

Appendix 2

# **Unattached Teachers Pay Policy 2021/22**



**Walsall Council**

## Version Control

Document title	<b>Unattached Teachers Pay Policy 2021/22</b>		
Owner	Human Resources	Status	DRAFT
Version	1	Approved on	TBC
Effective from	1 September 2021	Review date	31 August 2022
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Purpose	The Unattached Teachers Pay Policy sets out Council policy on pay and conditions for unattached teachers, assisting the Council to attract and retain skilled employees and ensuring compliance with the requirements under the teachers' pay and conditions document 2021.		

This policy links to:

- Corporate Plan
- Walsall Proud
- School Teachers Pay and Conditions Document
- Reimbursement of Personal Expenses Policy
- Workforce Strategy
- Behaviour & Standards Framework
- Employee performance review – appraisal based on Teacher Standards
- Teachers' Standards

This list is not exhaustive.

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## **1.0 Introduction**

- 1.1 Walsall Council is PROUD. We are proud of our past, our present and for our future. The council is committed to reducing inequalities and ensuring all potential is maximised and its employment policies, procedures and guidelines are designed to support this vision and deliver the council's priorities.
- 1.2 The council is committed to creating an environment that provides opportunities for all individuals and communities to fulfil their potential. This policy provides a framework in which employees will be supported to deliver the council's priorities in line with the council's expected behaviours and values; professionalism; leadership; accountability; transparency and ethical.
- 1.3 The council's values and behaviours will be at the core of everything the council deliver and through a culture of continuous improvement the council will increase performance, efficiency and champion the design of services to meet the needs of customers. As a digital by design council, employees will be empowered to deliver new ways of thinking and new ways of working, encouraging innovation and creativity in a learning environment. The council is committed to technological investment to deliver transformation in order to improve the efficiency and effectiveness of its services, both internally and externally.
- 1.4 This policy framework promotes the council's strategic priority of internal focus ensuring all council services are effective and efficient and helps embed the behaviours and values expected of all employees as part of the Behaviour and Standards Framework.
- 1.5 The Unattached Teachers' Pay Policy sets out the council's policy on pay and conditions for unattached teachers that meet the requirements of the School Teachers' Pay and Conditions Document for year ending 31<sup>st</sup> August 2022.

## **2.0 Scope**

- 2.1 This policy applies to unattached teachers employed by the council. Unattached teachers are defined as:
  - a teacher not attached to a particular school; or
  - a teacher employed otherwise than at a school.
- 2.2 With the exception of;
  - Teachers' in Pupil Referral Units as the Schools Model Pay Policy covers them
  - School-based employees/workers where the governing body has delegated authority and for whom separate arrangements apply.
- 2.3 This policy does not apply to contractors, consultants, agency workers or any self-employed individuals working for the council.

### 3.0 Principles

3.1 The unattached teachers pay policy aims to:

- Maximise the quality of teaching and learning throughout the borough;
- Support recruitment and retention of high quality teachers;
- Recognise and reward unattached teachers appropriately for their individual contribution to education standards within the borough;
- Ensure a fair, equitable and transparent approach to pay

3.2 Unattached teachers pay scales are agreed locally, and reviewed annually having regards to the nationally negotiated teachers pay award as detailed in the [School Teachers Pay and Conditions Document](#). The 2021/22 award implemented on 01 September 2021 has been confirmed as:

- A consolidated award of £250 awarded to all teachers whose full time equivalent basic earnings are less than £24,000. Any part-time teachers whose full-time equivalent basic earnings meet the eligibility criteria receive the award on a pro-rata basis according to their working hours.

3.3 Unattached teachers must be paid within the minimum and maximum of the relevant pay range (unqualified teachers, qualified teachers main or upper pay range, leading practitioners, leadership group or Headteachers pay range) as determined by the School Teachers' Pay and Conditions Document (STPCD). Unattached teachers' pay scales for Walsall Council are available in appendix A.

3.4 For newly appointed unattached teachers the manager will determine the starting salary point within scope of the relevant pay range, this will normally be at the minimum. In certain circumstances, consideration may be made as to whether the requirements of the post and the extent to which the preferred candidate meets those requirements are such that it would be appropriate to set the starting salary above the minimum point of the relevant pay range. The manager must ensure that there is appropriate scope within the range to allow for pay progression over time.

3.5 Teachers will gain pay progression following a successful formal appraisal review based on performance, in line with the Appraisal Regulations 2012 (teachers) and the appraisal process.

3.6 Decisions regarding pay progression will be made with reference to the teachers' appraisal record, pay recommendations will be based on Teachers Standards and the assessment of their performance against agreed objectives in line with Teachers' Appraisal Policy. A record of the recommendation in regards to pay must be recorded.

3.7 Where an unattached teacher has demonstrated that they have achieved exceptional performance the manager/ appraiser may recommend to an Executive Director, Director or Head of Service that they consider an enhanced pay progression of 2 reference points. Final decisions about whether or not to accept a pay recommendation will be made by the Executive Director, Director or Head of

Service having regard to the appraisal report. Teaching over time should be rated as “outstanding” by the appraiser in line with the service-defined standards.

- 3.8 The timing of salary determination for an unattached teacher must be made:
- annually with effect from 1 September;
  - whenever an unattached teacher takes up a new post; with effect from the date of the appointment;
  - where an unattached teacher becomes entitled to be paid on the upper pay range;
  - where the determination reduces the remuneration, that determination must take effect no earlier than the date on which it was actually made; or
  - at any other time a change to salary takes place.
- 3.9 Salary determination of an unattached teacher must be confirmed in writing setting out the reasons for the decision at the earliest opportunity and no later than one month after the determination of salary. The notification must detail amendments to pay from the relevant date either immediately following an appeal or after any time limits to lodge an appeal has passed.
- 3.10 It is possible where there is unsatisfactory performance ‘no progression’ determination can be made without recourse to the capability/performance procedure.
- 3.11 A teacher may appeal against any determination in relation to pay including moving to the upper pay range, and any other decision taken by managers, qualified appraisers, Executive Director, Director or Head of Service that affects their pay, using the appeal procedure detailed within appendix B Appeals Procedure.

#### **4.0 Accountabilities**

- 4.1 Executive Director, Director or Head of Service are accountable for the following;
- Applying this policy and procedure consistently, fairly and objectively in accordance with the council’s vision and purpose and clearly demonstrate the council’s management behaviours and values, seeking further advice and guidance from HR where necessary;
  - To ensure that appraisers, decision-makers and any appeal hearing officers receive appropriate training to ensure fair and open decision making;
  - To ensure that mid-year reviews are undertaken for all unattached teachers and all members of the leadership group;
  - To ensure that funds are available to support pay decisions, in accordance with this document and the services financial plan;
  - To monitor the outcomes of pay decisions, including the extent to which different groups of teachers progress at different rates, ensuring continued compliance with equality legislation.
- 4.2 Managers/qualified appraisers (who meet the criteria set out in School Teacher Standards) are accountable for the following;

- Applying this policy and procedure consistently, fairly and objectively in accordance with the council's vision and purpose and clearly demonstrate the council's management behaviours and values, seeking further advice and guidance from HR where necessary;
- To determine the duties and the pay range/scale point/allowances to be attached to unattached teaching posts in line with this Pay Policy;
- To apply the requirements of the School Teachers' Pay and Conditions Document;
- To develop clear arrangements for linking appraisal\* to pay;
- To ensure effective appraisal arrangements are in place, and any appraisers have the knowledge and skills to apply procedures fairly;
- To ensure that mid-term reviews are undertaken for all unattached teachers, including leadership groups;
- To submit any relevant pay recommendations to the Executive Director, Director or Head of Service for approval, and ensure that unattached teachers are informed about decisions reached, and that records are kept of recommendations and decisions made.

#### 4.3 Employees are accountable for the following;

- All employees should support the delivery of the council's vision and purpose, clearly demonstrating the council's behaviours and values;
- Actively engage in employment practices and processes in which they are involved and ensure they understand this procedure, seeking further advice and guidance from managers where necessary;
- Engage with the appraisal; this includes working with their appraiser to ensure that there is a secure evidence base in order for a pay determination to be made;
- To keep records of objectives and review them throughout the appraisal process and share any evidence they consider relevant with their appraiser;
- To ensure they have an annual review of their performance.
- Complying with the requirements of this policy and procedure.

\* The term 'appraisal' within this document relates to the council's Annual Performance Conversation (APC). For the purpose of this policy, APC has been adapted to cover the requirements of the Appraisal Regulations 2012 (teachers), in line with Teachers' Appraisal Policy.

## **5.0 Procedure**

### **5.1 Unqualified teachers' pay determination**

- 5.1.1 Upon obtaining qualified teacher status (QTS), the unqualified teacher must be transferred to a salary within the main pay range on the same or higher salary than their pay at the point of qualifying.
- 5.1.2 Manager may determine that an additional unqualified teachers allowance is payable to an unqualified teacher where it considers in context of the staffing structure, the unqualified teacher has:

- taken on a sustained additional responsibility which is focussed on teaching and learning and requires the exercise of a teacher's professional skills and judgement, or
- qualifications or experience which bring added value to the role being undertaken.

## 5.2 Qualified teachers pay determination

- 5.2.1 For newly appointed unattached teachers the authority has adopted pay portability. The manager will determine the starting salary point for teachers on main pay range or upper pay range based on the candidate's previous paid employment in a similar role.
- 5.2.2 Salaries of qualified teachers other than those in the Leadership Group and Leading Practitioners are determined by:
- the point on the main or upper pay range through appointment or annual appraisal, plus;
  - any Teaching and Learning Responsibility (TLR) payments;
  - any additional allowances held for teaching children with special educational needs;
  - any additional allowances held for recruitment and retention;
  - if an individual is entitled to a higher salary due to safeguarding (pay protection).
- 5.2.3 To move up either main or upper pay range one-reference point, as part of the formal appraisal process, teachers will need to have made good progress towards their objectives and have shown that they are competent in the teachers' standards. Teaching should be consistently rated as 'good' by the appraiser in line with the service-defined standards.
- 5.2.4 Judgments will only be made on evidence gathered and presented to the appraiser, which is related to the appraisal process.
- 5.2.5 As a teacher moves up the **main pay range**, this evidence should show:
- a positive impact on pupil progress;
  - a positive impact on wider outcomes for pupils;
  - improvements in any specific elements of practice identified to the teacher through the appraisal process, e.g. behaviour management or lesson planning; and
  - a positive contribution to the work of the service.
- 5.2.6 As a teacher moves up the **upper pay range**, this evidence should show:
- a teacher is highly competent in all elements of relevant standards
  - the teacher's achievements and contributions to an educational setting or settings are substantial and sustained

### 5.3 Moving from main to upper pay

- 5.3.1 Unattached teachers may apply to be paid on the upper pay range at least once a year normally by 31<sup>st</sup> October of each year. When moving from the main to upper pay range, successful candidates will move to the minimum point within the upper pay range.
- 5.3.2 Applications will be considered taking into account two consecutive appraisals. Teachers should ensure they build up mainly paper based evidence to support their application. Those teachers who have been absent through long term sickness, disability related absence or maternity may sight evidence from previous years in support of their application. Application process is detailed in appendix C.
- 5.3.3 Managers will assess such application in line with the criteria set.
- 5.3.4 An application from a qualified teacher will be deemed successful if;
- the teacher is highly competent in all areas of the relevant standards; and
  - their achievements and contribution to an educational setting or settings are substantial and sustained.
- 5.3.5 Highly competent means the teacher's performance is assessed as having excellent depth and breadth of knowledge, skill and understanding of the Teachers' Standards in the particular role they are fulfilling and the context in which they are working.
- 5.3.6 Substantial means the teacher's achievements and contribution to the service are significant, not just in raising standards of teaching and learning in their own area, or with their own groups of children, but also in making a significant wider contribution to school/service improvement, which impacts on pupil progress and the effectiveness of staff and colleagues.
- 5.3.7 Sustained means covering a period, which spans two consecutive annual appraisals making good progress towards meeting their objectives.

### 5.4 Leading practitioner and leadership group pay determination

- 5.4.1 For newly appointed leading practitioners and leadership group the Executive Director, Director or Head of Service will determine the starting salary within scope of the 5-point range from the relevant leading practitioner or leadership group range.
- 5.4.2 Walsall Council has determined the standard 5-point range for leading practitioners as points 1-5 on the leading practitioner range. The 5-point range for leadership group has been determined as points 1-5 on the leadership group pay range. In exceptional circumstances where the duties of a particular post fall outside of the scope and there are clear justifications, discretion is given to Executive Director/Director to determine an alternative 5 point range within the leading

practitioner or leadership group pay range. A record must be kept detailing the rationale for the pay determination.

- 5.4.3 To move up the leading practitioner or the leadership group pay range one reference point, teachers will need to have made good progress towards their objectives.
- 5.4.4 Judgments will only be made on evidence gathered and presented to the appraiser, which is related to the appraisal process.
- 5.4.5 As a teacher moves up the **leading practitioner**, this evidence should show;
- is an exemplar of teaching skills, which should impact significantly on pupil progress, within the service and within the wider school community, if relevant;
  - has made a substantial impact on the effectiveness of staff and colleagues, including any specific elements of practice that have been highlighted as in need of improvement;
  - is highly competent in the teachers' standards; and
  - has shown strong leadership in developing, implementing and evaluating policies and practice in their workplace that contribute to school improvement.
- 5.4.6 As a teacher moves up the **leadership group**, this evidence should show;
- there has been sustained high quality of performance having regards to the results of the recent annual appraisal.
- 5.4.7 The council currently do not have any unattached teachers classified as leadership group.

## 5.5 Headteachers pay determination

- 5.5.1 For newly appointed headteachers the Executive Director, Director or Head of Service will determine the starting salary within scope of the leadership group 7-point pay range.
- 5.5.2 Headteachers' will have a 7 point range within the leadership group pay range; the council currently do not have any unattached teachers that are classified as a Head Teacher. The most appropriate 7 point range will be determined in line with the requirements of the School Teachers Terms and Conditions Document by Executive Director/Director if such an appointment is made.
- 5.5.3 Pay progression (one reference point) will be awarded where there has been sustained high quality of performance having regards to the results of the recent annual appraisal; and to any recommendation on pay progression recorded in the head's appraisal report.

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

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- 6.1 Managers may award a TLR payment within the relevant TLR range (Appendix A) to an unattached teacher for undertaking a sustained additional responsibility, for the purpose of ensuring the continued delivery of high quality teaching and learning and for which the teacher is made accountable.
- 6.2 All job descriptions will be annual reviewed and will make clear, if applicable the responsibility or package of responsibilities for which a TLR is awarded.
- 6.3 Managers may award a TLR to an unattached teacher. TLR 1 or 2 will be awarded for a clearly defined and sustained additional responsibility in the context of the staffing structure for the purpose of ensuring the continued delivery of high quality teaching and learning.
- 6.4 Managers will ensure that sufficient differential exists between levels of TLRs, taking into account the responsibilities for which the TLR is awarded. All decision will be objectively justified, fairly and consistently applied.
- 6.5 Managers may award a fixed term TLR 3 payment to an unattached teacher for undertaking a time limited school improvement project or a one off externally driven responsibility. The duration of the fixed term period should be established at the outset and payments made on a monthly basis for the duration of the fixed term.
- 6.6 In determining any TLR payment the manager must be satisfied the unattached teachers duties include additional significant responsibility that;
- a) is focused on teaching and learning;
  - b) requires the exercise of teachers professional skills and judgement;
  - c) requires the teacher to lead, manage and develop a subject or curriculum area; or to lead and manage pupil development across the curriculum;
  - d) has an impact on educational progress of pupils; and
  - e) involves leading, developing and enhancing teaching practices.
- With the exception of a TLR 3 where there is no requirement to meet point c) and e) above.
- 6.7 When determining a TLR1 payment the manager must be satisfied that the post is also required to have line management responsibility for a significant number of teachers.

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**7.0 Special educational needs (SEN) allowances**

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- 7.1 Management will award a SEN spot value allowance to an unattached teacher who meets any of the following criteria;
- a) SEN post that requires a mandatory SEN qualification and involves teaching pupils with SEN;
  - b) teaches pupils in one or more designated special class in a local authority unit or service;

- c) in any designated setting including pupil referral unit that is analogous to a designated special class or unit where the post involves a substantial element of working directly with children with SEN; requires exercise of teachers professional skills and judgement in teaching children with SEN; has greater involvement in the teaching of children with SEN than normal requirements of a teacher throughout the unit or service.
- d) SEN Allowances are unaffected by annual increments.

- 7.2 When deciding on the amount of the allowance to apply, the manager will take into account the SEN provision, whether any mandatory qualifications are required for the post, the qualifications and expertise of the teacher relevant to the post; and the demands of the post.
- 7.3 Manager will also establish differential in relation to SEN roles in the service in order to reflect significant differences in the nature and challenge of the work entailed so that different payment levels can be objectively justified.

## **8.0 Recruitment and retention incentives**

- 8.1 The Executive Director has discretion to make payments or provide financial assistance, support and benefits as it feels necessary as an incentive for recruitment and retention of an unattached teacher. Any incentives used must be objectively justified.
- 8.2 Any incentives must make clear at the outset the expected duration of such incentive and the review dates after which the incentives may be withdrawn.
- 8.3 The justifications should evidence the role is difficult to recruit to, previous retention has been difficult to maintain, the skills and knowledge required is critical to the authority and the market forces of which the incentive is based on.
- 8.4 Recruitment and retention incentives are subject to Executive Director approval.

## **9 0 Salary sacrifice**

- 9.1 Walsall council operates salary sacrifice scheme which may vary from time to time, e.g. cycle schemes, which unattached teachers can participate in, in accordance with School Teachers Pay and Conditions Document. For further information on the councils, current schemes please refer to the Pay, allowances and benefits pages on the HR intranet pages.

## **10.0 Out of school hours learning activity**

- 10.1 Managers will determine whether to make payments to an unattached teacher who agrees to participate in out of school hours learning. All agreements and payments to be made should be documented. All such activities should require the exercise of the teacher's professional skills and judgements.

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**11.0 Acting allowance**

- 11.1 Where a teacher is assigned and carries out duties of a headteacher, deputy headteacher, assistant headteacher but has not been appointed as an acting headteacher, deputy headteacher, assistant headteacher, the council must within a period of four weeks beginning on the day on which the duties are first assigned and carried out, determine whether or not an allowance (“acting allowance” must be paid in line with the provisions set in the School Teachers’ Terms and Conditions Document).

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**12.0 Honorariums**

- 12.1 Honoraria payments for undertaking additional duties cannot be applied to unattached teachers

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**13.0 Exit payments**

- 13.1 Exit payments will be paid in accordance with any prevailing legislation.
- 13.2 Exit payments will be subject to recovery in accordance with any prevailing legislative requirements.

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**14.0 Pay multiples**

- 14.1 Unattached teachers’ pay multiples are taken into account within the corporate pay multiples which are published in the Council’s Pay Policy.

## Appendix A Unattached Teachers' Pay Scales September 2021

For the purposes of this appendix annual salary rates have been rounded up to the nearest pound.

Unqualified Teachers Pay Range	
Spine Point	Annual Salary
UQT	£
1	18,419*
2	20,532*
3	22,644*
4	24,507
5	26,622
6	28,735
*this figure includes the consolidated award of £250 for 2021/22.	

Teachers Leading Practitioners Pay Range	
Spine Point	Annual Salary
LP	£
*1	42,402
**2	43,465
3	44,550
4	45,658
*5	46,796
**6	47,969
Ranges used *1-5 and **2-6	

Teachers Main Pay Range	
Spine Point	Annual Salary
MPR	£
1	25,714
2	27,600
3	29,664
4	31,778
5	34,100
6	36,961

Teaching and Learning Responsibility Allowance	
TLR 3	£
Minimum	571
Maximum	2833
TLR2	£
Minimum	2873
Maximum	7017
TLR1	£
Minimum	8291
Maximum	14030

Teachers Upper Pay Range	
Spine point	Annual salary
UPR	£
1	38,690
2	40,124
3	41,604

Special Educational Needs Allowance	
SEN1 Spot rate £	2,270
SEN2 Spot rate £	4,479

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**Appendix B Appeal**

- 1.1 A member of staff may appeal against any determination in relation to pay and any other decision taken by an Executive Director, Director or Head of Service or manager that affects their pay, using the formal appeal procedure.
- 1.2 It is the intention that the appeals procedure will be dealt with promptly, thoroughly and impartially.
- The manager/appraiser will discuss the pay recommendation with the unattached teacher prior to the final pay determination being confirmed in writing. The manager/appraiser will provide written details of and the reasons for the pay determination to the unattached teacher.
  - If the employee feels the pay recommendations falls short of their expectations they may wish to obtain a better understanding of the rationale for pay or bring further evidence to the attention of the manager/appraiser before the final pay decision has been made. A request should be made to the appraiser to obtain feedback and submit further evidence.
  - The appraiser should consider any new evidence presented by the employee before the making the final pay decision. Confirmation to the unattached teacher should be in writing detailing the evidence considered, the rationale for the determination and the right to appeal.

## **2 Appeals process**

- If the employee feels the final pay decision has been made incorrectly or is unjust, the employee should seek to resolve this discussing the matter informally with the manager/appraiser who made the decision within 10 working days of the date of the notification of the determination. The employee and the manager/appraiser should meet to discuss and consider the decision. The outcome of the informal appeal will be confirmed to the employee in writing detailing the evidence considered, rationale for the determination and the right to appeal the decision.
- Where the employee continues to be dissatisfied with the outcome of the informal appeal stage, they may wish to progress to a formal appeal.
- The employee should set down in writing the grounds for the formal appeal within 10 working days of the date of the notification of the informal appeal outcome to the appropriate Head of Service/Director.
- The Head of Service/Director will arrange a hearing normally within 20 working days of the appeal submission. The hearing panel will be made up of a Head of Service/Director with no previous involvement in the pay determination and another senior manager with no prior involvement.

- The employee has the right to be accompanied by a work colleague or trade union representative.
- Documents relating to the appeal including any records on which the pay decision was originally based, the unattached teachers written reasons for appealing against and all papers produced as part of the earlier stages of the appeal, will be provided to everyone attending the panel normally 5 days prior to the hearing.
- The hearing provides an opportunity for both parties (the employee and the manager / appraiser) to make representation in person to the appeal panel to explain their case.
- The decision of the appeal panel will be confirmed in writing and where the appeal is rejected, the evidence considered and the reasons for reaching the decision should be included.
- The decision of the appeal panel is final and no further recourse can be taken.

**Appendix C Application to move to upper pay**

Applications to move to upper pay range should be completed as follows;

- The teacher should complete an application form to apply for the movement to the upper pay scale and submit along with any supporting information to their manager by 31<sup>st</sup> October
- The name of the assessor will be provided normally within 5 working days of the application being received
- The assessor will assess the application form and supporting information and make a recommendation to the Executive Director/Director or Head of Service.
- The application, supporting information, recommendation will be passed to the Executive Director/Director or Head of Service.
- Executive Director/Director or Head of Service will make the final determination based on the information provided
- The teacher will then receive notification of the outcome of their application. Where the application is unsuccessful, the written notification will include areas where it was felt the teachers' performance did not satisfy the relevant criteria. The notification will detail the right to appeal the decision.
- If requested oral feedback will be provided by the assessor within 10 working days of the date of notification.
- Successful candidates will move to the minimum point within the upper pay range

A teacher may appeal against any determination in relation to pay including moving to the upper pay range, and any other decision taken by managers, qualified appraisers, Executive Director/Director or Head of Service that affects their pay, using the appeal procedure detailed within the Unattached Teachers Pay Policy.