policy is reviewed annually by trustees in consultation with the recognised trade unions. We will monitor the application and outcomes of this policy to ensure it is working effectively.

SECTION B - DETERMINING TEACHERS' PAY

1 Basic pay determination on appointment

- 1.1 The School will determine the pay range for a vacancy prior to advertising it. On appointment it will determine the starting salary within that range to be offered to the successful candidate.
- 1.2 In making such determinations, the School may take into account a range of factors, including:
 - 1.2.1 the nature of the post;
 - 1.2.2 the level of qualifications, skills and experience required;
 - 1.2.3 market conditions; and
 - 1.2.4 the wider School context and strategic priorities.
- 1.3 Although there is no assumption that a teacher will be paid at the same rate as they were being paid in a previous school, the school will determine the appropriate rate of pay for a teacher joining the school taking account of salary expectations, current salary and the factors set out above

2. Pay reviews

- 2.1 The headteacher and trustees will ensure that each teacher's salary is reviewed annually by no later than 31 December each year. Pay increases will be backdated to 1 September of the same academic year.
- 2.2 Salary will also be reviewed if a teacher takes up a new post with effect from the date the post commenced or in other circumstances as required, with effect from the relevant date. Pay reviews in this school will be carried out in a manner that minimises the impact on workload for individual teachers, line managers and headteachers.
- 2.3 All teachers will be notified in writing of a decision on pay setting out their salary, any payments or other financial benefits awarded, any safeguarding, where a copy of the pay policy may be inspected and any other information required by STPCD.

3. Pay progression

- 3.1 In this School all teachers will receive regular feedback on their performance and development and are subject to an annual performance management/appraisal that recognises their strengths, informs plans for their future development, and helps to enhance their professional practice. The arrangements for teacher appraisal are set out in our Appraisal (Performance Management) for teaching staff Policy.
- 3.2 Decisions regarding pay progression will be made with reference to the performance management/appraisal process. A fair and transparent assessment process will be in place where decisions are based on evidence whilst being proportionate to be able to support robust decisions. Evidence should be readily available from day-to-day practice in school and be considered in the context of minimising bureaucracy.
- 3.3 The Trustees will consider its approach in the light of the Trust's budget and ensure that appropriate funding is allocated for pay progression at all levels.
- 3.4 Following the annual performance management/appraisal, a written pay recommendation is required for every teacher. These recommendations will be reviewed by the Headteacher.
- 3.5 Teachers can expect to receive pay progression within the maximum of their pay range unless they are subject to capability procedures.

4. Main pay range for teachers

- 4.1 The main pay range has 6 pay points in line with the advisory points set out at Annex 3 of STPCD.

Pay progression for main pay range teachers

- 4.2 Eligible main pay range teachers will be automatically considered for progression and no application will be necessary.
- 4.3 Teachers will progress by one point until they reach the top of their range.

5. Upper pay range for teachers

- 5.1 The upper pay range within this school has 3 pay points in line with the advisory points set out at Annex 3 of STPCD:

Application to be paid on the upper pay range

5.2 Qualified teachers may apply to be paid on the upper pay range once a year between 1st September and 1st October. Applications should be on the appropriate form (annex 1) and passed to the Headteacher. An application from a qualified teacher will be successful where the Headteacher and Trustees are satisfied:

5.2.1 That the teacher is highly competent in all elements of the Teacher Standards; and

5.2.2 That the teacher's achievements and contribution to a school are substantial and sustained.

Pay progression for teachers within the upper pay range

5.3 Once a teacher has moved on to the upper pay range, if eligible they will be automatically considered for further progression no more than once every two years and no application will be necessary.

5.4 Upper pay range teachers will progress by one point, until they reach the top of the range.

5.5 Additional progression up the range may be considered for upper pay range teachers where performance is judged to be exceptional.

6. Pay range for unqualified teachers

6.1 The unqualified teacher pay range within this school has 6 pay points in line with the advisory points set out at Annex 4 of STPCD.

Pay progression for unqualified teachers

6.2 Eligible unqualified teachers will be automatically considered for further progression until they reach the top of their range.

7. Pay ranges for members of the leadership group

7.1 Pay ranges for headteachers, deputy headteachers and assistant headteachers will be determined in line with STPCD for new appointments, where responsibilities significantly change or if this

school chooses to review pay of leadership posts in line with STPCD. The pay range will take into account all permanent responsibilities of the role, any challenges that are specific to the role and all other relevant considerations including the skills and competencies required.

Headteachers

7.2 The school will be assigned to a headteacher group calculated using its total unit score, in accordance with STPCD.

7.3 A pay range will be determined for the headteacher which will not normally exceed the maximum of the headteacher group, unless the specific exceptional circumstances or candidate warrant it, up to an additional 25%. An honorarium payment may be made in specific exceptional circumstances.

7.4 Additional payments may be made to a headteacher for temporary responsibilities that are in addition to the duties taken into account for the determination at 7.1 - 7.3.

Deputy headteachers and assistant headteachers

7.5 A pay range will be determined for any deputy headteacher and assistant headteacher, considering how the role fits within the wider leadership structure of the school. The pay range will not exceed the maximum of the headteacher group for the school and will not normally overlap with the pay range of the headteacher, except in exceptional circumstances.

Pay progression for members of the leadership group

7.6 Eligible members of the leadership group will be automatically considered for further progression and no application will be necessary.

7.7 Leadership group members will progress by one point until they reach the top of their range.

8. Teaching and Learning Responsibility (TLR) payments

8.1 In this School we pay TLR1 or TLR2 to a classroom teacher for undertaking a sustained additional responsibility in the context of our staffing structure for the purpose of ensuring the continued delivery of high-quality teaching and learning and for which the teacher is made accountable. The award is made whilst the teacher remains in the same post or occupies another post in the absence of a post-holder.

8.2 Current values are in accordance with the staffing structure:

8.3 From September 2026 the value of any TLR1 or TLR2 payment is based on the proportion of the TLR responsibility that the teacher is undertaking, i.e. the proportion of the full-time equivalent duties. The pro-rata principle (as set out in section 12) does not apply when determining the value of a TLR1 or TLR2 payment. We will act fairly and appropriately when determining the value of a TLR1 or TLR2 payment.

8.4 In addition, we may award a fixed-term TLR3 to a classroom teacher for time-limited, clearly defined school improvement projects, or one-off externally driven responsibilities, or where teachers are undertaking tutoring work outside of normal directed hours but during the school day. Consecutive TLR3s for staff undertaking the same responsibility will not be awarded, except where the responsibility relates to tutoring as set out above. The pro-rata principle does not apply for any TLR3 award.

9. Special Educational Needs (SEN) allowances

A SEN allowance will be paid to classroom teachers who meet the criteria set out in STPCD. Where a SEN allowance is to be paid, the spot value will be determined based on the structure of the SEN provision, whether mandatory qualifications are required for the post, the qualifications or expertise of the teacher and the relative demands of the post.

10. Recruitment and retention incentives and benefits

Payments or other financial assistance, support or benefits may be made to teachers (except to those in leadership posts, other than in the circumstances set out in STPCD), where we consider it necessary as an incentive for the recruitment of a new teacher or the retention of an existing teacher. Such an incentive or benefit may be made as a one off award or an ongoing, time limited allowance, and the appropriate value of the award will be determined by the Headteacher. Where an ongoing, time limited award is to be made, this will be regularly reviewed and it will be made clear in writing at the outset of the award the expected duration and the review date after which the award may be withdrawn.

11. Early career teachers (ECTs)

11.1 In the case of ECTs, determinations of performance and any pay recommendations will be made by means of the statutory induction process.

11.2 Eligible ECTs will be automatically considered for progression and no application will be necessary.

11.3 Eligible ECT's may be awarded pay progression at the end of the first year of their induction period, where eligible in line with the service requirement set out at paragraph 3.2 of this policy.

12. Part-time teachers

Teachers who work less than a standard working week are deemed to be part-time. Their hours and working time obligations will be set out in their contracts of employment and in line with the provisions of STPCD. Part-time teachers will receive a written statement which sets out expectations regarding the deployment of working time, including timetabled teaching time, leadership and management time (where applicable) and directed time beyond the school day. The pay of part-time teachers will be determined in the same way and at the appropriate percentage of a full-time teacher and any increase in pay will be paid pro rata to full-time equivalent salary rates. For TLRs, the payment must be determined as set out at paragraph 8.3 of this policy.

13. Short notice/supply teachers

Teachers employed on a day-to-day or other short notice basis will be paid on a daily basis; periods of employment for less than a day being calculated pro-rata. Supply Teachers are paid at MPR3 providing they have at least two years effective service. Supply Teachers are not required to meet the criteria of teachers on the upper pay scale and are not subject to the performance management/appraisal process.

14. Pay protection

Pay protection arising from changes to pay and structure will be in line with the provisions of STPCD.

15. Absence and pay progression

15.1 Employees who are absent long term (including but not limited to maternity leave and long-term sick leave due to a disability) are still eligible to be considered for pay progression.

15.2 The School will take into account the criteria set out in this policy, but where a teacher has or will be absent for part or all of the appraisal year, it will take a flexible approach to conducting performance management/appraisal so that the teacher receives any pay increase that they

would have received, had it not been for the maternity leave or disability related long-term absence.

16. Appeals

16.1 The steps of the pay appeals process perform the function of the grievance procedure on pay matters and so employees will not be able to raise the complaint under the School grievance procedure following conclusion of a pay appeal.

16.2 Employees may be represented by a recognised trade union or colleague at any formal stage of this procedure. The employee is responsible for making these arrangements and for providing their representative with any paperwork they require for the hearing. The teacher should inform the chair of the appeals panel who their chosen companion is, in good time before the hearing.

Informal discussion

16.3 As part of the normal salary review process, the Head Teacher will inform the teacher of the pay recommendation, prior to it being considered by the trustees. Following this notification of the pay recommendation, if the teacher is dissatisfied they should first discuss the decision with the Head Teacher within 5 working days of receipt of the notification.

16.4 This discussion gives an opportunity for a teacher to discuss the pay recommendation, to gain an understanding of why it was made and to resolve issues quickly and informally. If this does not resolve an issue, a teacher may follow the formal procedure set out below.

Stage One

16.5 If, the teacher remains dissatisfied and believes that an incorrect pay recommendation has been made, they can make a formal representation in writing to the committee who will make the decision.

16.6 To make a representation against a pay recommendation, a formal statement should be submitted in writing within 5 working days of the discussion with the Headteacher at 15.4 above. This formal statement should be addressed to the Chair of Trustees stating the grounds of their disagreement with the pay decision. The possible grounds for making representations are:

16.6.1 incorrectly applied any provision of the STPCD;

16.6.2 failed to have proper regard for statutory guidance;

16.6.3 failed to take proper account of relevant evidence;

16.6.4 took account of irrelevant or inaccurate evidence;

16.6.5 was biased; or

16.6.6 unlawfully discriminated against the teacher.

16.7 The panel who will make the decision (or a representative from) will convene a meeting to consider the representations as soon as is practicably possible. The employee will be invited in writing, giving a minimum of 5 working days' notice and copies of any relevant documents to be considered at the meeting will be enclosed.

16.8 The teacher will have the opportunity to make representations to the appeals panel or their representative, including presenting evidence, calling witnesses and asking questions. A school representative will also attend to present the management case. A notetaker will also be present.

16.9 Following this meeting, the panel will make a pay determination and will inform the teacher in writing within 10 working days.

Stage Two

16.10 If a teacher wishes to appeal against the decision made at Stage One, they may do so within 5 working days of the written decision on the grounds that the committee who made the decision:

16.10.1 incorrectly applied any provision of the STPCD;

16.10.2 failed to have proper regard for statutory guidance;

16.10.3 failed to take proper account of relevant evidence;

16.10.4 took account of irrelevant or inaccurate evidence;

16.10.5 was biased; or

16.10.6 unlawfully discriminated against the teacher.

16.11 Appeals against the decision at Stage One should be made in writing and addressed to the Chair of Trustees stating the grounds of their appeal in accordance with 16.10 above.

16.12 Upon receipt of an appeal, an appeal panel of 3 different trustees or other appropriate representatives who have not been involved in the original decision will convene a meeting to consider the appeal as soon as is practicably possible. The employee will be invited in writing, giving a minimum of 5 working days' notice and copies of any relevant documents to be considered at the hearing will be enclosed.

16.13 The teacher will have the opportunity to present evidence to the appeal panel, including calling witnesses and asking questions. A school representative will attend, who will have the same opportunity. A representative of the original decision-making panel will also attend to explain why the decision at Stage One was made. A notetaker will also be present.

16.14 The decision of the panel will be confirmed in writing to the teacher within 10 working days. The appeal panel's decision is final; there is no further right of appeal.

DETERMINING SUPPORT STAFF PAY

1. Pay reviews

The trustees will ensure that each member of support staff's salary is reviewed annually with effect from 1 April if eligible.

2. Salary scales

The salary scales used will be in accordance with the Green Book and LA pay scales.

3. Term time only employees

Support staff who work 38 or 39 weeks per year are deemed to be term-time only. Some support staff who work a reduced number of weeks during the year than an all year round employee, but work extra weeks during school holidays depending on the requirements of the role, are deemed to be term-time plus.

An employee who works term-time only or term-time plus is entitled to a pro-rated proportion of weeks per year annual leave entitlement, which are added to the number of weeks the employee is required to work, and paid in twelve equal monthly instalments.

The School calculates pay for employees who work term time only or term time plus in accordance with the advisory model calculation set out in the Green Book and the working weeks and number of weeks holiday individuals are entitled to will be set out in their contracts of employment.

4. Job descriptions

The Head Teacher in conjunction with the line manager of the role will ensure that an up-to-date job description is available for each post which identifies the appropriate duties.

The job description will be reviewed as appropriate or when duties or responsibilities have changed and it will be amended to reflect the current role; although it should be recognised that job descriptions are not intended to list all tasks. An employee may request changes to their job description if they feel their duties or responsibilities have changed significantly. If appropriate, consideration may be given to whether the grade for the post should be re-determined and if it is, the post holder will be paid the new grade from a date determined by the Head Teacher. If the

assessment results in a lower grade, the employee may be entitled to salary protection in accordance with their terms and conditions of employment.

5. Basic pay determination on appointment

The School will determine the grade for a vacancy prior to advertising it which will be identified on the job description. On appointment the Head Teacher will determine the appropriate point within the grade to be offered to the successful candidate (which will usually be the bottom point of the grade). However, in making such determinations, this may take in to account a range of factors, including:

the nature of the post;

the level of qualifications, skills and experience required;

market conditions; and

the wider School context and strategic priorities.

6. Incremental progression

If the employee has more than 6 months' service in their role at 1 April, they are eligible for an increment subject to satisfactory service. This will be paid annually with effect from 1 April until the employee reaches the top of their scale.

If the employee has less than 6 months' service in their role at 1 April, the first increment will not be paid until six months after their appointment subject to satisfactory service. Subsequent increments will be payable on 1 April in line with paragraph 5 of this policy.

Incremental progression is subject to satisfactory service, usually demonstrated through performance management/appraisal, and as such may be withheld where there are concerns about an employee's performance, such as achievement of objectives under the school's performance management/appraisal policy or wider performance concerns during the appraisal year. Where concerns arise, these will be discussed with the employee and a support plan put in place. In cases where incremental progression is withheld, the employee will receive confirmation of this in writing including the reasons and informing them of their right of appeal. Pay progression may be refused without recourse to the capability procedure.

7. Additional payments

An additional payment may be paid on a temporary basis where an employee is offered and agrees to:

undertake higher level work in addition to their normal duties; or

‘act up’ for at least four weeks into a higher graded post which has become temporarily vacant, for example, due to sick leave.

The Head Teacher will determine the amount of this payment. Where the employee is undertaking higher level work, which is not equivalent to a higher graded post, a fixed sum will be agreed. Where the employee is acting up and if carrying out the full responsibilities of the role, the payment will usually be the difference between the minimum point of the higher graded role and their current salary.

The employee will return to their substantive post and salary when they are no longer required to undertake the higher-level work or ‘act up’.

This should usually only be a temporary solution and the Headteacher should consider whether it may be more appropriate to advertise the post or duties on a fixed term basis.

8. Appeals

A member of support staff has the right to appeal against a decision that affects their pay. The principles of the appeals process for teachers apply (set out in Section B, paragraph 16) however the Green Book replaces STPCD at 16.6.1 and 16.10.1.

9. Peripatetic Staff

Rates of pay are agreed on qualifications and experience and are not subject to progression within performance Management. This is kept under review and subject to particular sources of funding.

10. Invigilation Staff

Invigilators are paid on a set hourly rate. This rate is reviewed periodically.

Annex 1

APPLICATION TO BE PAID ON THE UPPER PAY RANGE

Teacher's Details:

Name

Post

Please see extract from Teachers Performance Management policy on next page

Performance Management/Appraisal Details:

Years covered by planning/review statements

Schools covered by planning/review statements

Declaration:

I confirm that at the date of this request for assessment to move to the Upper Pay Range, I meet the eligibility criteria and I submit performance management/appraisal planning and review statement covering the relevant period.

Applicant's signature _____ Date _____

Extract from Teachers Performance Policy – (Policy number 38)

11. Movement to the Upper Pay Range

11.1 Any qualified teacher on the Main Pay Range may apply to be paid on the Upper Pay Range once a year between 1st September and 1st October. It is the responsibility of teachers to decide whether or not they wish to submit an application.

11.2 The Criteria

An application from a qualified teacher will be successful where the trustees are satisfied that:

- the teacher is highly competent in all elements of the Teacher Standards; and
- the teacher's achievements and contribution to the school are substantial and sustained; and
- the teacher has a successful record of performance management/appraisal at Thomas Mills High School.

In this school, this means that the teacher has consistently:

- demonstrated that all teaching standards have been met both in terms of teaching and personal and professional conduct, over a sustained period;
- been assessed as meeting his/her performance management objectives over a sustained period;

and in addition that;

- teaching has been rated as at least good overall, with some outstanding, over a sustained period;
- the teacher has demonstrated over a sustained period an ability to support pupils to exceed expected levels of progress/ achievement;
- the teacher has consistently taken responsibility for identifying and meeting his/ her own professional development needs and used his/her learning to improve their own practice and pupils' learning;
- the teacher has demonstrated that he/she has made an impact on the school beyond his/her own class/group(s) over a sustained period. This may include demonstrating an ability to coach, mentor, advise and demonstrate best practice to other teachers to enable them to improve their teaching practice. In addition, he/she may have contributed to policy and practice which has improved teaching and learning across the school.
- the teacher has contributed to the extra-curricular life of the school.

Sustained means maintained continuously over a period of at least three school years. It is normally expected that this will include at least two years at this school although discretion will be exercised where there is clear and compelling evidence of consistent performance against the criteria at the teacher's previous school.

11.3 The Assessment

The headteacher will assess all applications from teachers to be paid on the Upper Pay Range and the headteacher's recommendation will be considered by the trustees' Standards Committee.

The headteacher will use the evidence contained in the teachers' performance management review paperwork to inform the assessment.

A teacher who has not been at the school for the whole of the three year assessment period, should provide performance management/appraisal review statement(s) from previous employment with the application.

A teacher may provide additional evidence to support his/her application, but is not obliged to do so.

- 11.4 The headteacher will discuss his/her recommendation with the Standards Committee and will confirm the decision. Where an application is approved, the teacher will progress to the minimum of the Upper Pay Range backdated to the 1st September.

Where the application is not successful, the headteacher will provide feedback and the teacher will be provided with advice and support through the performance management process to develop the necessary skills with a view to them making a successful application in future.

Any appeal concerning decisions about an application should in the first instance be discussed with the headteacher. If the concern is not resolved staff may appeal, in writing, to the Staff Determinations Committee.

- 11.5 As teacher's progress through the Upper Pay Range it is expected that they will demonstrate an increasing impact across the school. A suggested guide for progression is included in Annex 8.

In summary it could be suggested that there will be

- UP1 – impact across the team;
- UP2 – impact beyond the team;
- UP3 – and, impact across or beyond the school.