



Balcarras Trust Pay Policy

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1.0 Introduction

1.1 **It is the policy of the Trust that all schools will abide by this pay policy which is based on the School Teachers' Pay and conditions document (STPCD).**

1.2 This policy has been adopted by the Trustees to ensure that all employees are fairly and consistently treated in relation to pay and pay related issues. The Trustees are responsible for its implementation.

1.3 A copy of this policy must be made available to staff upon request and employees should be aware of its contents and any amendments.

1.4 The policy is linked to the school's appraisal system and in accordance with the Education (School Teachers' Appraisal) (England) Regulations 2012.

1.5 Under this policy, the Trustees will fulfil their obligation to all staff employed in the Trust, across all grades and conditions of service:

1.5.1 teachers: as set out in the STPCD and the conditions of service for school teachers in England and Wales (Burgundy Book)

1.5.2 support staff: the National Joint Council for Local Government Services National Agreement on pay and conditions of service (Green Book)

1.6 Details of each school's staffing structure will be published at appropriate times.

2.0 Purpose and aims of the policy:

2.0.1 Guide and assist the Trustees, CEO, headteachers and relevant governors in the strategic and day to day management of staff

- 2.0.2 Adopt a Trust wide approach to pay issues, with pay decisions taken in the context of consideration of the school's resources
- 2.0.3 Ensure all staff are treated fairly, objectively and consistently in the recognition and reward of their contribution to the school
- 2.0.4 To support the School Improvement Plan and to supplement other school policies relating to equal treatment, recruitment, performance management and staff development
- 2.0.5 Support the recruitment and retention of a high quality workforce which will maximize the quality of learning at the school
- 2.0.6 Ensure staff are aware of the pay related school policies and encourage their participation in developing these policies through consultation
- 2.0.7 Ensure the school meets its legal responsibilities under the STPCD, local and national agreements, legislation and regulation
- 2.0.8 Support each school in its requirement to remain within its budget and meet required standards in the management and disbursement of public monies.

3.0 Pay decisions

- 3.0 The Trust will review the salary progression for teaching staff and the leadership team through the appraisal system which is set out in each school's appraisal policy.
- 3.1 In determining the pay for support staff, the Trustees will apply the principles in section 10 of this document.
- 3.2 Each school's appraisal policy allows requests for review of the employee's performance assessment, but not matters of pay progression. It is recognised that these factors can often be closely linked and so the school will advise the employee of the most appropriate route to follow for appeal. This will ensure that an employee will be guaranteed a fair consideration of their representations, but will not be entitled to pursue the same concerns through two separate review processes.

4.0 Classroom Teachers

4.0 Basic pay determination on appointment:

- 4.1 A committee of the Trustees (Pay and Appointment Panel, henceforth to be known as the Pay Panel) will determine the pay range used inside the Trust. See section 12 and Appendix 1.
- 4.2 In determining the pay range, the pay panel will take into account a range of factors, including:
 - 4.2.1 the nature and responsibilities of the post
 - 4.2.2 how closely the appointee meets the qualifications, skills and experience required
 - 4.2.3 market conditions
 - 4.2.4 the wider school context

- 4.2.5 a school's or the Trust's ability to recruit and retain staff
- 4.3 These options are for guidance only and are not intended to provide an exhaustive list and may not apply to all appointments.
- 4.4 In making such determinations, the Trust will normally take into account the previous salary level of the teacher, if this was a point on the classroom teacher main pay range or upper pay spine and award a salary level at least commensurate with that previous level.
- 4.5 On appointment, the Trust will determine the starting salary within that range to be offered to the successful candidate. This will normally be at the bottom or lower end of the range, but they may consider the successful candidate's skills and experience and appoint at a higher point within the range.
- 4.6 **Pay progression based on performance:**
- 4.7 The Trust will consider whether or not to increase the salary of a teacher who has completed a year of employment (as defined in the prevailing edition of the STPCD) since the previous annual pay determination.
- 4.8 Any pay increase awarded to a teacher on the main/upper pay range (or progression to the UPR) will be permanent for as long as the employee remains continuously at this school as a teacher, unless gaining promotion to a higher graded post i.e. one that is paid on the Leadership spine.
- 4.9 The Trust will ensure that appropriate funding is allocated for pay decisions made under this policy provided they are made within the agreed structure.
- 4.10 Decisions regarding pay progression will be made with reference to the employee's appraisal reports and the pay recommendations they contain. It is possible for a "no progression" determination to be made without recourse to the school's capability procedure.
- 4.11 Early Career Teachers (ECT) are exempt from this process. The Trust will adhere to the statutory induction process set out in the prevailing DfE guidance.
- 4.12 To ensure fairness and transparency, assessments of performance will be based on a judgement rooted in evidence.
- 4.13 In the Balcarras Trust, judgements of performance will be made against the extent to which teachers have met their individual objectives and the relevant standards and how they have contributed to specific impacts.
- 4.14 Final decisions about whether or not to accept a pay recommendation (on a teacher's appraisal report) will be made by the relevant body, taking into account the appraisal report and advice from the executive team.

4.15 Teachers will be eligible for pay progression which is laid out in the school's appraisal policy.

4.16 Pay progression may be withheld if there is a serious disciplinary outcome.

4.17 Pay scale for main pay range teachers

4.18 The Trust will review the main pay range annually, taking into consideration market and inflationary factors and determine the pay scale for main pay range teachers, including part time teachers.

4.19 The Trust has a single pay scale for qualified teachers in six steps M1-M6

4.20 Pay scale for upper pay range (UPR)

4.21 The Pay Panel will review the upper pay range annually, taking into consideration market and inflationary factors and have determined the pay scale for upper pay range teachers, including part time teachers. Progression to the upper pay range is set out below in 5.3. Pay progression up the pay range will be determined using the same criteria for eligibility for the upper pay range in that the teacher's performance should be highly competent and make a substantial and sustained contribution to the life of the whole school.

4.22 The school will have a single pay range for upper pay range teachers in three steps, based on the STPCD's advisory pay points for the relevant year.

4.23 Progression to the upper pay range

4.24 There are two routes to the upper pay range

1. Recruitment to an UPR post
2. Application to progress to UPR

4.25 Appointment to a pay point on the UPR will be subject to the teacher meeting the school's criteria for progression to UPR and the allocation of accountabilities proportionate to a UPR teaching role.

4.26 Teachers will have the right to be considered for progression both to and up the upper pay range, and such progression will not unreasonably be withheld.

4.27 Application process to progress to the upper pay range

4.28 The school has determined that applications will be accepted for progression to the upper pay range at the following time once per year by 31st October.

4.29 Applications and evidence to the upper pay range

- 4.30 If recruited to an upper pay range post, the salary will be determined at an appropriate point on the range, considering the requirements of the post, qualifications and essential experience.
- 4.31 If applying to progress to the upper pay range, a qualified teacher should already be at main scale 6 and be able to demonstrate two years of successful performance management. The school should enable targets/objectives to be set to make demonstrating the criteria part of the teacher's normal workload.
- 4.32 It is the responsibility of the teacher to decide whether or not to apply and provide the necessary evidence.
- 4.33 If a teacher is simultaneously employed at another school(s) outside the Trust they must submit separate applications if they wish to apply to be employed in an upper pay range role in that school. The school will not be bound by any pay decision made by another school.
- 4.34 Applications will normally include the employee's two most recent appraisal results, including any recommendations on pay. Where such information is not applicable or available (e.g. those new to the school or returning from maternity or sickness absence), the applicant must submit a written statement and summary evidence to demonstrate meeting the assessment criteria.
- 4.35 This will be an evidence based process so teachers should ensure they build an evidence base through their normal performance management process to support their application. Teachers who have been absent, through sickness, disability or maternity, may submit further evidence to support their application.
- 4.36 Teachers who have worked in more than one school during the two year period can still make an application and provide performance reviews and evidence from previous schools.
- 4.37 **The assessment to the upper pay range**
- 4.38 An application from a qualified teacher will be successful where the Governing Board is satisfied that:
- 4.38.1 the teacher is highly competent in all elements of the relevant standards; and
 - 4.38.2 the teacher's achievements and contribution to the school are substantial and sustained
- 4.39 To apply, applicants should check their schools' appraisal policy.
- 4.40 The application, evidence and recommendation will be passed to the head teacher for consideration. The teacher may be required to provide reasonable additional information to support their application.

- 4.41 The Pay Panel will make the final decision, advised by the CEO/headteacher.
- 4.42 The teacher will receive written notification of the outcome of their application. Where the application is unsuccessful, the written notification will include the opportunity for oral feedback from the headteacher, covering areas where it was assessed that the teacher's performance did not satisfy the relevant criteria.
- 4.43 Successful applicants will move to the minimum of UPR on 1 September of the school year in which the application was submitted.
- 4.44 Unsuccessful applicants can make representation and appeal the decision using the appeals process set out in section 14.7 of this policy.

5.0 Part Time Teachers

- 5.0 Teachers employed on an ongoing basis at the school but who work less than a full working week are deemed to be part time.
- 5.1 The pay for a part time teacher will be determined in the same way as a full time teacher but will be paid pro rata in accordance with the formulae in 5.3.
- 5.2 The Trust will give the teacher a written statement detailing their working time arrangements and the standard mechanism used to determine their pay, subject to the provisions of the statutory pay and working time obligations and by comparison with the school's timetabled teaching week for a full-time teacher in an equivalent post.

5.3 Calculation of part time proportion for classroom teachers

Employees Timetabled Teaching Week (ETTW)

Schools Timetabled Teaching Week

- 5.4 The timetabled teaching excludes break times, registration and assemblies and any mandatory lunch break required under the Working Time Regulations/STPCD when teachers are not required to be on duty.
- 5.5 An allowance will be made within the specified timetabled hours for a minimum of 10% planning, preparation and assessment time (PPA).
- 5.6 Part time teachers will work a similar proportion of directed time as their full time colleagues, based on the calculation above. For example, if the FTE of the part time teacher is 0.6, this equated to 60% of directed time, i.e. 60% of 1265 or 759 hours per year.

5.7 Variation to timetabled/scheduled hours

- 5.8 A part time teacher should not be required to attend work on any day (or part) of the week that they are not normally required to be available under the contract of employment.
- 5.9 A teacher can be asked to attend work on a day outside their normal timetable and, if they agree to this additional work, they will be compensated either by providing time off in lieu or by making an additional payment.

6.0 Unqualified Teachers

- 6.0 The use of unqualified teachers is limited to very specific circumstances and only on a time limited basis. The Trust will only consider use of unqualified staff in the most exceptional circumstances. For example:
- 6.0.1 when attempts to secure suitable qualified teachers have failed
 - 6.0.2 when the unqualified teacher possesses proven specialist skills, qualifications and experience to enable the head teacher to guarantee a quality of performance equivalent to that of a qualified teacher
 - 6.0.3 during a period whereby the unqualified teacher is gaining a recognised teaching qualification or qualified teachers status including Graduate Teaching Programme and overseas teachers. When a teacher receives notification of Qualified Teacher's Status, the school will review the teacher's salary in line with the STPCD.
 - 6.0.4 on a temporary basis whilst further attempts are made to recruit a qualified replacement

6.1 Pay on appointment

- 6.2 The Pay Panel will pay any unqualified teacher in line with the prevailing guidance (in line with the STPCD).
- 6.3 The Pay Panel will determine where a newly appointed unqualified teacher will enter the scale, having regard to any qualifications or experience they may have, which they consider to be of value. The Pay Panel will consider whether it wishes to pay an additional allowance, in accordance with paragraph 22 of the STPCD.
- 6.4 If during their period of employment at the school, an unqualified teacher becomes qualified, the pay will be determined on the main pay range from the date of qualification.

6.5 Pay progression for unqualified teachers

- 6.6 Individuals will need to show that they have met their objectives to progress on the unqualified teacher range. Progression will be clearly attributable to the performance of the teacher.

- 6.7 Judgements will be properly rooted in evidence. As unqualified teachers move up the pay scale, evidence should show:
- 6.7.1 an improvement in teaching skills
 - 6.7.2 an increasing positive impact on pupil progress
 - 6.7.3 an increasing impact on wider outcomes for pupils
 - 6.7.4 improvements in specific elements of practice identified to the teacher
 - 6.7.5 an increasing contribution to the work of the school
 - 6.7.6 an increasing impact on the effectiveness of staff and colleagues
- 6.8 Information on sources of evidence is contained within each school's appraisal policy.
- 6.9 The Pay Panel will be advised by the head teacher in making decisions relating to pay progression and should be able to objectively justify its decisions.

7.0 The Leadership Group

- 7.0 The Pay Panel will establish a grading structure for the leadership group following appropriate consultation with staff and their representatives.

7.1 CEO

- 7.2 The salary/salary range of the CEO will be determined by the Trustees who will be responsible for the appropriate performance management procedures. The salary of the CEO will be reviewed regularly to ensure that the level of remuneration is appropriate to the size of the Trust if it should expand. If any annual inflationary uplift is relevant it will not be greater than that applied to the salary of teachers. The criteria for setting executive pay are set out in an Appendix at the end of this policy

7.3 Headteacher

- 7.4 The Trust will define and set out the responsibilities and accountabilities of the post as well as the skills and competencies required.
- 7.5 The Trust will calculate the total unit score for the school (in accordance with paragraph 5-8 of the STPCD) which assigns the school to a head teacher group and determines a broad pay range.
- 7.6 Taking into account the role in the particular context of the school, including recruitment and retention considerations or permanent responsibilities, the Trust will determine a head teacher pay range within the STPCD broad pay range. This decision and the reasons behind it will be recorded.
- 7.7 In some circumstances (e.g. difficulties in recruitment, need to incentivise responsibility for a very large school or to lead multiple large schools), the Trust may decide to extend the pay range up to 25% above the maximum of the range. Please note that discretionary allowances and payments are included in this 25% extension limit.

- 7.8 The Trust has the discretion to award limited payments to the head teacher for temporary or irregular responsibilities or other specific reasons where it is not appropriate to incorporate into permanent pay, such as relocation costs. Such payments should be clearly time-limited, recorded, and cease when the responsibility ceases or circumstances change. In any one year, the total value of salary and temporary payments made to a head teacher must not exceed 25% above the maximum of the head teacher group for their school.
- 7.9 The Trust will set the starting salary according to candidate specific factors such as the extent to which they need the specific requirements for the post, taking into account future scope for performance related progression.
- 7.10 The head teacher's pay range will be reviewed when there is a vacancy in the leadership team or a significant change in the school's circumstances.
- 7.11 **Deputy headteacher(s) and assistant headteacher(s)**
- 7.12 The Trust will set a pay range for the deputy and assistant head teachers, with the maximum point sitting below the minimum of the head teacher's pay range.
- 7.13 The Trust will ensure that the pay range selected adequately reflects the level of duties and responsibilities required of the posts.
- 7.14 The Trust will review the deputy and assistant head teacher's salary range when a new appointment to the post is made, and periodically to reflect changes in the school's situation. The maximum of the assistant Headteacher's range will be at least one point below the minimum point of the Deputy Headteacher range.
- 7.15 In the event that the deputy head teacher is required to replace the head teacher during an absence for a period of four weeks or more, the relevant body may pay an allowance to recognise the additional responsibility. The allowance will be calculated as the difference between the deputy head teacher's salary and the minimum of the head teacher's salary range, and will be paid from the beginning of the acting appointment.
- 7.16 The CEO in conjunction with the Headteacher will review the deputy and assistant head teacher's pay range when there is a vacancy in the leadership team, or a significant change in the school's circumstances.
- 7.17 The CEO in conjunction with the Headteacher will set the starting salary according to candidate specific factors such as the extent to which they need the specific requirements for the post, taking into account future scope for performance related progression. Anything outside of the ranges agreed at Remuneration Committee is an exception which needs to be agreed by the Trustees.

7.18 **Discretionary allowances and payments**

7.19 The STPCD makes provision for the award additional allowances to teachers under specific circumstances where there are clear operational reasons to justify the additional payment only. This reason will be clearly identified in each case and will be reflected in job descriptions and/or appointment letters. For part time staff the allowance or payment will be pro-rata.

7.20 The Pay Panel will conduct an annual formal review of all such awards.

7.21 In relation to the headteacher, any additional payment under this section will form part of the 25% limit on the use of all discretions unless the Trustees identify the exceptional circumstances discretion. The head teacher pay range should take into account difficulties in recruitment or retention so no additional allowance can be paid to the head teacher for these reasons.

7.22 **Teaching and learning responsibility payments (TLR)**

7.23 The Trust may award a TLR to a classroom teacher.

7.24 TLR 1 or 2 will be for clearly defined and sustained additional responsibility in the context of the schools staffing structure for the purpose of ensuring the continued delivery of high quality teaching and learning. The amounts will be set within the prevailing DfE guidance.

7.25 The job descriptions will clarify the responsibilities for which a TLR is awarded, taking into account the criterion and factors set out in paragraph 20.1 and 20.4 in the STPCD.

7.26 Only one TLR1 or 2 may be held at any time; however a teacher in receipt of either a TLR1 or 2 may also hold a concurrent TLR3. Where duties of the post holder substantially change, the value of the TLR should be reviewed.

7.27 The Trust may award a TLR3 for clearly time-limited school improvement projects, or one-off externally driven responsibilities as set out in the STPCD (this would not normally be for a period of more than one year).

7.28 The headteacher will set out in writing to the teacher the duration of the TLR3, and the amount of the award which will be paid in monthly instalments. At the end of the fixed term period, the employee returns to their substantive role and no safeguarding will apply in relation to an award of a TLR3.

7.29 Temporary awards of TLR payments will only be made during the absence of permanent TLR post holders or where there is a vacancy. The reason for the temporary award will be made clear in writing together with the date/event that will bring the additional duties and associated allowance to an end.

8.0 Special Education Needs (SEN) Allowances

- 8.0 The Pay Policy will award an SEN allowance to any teacher who meets the criteria as set out in the STPCD.
- 8.1 When deciding on the amount of the allowance to be paid, the headteacher will take into account the structure of the school's SEN provision and the following provisions:
- 8.1.1 any mandatory qualifications required for the post
 - 8.1.2 qualifications or expertise of the post holder
 - 8.1.3 relative demands of the post
- 8.2 The CEO and the headteacher will establish differential values in relation to SEN roles in order to reflect significant differences in the nature and challenge of the work so that the different pay levels can be objectively justified. The relevant body will take account of the section 3 guidance in the STPCD.

9.0 Recruitment and Retention

- 9.0 Payment of recruitment or a retention incentive will be determined on the basis of local market conditions. The headteacher in conjunction with the CEO will have the discretion to award an allowance or other benefit to attract a suitable candidate to a post or to retain a teacher in a post.
- 9.1 The amount and nature of this allowance or benefit is not specified in the document but the Trust will make clear at the outset, in writing, the expected duration of any such incentive or benefits and the review date after which they may be withdrawn.

10.0 SCHOOL SUPPORT STAFF

10.0 Determination of grades (job evaluation process)

- 10.1 The trustees will establish a grading structure for support staff within the school following consultation with staff and their representatives in line with the Local Authority's grading structure and conditions of service (Green Book).
- 10.2 The Trust recognises its legal obligations in relation to equal pay and equal treatment and has resolved to adopt the County Council's job evaluation scheme in full to meet these obligations in relation to support staff.
- 10.3 The headteacher with the CEO will be responsible for ensuring that support staff grading is reviewed when:
- 10.3.1 new posts are created
 - 10.3.2 an existing post has changed to the extent that an evaluation is felt to be necessary
 - 10.3.3 a member of staff requests a review of the grade of their post.

10.4 **Determination of starting salary on initial appointment to the Trust**

10.5 Support staff new to the school will normally be placed on the minimum point of the scale to which they have been appointed. However, the headteacher has discretion to give credit for skills and experience which is regarded as relevant and of particular value to the school, subject to it being within agreed financial parameters.

10.6 **Annual salary progression**

10.7 Annual progression within a salary scale is intended to be recognition that staff members have met the requirements of their job and made a full contribution to the work of the school.

10.8 Incremental progression within the salary scale is automatic for support staff on the anniversary start date each year, based on service throughout the previous calendar year unless the school has determined there is unsatisfactory performance.

10.9 The headteacher will make arrangements to ensure that an annual review of performance is undertaken each year as part of this process.

10.10 The Trust has the power to withhold or delay the award of an annual salary point in cases where service during the course of the previous calendar year has been rated as unsatisfactory. The power will only be used as part of an ongoing formal performance procedure where a member of staff has been given a formal warning under the appropriate procedure. The Trust will require evidence to be available to demonstrate a proper process has been followed.

10.11 There are separate arrangements for staff in their first year of service when the payment of a first increment must be delayed until six months' service has been accumulated.

10.12 **Review of job description and hours of work**

10.13 The Pay Panel will request that the head teacher periodically reviews the job description and hours of work for support staff. The head teacher will be expected to make recommendations for changes where it is felt that hours of work have become inappropriate for the needs of the school and/or for the re-evaluation of the post's grade where the job description has changed.

10.14 **Support staff working in a part time capacity**

10.15 Part time staff have identical entitlements in relation to pay as their full time colleagues, except that salary is paid on a pro rata basis to reflect the proportion of time worked.

10.16 Salary entitlement for staff working all year round on a part time basis is as follows:

$$\frac{\text{Contracted hours of work}}{\text{salary}} \times \text{Annual salary} = \text{Pro rata}$$

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10.17 The resultant salary from this calculation includes the entitlement to 6.5 (or 7.5 after five years continuous service) pro rata weeks of paid leave.

10.18 Annual leave entitlements are normally taken during school closure periods.

10.19 **Term time only staff**

10.20 The same conditions apply to staff employed on a term time only basis except that the calculation reflects the shorter working year and pro rata paid leave entitlement.

$$\frac{\text{Contracted hours of work}}{\text{Annual salary}} \times \frac{\text{Weeks worked} + \text{Pro rata leave entitlement}}{\text{Annual salary}} \times$$

37

52.1429

10.21 **Pay/compensation for additional work**

10.22 Support staff must receive compensation for any additional work they are required to do by the head teacher or line manager. Permission must be sought before additional work is undertaken.

10.23 Compensation will be agreed when permission is given for the additional work and will be taken as time off in lieu at an agreed time or an additional payment.

10.24 For full time staff a payment will take the form of an overtime payment at the rate specified in conditions of service, for part time staff the payment will be at plain time until 37 hours have been worked (aggregated over the course of a month) then overtime rates will apply.

11.0 **National Living Wage**

11.0 By adopting the green book pay and conditions of service, the Trust has increased the lowest pay point so that it exceeds the new statutory national living wage.

11.1 This applies to all green book staff in the Trust. In academy, foundation and voluntary aided schools, the relevant body has discretion to apply this in line with the organisation's contractual obligations.

11.2 N.B. if support staff have transferred into the school under the Transfer of Undertakings (Protection of Employment) Regulations 2006 from another organisation, they may not be eligible for the National Living Wage.

12.0 Pay procedures

12.0 The Trust will allocate delegated authority to the Pay Panel for pay decisions. This will be four Trustees. Please see appendix below.

12.0.1 one of the four selected Trustees will act as Chair of the panel

12.0.2 none of the Trustees serving on the panel is employed within the Trust

12.1 Pay Panel: Terms of reference

12.1.1 to apply the Trust pay policy on behalf of the Trustees fairly and equitably

12.1.2 to ensure that all employees are provided with a current and accurate job description which is regularly reviewed

12.1.3 to regularly review each school's pay scales for leadership and teaching staff

12.1.4 to ensure this policy links effectively with each school's appraisal policy

12.1.5 to arrange the head teacher's performance management as laid out in the school's appraisal policy

12.1.6 to be responsible for annual performance related pay decisions and requests for the review of pay and grading based on changes in duties and responsibilities

12.1.7 to make appropriate arrangements for representations from employees to be heard on pay related matters including salary, grading or pay decisions and to seek additional evidence, information or advice as necessary to respond to this request

12.1.8 to exercise the Trustees' discretionary powers as specified in this document

12.1.9 to review the head teacher group pay range and report findings and/or make recommendations for change to the Governing Board regarding leadership group grading where there is a new appointment or role responsibilities change significantly

12.1.10 to ensure teachers have an annual review of their salary and a written salary statement, no later than one month after the date of determination

12.2 The group will record and keep its work and the results of individual reviews and decisions confidential.

12.3 The Chair of the panel will report to the Trustees periodically, but will not report on details of decisions (to ensure that sufficient governors remain available to hear appeals if necessary). Where changes will have significant implications for the individual school's budget can only go ahead with the permission of the CEO on behalf of the Trustees.

13.0 Special Payments

Special payments e.g. severance payments.

When considering such payments, the Trust will at all times adhere to the stipulations laid out in the prevailing guidance of the Academy Trust Handbook.

14.0 Pay Appeals Panel

14.1 The Trustees will select trustees and or governors to hear representations relating to pay related decisions on its behalf. This group will have the same composition requirements as the Pay Panel, except that none of these trustees can be a member of the Pay Panel or have been involved in any pay decisions.

14.2 The panel will:

12.3.1 follow appeals procedure

12.3.2 ensure terms of this policy and related procedures have been correctly applied

12.3.3 periodically report to the Trustees to present progress reports

14.3 Representations about pay recommendations and/or decisions

14.4 Any employee who is dissatisfied with a pay decision should engage in the following process:

14.5 **Informal discussion:** with the headteacher to resolve the issue, requested as soon as possible after receiving notice of the pay recommendation, normally within five days.

14.6 **Formal representation:** if the employee remains dissatisfied with the recommendation, they can submit written representations to the Pay Panel who should respond within five days. This will lead to a formal meeting with the panel in which the employee may present evidence, call witnesses and have the opportunity to ask questions. The Pay Panel will make a pay determination which will be confirmed in writing.

14.7 **Formal appeal hearing:** if the staff member remains dissatisfied, they may submit written representations to the Chair of the Pay Appeals Panel. This should include any additional facts for reconsideration, and be submitted within five working days of the receipt of the pay statement.

14.7.1 The Pay Appeals Panel will acknowledge the request and arrange a meeting within 10 working days to consider the employee's concerns.

14.7.2 In the hearing before the Panel, the employee and management representative will have the opportunity to present their evidence, call witnesses and question each other.

14.7.3 The result of the hearing will be given in writing within a reasonable period, normally five working days. This decision will be final and binding in terms of this policy.

14.8 The employee has the right to be accompanied at all formal meetings by a trade union representative or work colleague if they wish.

APPENDIX 1

THE BALCARRS TRUST PAY PANEL

Introduction

This Appendix should be read in conjunction with Section 12 of the Trust's Pay Policy. The Balcarras Trust is small. There are currently only 9 members, of whom one is the CEO who cannot sit on the Pay Panel as this panel is responsible for determining executive pay.

Constitution and membership

The trustees will ensure that appropriate arrangements are in place for a Pay Panel which is effective and fit for purpose. These arrangements will be reviewed annually at the final trustees' meeting of the academic year so that all the necessary decisions about pay can be properly made at the end of the staff appraisal cycle in the autumn term.

The pay panel will comprise 4 trustees, 2 of whom must be the Chair and the Chair of FAR. The current members are BR, PH, JM and GS. Recommendations about pay will be considered annually by the panel, at the end of the appraisal cycle in early November.

How the panel will operate

When considering the salaries (and any proposed increases) of staff employed in the Trust, with the exception of executive pay, the panel will be guided by recommendations made by the CEO. The trustees will have satisfied themselves that procedures for staff appraisal throughout the trust are fair and robust, compliant with guidelines and carried out properly; and that any proposed salary increases are based on satisfactory outcomes based on target setting within the appraisal process. This includes arrangements for the appraisal of headteachers within the Trust which will have been formally agreed previously by the trustees.

When reaching their decisions about pay, panel members will be satisfied that any proposed salary increases are consistent with previously agreed staffing structures in each of the Trust's schools. Any proposals which are likely to significantly alter the staffing structure and be inflationary must have been agreed in advance by the FAR committee as part of the budget setting/monitoring cycle and this information will have been passed on to pay panel members.

At least 2 members of the Pay panel must be present when decisions about pay are made and if there is any failure to agree, then all members must be consulted, which may be done by email.

After all recommendations have been agreed, the members of the pay panel will delegate to the CEO the authority to inform the appropriate members of the payroll/HR teams, so that staff may receive their uplifted salary increases, backdated, at the earliest possible opportunity.

Executive Pay

As the Trust is small, there are currently only 2 executives, the CEO and the CFO. The CEO and The Chair of FAR are responsible for overseeing the appraisal of the CFO and for bringing recommendations about salary to the pay panel for final approval.

There are different arrangements for determining the salary of the **CEO**.

The Trust's CEO is Dominic Burke who currently has a dual role as headteacher of Balcarras School and CEO of the Trust. These roles are separate, with separate contracts and job descriptions, running concurrently, with separate mechanisms in place for his remuneration.

Dominic's headteacher salary is based on an appropriate leadership pay range previously agreed on his appointment. There is a separate set of criteria to determine his salary as CEO. These are available in a separate document.

Reflecting the separate nature of the 2 contracts, there are 2 separate appraisal processes, although for convenience these will normally be carried out on the same day. Appraisal of the headteacher role will be carried out by the Chair of Trustees, one other member of the pay panel and the Chair of Governors (who has no authority to be involved in decisions about salary increases.)

Dominic's appraisal as CEO will be carried out by the Chair of Trustees and one other member of the pay panel. However, all decisions relating to the salary as CEO must be ratified by all 4 members of the panel. In order for a decision to be expedited in timely fashion, panel members may be contacted by email. In the unlikely event that agreement cannot be reached, a meeting of panel members must be held within 7 days.

Review

These arrangements will be reviewed annually at the final trustees 'meeting of the academic year.