



Walsall Council

Personnel Committee

Tuesday, 25 October September 2022 at 6.00 pm

At the Council House, Walsall

Public access to meeting via: www.WalsallCouncilWebcasts.com

Membership:

Councillor M. Bird (Chair)
Councillor A. Andrew (Vice-Chair)
Councillor S. Elson
Councillor A. Garcha
Councillor N. Gultasib
Councillor K. Hussain
Councillor A. Nawaz
Councillor C. Towe
Councillor J. Whitehouse

Quorum:

Three Members

A g e n d a

Part 1 – Public Session

- 1. Apologies**
- 2. Declarations of Interest**
- 3. Local Government (Access to Information) Act 1985 (as amended):**

To agree that, where applicable, the public be excluded from the private session during consideration of the agenda items indicated for the reasons shown on the agenda.
- 4. To approve the Minutes of the meeting held on 13 October 2022 – To Follow**
- 5. Schools Model Pay Policy and the Unattached Teachers Pay Policy - Enclosed**
- 6. Employee Benefits and Shared Cost Additional Voluntary Contributions to the LGPS - Enclosed**

The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012

Specified pecuniary interests

The pecuniary interests which are specified for the purposes of Chapter 7 of Part 1 of the Localism Act 2011 are the interests specified in the second column of the following:

Subject	Prescribed description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by a member in carrying out duties as a member, or towards the election expenses of a member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Regulations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority:</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to a member's knowledge):</p> <p>(a) the landlord is the relevant authority;</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where:</p> <p>(a) that body (to a member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either:</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

Schedule 12A to the Local Government Act, 1972 (as amended)

Access to information: Exempt information

Part 1

Descriptions of exempt information: England

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes:
 - (a) to give any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.
8. Information being disclosed during a meeting of a Scrutiny and Performance Panel when considering flood risk management functions which:
 - (a) Constitutes a trades secret;
 - (b) Its disclosure would, or would be likely to, prejudice the commercial interests of any person (including the risk management authority);
 - (c) It was obtained by a risk management authority from any other person and its disclosure to the public by the risk management authority would constitute a breach of confidence actionable by that other person.

PERSONNEL COMMITTEE

CONFERENCE 2, AT THE COUNCIL HOUSE, WALSALL

Thursday, 13 October September 2022 at 6.00 pm

Committee Members present:

Councillor M. Bird (Chair)
Councillor A. Andrew (Vice-Chair)
Councillor S. Elson
Councillor A. Garcha
Councillor K. Hussain
Councillor A. Nawaz
Councillor J. Whitehouse

In attendance:

Helen Paterson – Chief Executive
Kerrie Allward - Executive Director (Adult, Public Health and Hub)
Michele Leith – Director (HR OD & Administration)
Nicola Rickhuss - HR Manager (Strategy & Planning)
Craig Goodall – Principal Democratic Services Officer
Reena Farmah - Democratic Services Officer

Part 1 – Public Session

50/22 Apologies.

Apologies for absence was received on behalf of Councillor C. Towe and Councillor N. Gultasib.

51/22 Declarations of Interest.

There were no declarations of interest or party whip for the duration of the meeting.

52/22 Local Government (Access to Information) Act 1985 (as amended):

Resolved:

That the public be excluded from the meeting during consideration of the item set out in the private agenda for the reasons set out therein.

53/22 To approve the Minutes of the meeting held on, 19 April, 2022, 13 June 2022 and 22nd July, 2022.

Resolved:

That the minutes of the meetings held on 19 April, 2022, 13 June 2022 and 22nd July, 2022 a copy of each having been sent to each Member of the Committee, be approved as a correct record.

54/22 Alcohol and Drugs Testing Policy

A report was submitted

(see annexed).

The report was presented by the HR Manager (Strategy and Planning). She explained that the Policy was introduced in 2019. A new testing provider had been appointed and the Policy had been reviewed. The changes to the Policy were highlighted.

Members supported the policy and questioned data around positive cases amongst employees since the introduction of the policy. It was reported that there had been three positive cases (two alcohol and one drug related) and appropriate management action had been taken as a consequence.

Members commented that the positive effects of policy demonstrated the Council commitment to the duty of care and health and safety of its employees and members of the public.

Resolved:

That the Alcohol and Drugs Testing Policy be approved.

Whilst the items below were heard in private session the below minute is a full and open account of the discussion that took place.

55/22 Private session exclusion of the public

Resolved:

That, during consideration of the remaining item on the agenda, the Committee consider that the items for consideration is exempt information

for the reasons set out therein and Section 100A of the Local Government Act 1972 and accordingly resolved to consider the item in private.

56/22 Recruitment to the post of Director Adult Social Care and Director of Commissioning (2 posts)

A report was submitted on the recruitment of the permanent positions of Director Adult Social Care and Director of Commissioning (2 posts).

(see annexed).

The Committee discussed challenges with recruitment.

Resolved:

- 1. That the recruitment process for the permanent posts of Director Adult Social Care and Director of Commissioning (2 posts) be approved.**
- 2. That the recruitment process be procured by an external recruitment consultancy and provide executive search and selection services to the Council be approved.**
- 3. That the timeline and proposed search and selection methodology as described in this report (see annexed) be approved.**
- 4. That responsibility be delegated for long listing to the Executive Director Adult Social Care and Interim Executive Director Resources & Transformation in consultation with the relevant Portfolio Holder (Adults), supported by consultancy, be approved (set out in paragraph 2.4).**
- 5. That the outline recruitment plan, as set out in paragraph 2.5 for short-listing and final interview will be carried out by the Personnel Committee, supported by consultancy be approved.**

(Exempt information under Paragraphs 1, 2 and 4 of Part I of Schedule 12A of the Local Government Act, 1972) (As amended)

57/22 Interim Executive Director (Resources and Transformation)

A report was submitted concerning the interim post of Executive Director Resources and Transformation (S151).

(see annexed)

Resolved:

That the current contract for the Interim Executive Director Resources and Transformation (S151) be extended until 30 June 2023.

(Exempt information under Paragraphs 1, 2 and 4 of Part I of Schedule 12A of the Local Government Act, 1972) (As amended)

58/22 Recruitment to the post of Director of Executive Director (Resources and Transformation)

A report was submitted on the recruitment of the permanent position of Director of Executive Director (Resources and Transformation).

(see annexed).

The Chief Executive explained that the transformation was well established and each directorate was responsible for maintaining business as usual. The proposal to separate the roles would make it easier to recruit an Executive Director Resources. This was supported by the Committee.

Resolved

- 1. That the revised job description for the post be approved.**
- 2. That the revised job title as Executive Director Resources (removing Transformation) and that renaming of the Directorate to “Resources” be approved.**
- 3. That recommendations as set out in paragraph 2.1 and 2.2 to commence a recruitment process for the permanent post of Executive Director Resources (S151) be approved.**
- 4. That the recruitment process be procured by an external recruitment consultancy and provide executive search and selection services to the Council be approved.**
- 5. That the outline recruitment plan, as set out in paragraph 2.5 for short-listing and final interview will be carried out by the Personnel Committee, supported by consultancy be approved.**

- 6. That responsibility be delegated for long listing to the Chief Executive and Interim Executive Director Resources & Transformation in consultation with the Leader of the Council as the relevant Portfolio Holder, supported by consultancy, be approved.**
- 7. That the outline recruitment plan, as set out in paragraph 2.7 for short-listing and final interview will be carried out by the Personnel Committee, supported by consultancy be approved.**

(Exempt information under Paragraphs 1, 2 and 4 of Part I of Schedule 12A of the Local Government Act, 1972) (As amended).

Prior to the meeting closing a Member questioned whether the Council was undertaking a new Job Evaluation exercise. The Director (HR, OD & Administration) responded that a project was underway to explore competitive pay in order for Walsall Council to be an employer of choice in an increasingly competitive market. Members requested a report on this to a future meeting.

At this point in the meeting a short discussion took place regarding poor mobile network coverage that Members were experiencing.

There being no further business the meeting terminated at 18:36.

Signed:

Date:

Personnel Committee – 25 October 2022

**Schools' Model Pay Policy 2022
Unattached Teachers' Pay Policy 2022**

1. Purpose of the report

- 1.1 To gain Personnel Committee approval for the updated Schools' Model Pay Policy 2022 and Unattached Teachers' Pay Policy 2022 (detailed below) endorsed by CMT at their meeting of 06 October 2022.
- 1.2 It should be noted that the current policy drafts are informed by the current draft School Teachers Pay and Conditions Document (STPCD), which is due to be finalised on 14th October – the pay policies will be subject to any changes and/or further amends published in the final version of the STPCD.

2. Recommendations

- 2.1 Personnel Committee is recommended to approve the Schools' Model Pay Policy 2022 and Unattached Teachers' Pay Policy 2022 (detailed below), to be back dated and take effect from 1 September 2022.

3. Background

- 3.1 This report covers the annual update of the following policies;
 - a) The Schools' Model Pay Policy 2022 (Appendix 1)
 - b) The Unattached Teachers' Pay Policy 2022 (Appendix 2)
- 3.2 Governing Bodies of all schools and academies are required annually to adopt a pay policy following full consultation with representatives of recognised unions and professional associations. The attached Schools' Model Pay Policy (at appendix 1) is recommended for Governing Bodies to adopt.
- 3.3 The Unattached Teachers' Pay Policy (at appendix 2) sets out the Council's policy on pay and conditions for all unattached teachers (i.e. those employed corporately by the council in Children's Services - Specialist Inclusion Team and in Economy, Environment and Communities - Music Education Hub). The policy incorporates the requirements of the School Teachers' Pay and Conditions Document and reflects the Schools' Model Pay Policy to ensure a fair and consistent approach.
- 3.4 Both of the attached pay policies have been updated to reflect the requirements of the School Teachers' Pay and Conditions Document (STPCD), of which a draft version was published in July 2022. The final version of the STPCD is due to be laid before parliament on the 14th October and both Pay Policies will be subject to any further STPCD amends. The draft changes to the STPCD 2022 (that have been incorporated into both Pay Policies) are;

- In line with the recommendations in the STRB's 32nd report from 1 September 2022: a 5% increase will be applied to all pay and allowance ranges and advisory points, with higher increases to some parts of the Main Pay Range as a step towards achieving a minimum starting salary of £30,000 by September 2023.

3.5 Policy a) the Schools' Model Pay Policy - Following consultation with trade unions and Headteachers across the borough it is proposed to update the Schools' Model Pay Policy in line with the 2022 STPCD to take effect from 1 September 2022. Therefore, a 5% increase will be applied to all pay and allowance ranges, with higher increases to some parts of the Main Pay Range (refer to appendix 1).

The Policy also clarifies that apprentices directly employed in schools are paid in accordance with the national pay rates applicable to apprentices at the time of their employment.

3.6 Policy b) the Unattached Teachers' Pay Policy, has also been updated in line with STPCD and would be back dated effective from 1 September 2022. The only change is;

i) A 5% increase will be applied to all pay and allowance ranges, with higher increases to some parts of the Main Pay Range (refer to appendix 2 of the this report, Unattached Teachers Pay Policy 2022/23 section 3.2 and appendix A of the policy);

Our Council plan priorities

3.7 The Unattached Teachers Pay Policy is directly aligned to the council's strategic priority of internal focus ensuring all council services are customer focussed, effective, efficient and equitable and helps embed the behaviours and values expected of all employees as part of the Behaviour and Standards Framework.

Response

3.8 The policies, will take effect from 1 September 2022. The Schools' Model Pay Policy will be issued to schools following approval of Personnel Committee for their consideration and adoption.

3.9 Once approved by Personnel Committee if a school does not adopt the attached School's Model Pay Policy they will be required to enter into a separate consultation process with staff and unions. Schools would be required to defend any potential equal pay claims.

Review

3.10 The policies will be reviewed on annual basis in accordance with the statutory changes to the School Teachers' Pay and Conditions Document.

4. Financial Considerations

4.1 The Schools' Model Pay Policy has been reviewed by finance and they have confirmed that the costs associated with this pay policy are expected to be met

from individual school budgets. Schools budgets are delegated to them and are funded through the Dedicated Schools Grant (DSG).

4.2 For the Unattached Teachers' Pay Policy the cost associated with the pay uplift will be met from existing service budgets.

5. Legal

5.1 There are no anticipated legal issues arising from this report.

6. Risk Management

6.1 There are no identifiable risks associated with this implementation, indeed this procedure attempts to ensure that School's and the Council remain compliant with the law.

7. People

7.1 There is no direct impact on our citizens as a result of this procedure. The Equality Impact Assessments are attached;

- EqIA Schools' Model Pay Policy (Appendix 3)
- EqIA Unattached Teachers' Pay Policy (Appendix 4)

8. Consultation

8.1 For the Schools' Model Pay Policy consultation has taken place with the Headteachers from Primary, Nursery and Special Schools and the Headteachers of Secondary Schools that are not Academies. Both teaching and support unions have been consulted with during October 2022. The trade unions were in favour of implementing the pay uplift as outlined in the STPCD.

8.2 The Unattached Teachers' Pay Policy has been out to consultation between 23 - 29 September 2022 with relevant senior managers within the council and the trade unions. The trade unions were in favour of implementing the pay uplift as outlined in the STPCD.

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Sponsoring Director

AUTO SIG

Name of – Executive Director

(Date)

Appendix 1 **DRAFT Model Pay Policy** **- 2022 -SUBJECT TO STPCD**

Document information

Document title	Pay Policy		
Owner	Human Resources – Schools		
Version	Final	Status	
Approved on	Xx September 2022	Last updated by	Primula Paul
Effective from	1 September 2022	Review Date	September 2023
Purpose	To set out the framework for making pay decisions for directly employed School/Academy staff.		

Document accessibility

If you would like this information in another language or format please speak to your Headteacher/Principal

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CONTENTS

1	Introduction	4
1.4	Teachers Pay Award September 2022	4
2	Statement of Intent	4
3	Equalities legislation	5
4	Pay progression based on Performance	6
5	Equalities and pay progression	6
6	Job descriptions	6
7	Appraisal	7
8	Governing Body Obligations	7
9	Headteacher/Principal Obligations	8
10	Teachers' Obligations	8
11	Differentials	8
12	Discretionary pay awards	8
13	Salary safeguarding for teachers	8
14	Procedures	8
15	Staff paid in accordance with STPCD	9
15.1	Annual determination of pay	9
15.2	Notification of pay determination	10
16	Appeals procedure	10
17	Headteacher/Principal – pay on appointment	10
17.11	Serving Headteachers/Principals	11
18	Deputy/Assistant Headteachers	12
19	Classroom Teachers	13
20	Applications to be paid on the Upper Pay Range	14
21	Upper Pay Range	16
22	Leading Practitioner Posts	17

23	Unqualified Teachers	19
	Allowances and other payments for classroom teachers	19
24	Teaching and Learning Responsibility Payments	20
25	Special Educational Needs Allowances	20
26	Acting Allowances	20
27	Allowance payable to unqualified teachers	21
28	Performance Payments to Seconded teachers	21
29	Additional Payments	21
30	Recruitment And Retention Incentive Benefits	22
31	Salary Sacrifice Arrangements	22
32	Part-Time Teachers and Short Notice Teachers	22
33	Overpayment of Salaries	23
34	Support Staff	23
35	Pay and Grading	23
36	Increments	23
37	37 hour week	24
38	Salary Sacrifice	24
39	Acting Up for support staff	24
40	Extended Schools	24
	Appendix One WMBC Leadership Pay arrangements and range	25
	Appendix Two Upper Pay Range application form	28
	Appendix Three Upper pay range progression criteria	29
	Appendix Four Model appeals procedure	32
	Appendix Five (a) WMBC Single Stages pay bands	33
	Appendix Five (b) NJC Scales	34

1. Introduction

1 The Governing Body has adopted this policy to take effect from 1st September 2022 following full consultation with representatives of recognised unions and professional associations and Walsall Children's Services. It will review the policy annually following similar consultation. This policy meets the requirements of the School teachers' pay and conditions document 2022 and guidance on school teachers' pay and conditions (STPCD) ('Document'). The link to the Document is attached below. It has regard to the statutory guidance accompanying the Document and conforms to the local authority's salary scales and conditions of service for support staff. This policy should be read alongside the Document.

1.2 The Governing Body will ensure that all employees are made aware of the existence of this policy and have ready access to a copy of it.

1.3 The Governing Body delegates the implementation of this policy to the Pay Committee (hereinafter referred to as the 'pay committee'), with the exception of threshold assessment for teachers and determining the salaries of newly appointed employees in accordance with this policy, both of which are delegated to the Headteacher/Principal. The Headteacher/Principal is also asked to agree performance objectives with other teachers on the leadership spine, review those objectives annually and report on the outcome of that review to this pay committee in time for the annual review of salaries of those teachers.

This Pay Policy should be read in conjunction with the Pay Policy Guidance 2019.

1.4 Teachers Pay Award September 2022 (STPCD)

In 2022 the DfE have fully implemented the recommendations by the 32nd report of the School Teachers' Review Body ('STRB') accepted and outlined in the STPCD.

The main changes to the Document and accompanying guidance since 2020

- It makes provision for the September 2022 pay award and introduces
- it also reflects a change in the number of days that teachers must be available to work as a result of the additional Bank Holiday on Monday 19th September 2022 due to the state funeral of Queen Elizabeth II .
-

Consultation with trade unions and Walsall Headteachers/Principals

Following detailed consultation with all appropriate trade unions and Headteachers/Principals across the borough this model pay policy outlines the proposed pay ranges for Walsall schools.

1.5 The following are links to:

- School Teachers' Pay and Conditions Document (STPCD)
[School teachers' pay and conditions - GOV.UK](#)
- Implementing your schools approach to pay – DfE advice updated March 2019:
<https://www.gov.uk/government/publications/reviewing-and-revising-school-teachers-pay>

2. Statement of intent

2.1 The prime statutory duty of governing bodies in England, as set out in section 21(2) of the Education Act 2002, is to "...conduct the school with a view to promoting high standards of educational achievement at the school." The pay policy is intended to support that statutory duty.

In adopting this pay policy, the aim for our school/academy is to:

- Maximise the quality of teaching and learning at the school/academy
- Support the recruitment and retention of a high quality teacher workforce
- Enable the school/academy to recognise and reward teachers appropriately for their contribution to the school
- Help to ensure that decisions on pay are managed in a fair, just and transparent way
- Ensure appropriate consultation has taken place with union consultation and agreement
- PLUS ANY OTHER AIMS THAT SCHOOL MAY WISH TO OUTLINE

2.2 The Governing Body of _____ school/academy will make all pay decisions at this school/academy. They will act with integrity, confidentiality, objectivity and honesty in the best interests of the school/academy; will be open about decisions made and actions taken, and will be prepared to explain decisions and actions to interested persons. Its procedures for determining pay will be consistent with the principles of public life: objectivity, openness and accountability.

3. Equalities legislation

3.1 The Governing Body will promote equality in all aspects of school life, particularly with regard to all decisions on advertising of posts, appointing, promoting and paying staff, training and staff development.

The Governing Body will comply with relevant equalities legislation including:

Employment Relations Act 1999

Equality Act 2010

Employment Rights Act 1996

The Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000

The Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002

The Agency Workers Regulations 2010.

3.2 Equality Act 2010 – With regard to the Equality Act, the Governing Body will comply with the Public Sector Equality Duty (PSED) introduced by the Equality Act. In order to discharge the duty schools must have due regard to the need to:

(i) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act.

(ii) advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it.

(iii) foster good relations between people who share a relevant protected characteristic and people who do not share it.

See ‘Governing Body obligations’ in relation to monitoring the impact of this policy.

4. Pay progression based on performance

- 4.1 In this school/academy, all teachers can expect to receive regular, constructive feedback on their performance and are subject to annual appraisal. This will enable teachers with their appraiser to recognise their strengths, informs plans for their future development and helps to enhance their professional practice.
- 4.2 Decisions regarding pay progression will be made with reference to the teachers' appraisal reports and the pay recommendations they contain. In the case of NQTs, whose appraisal arrangements are different, pay decisions will be made by means of the statutory induction process. It will be possible for a 'no progression' determination to be made without recourse to the capability procedure.

5. Equalities and pay progression

- 5.1 The Governing Body will ensure that its processes are open, transparent and fair. All decisions will be objectively justified and minutes of any decisions. The reasons for them will be recorded and kept. Adjustments will be made to take account of special circumstances, e.g. an absence on maternity or disability-related sick leave. Adjustments will be made on a case-by-case basis.
- 5.2 The school/academy will do everything in its power to make a performance-related judgement. If little or no performance evidence is available from the relevant appraisal cycle, because the teacher has been away from school/academy due to pregnancy, maternity or disability-related illness, it will use evidence from previous appraisal cycles where possible.
- 5.3 On-going equality analyses can assist in identifying any potential inequality and guard against possible equal pay claims
- 5.4 The principal means of preventing equal pay claims is for the school/academy to ensure that individual pay decisions are fully compliant with the Equality Act as set out in Section 2 above, and that the duty to have due regard is discharged. The school/academy will satisfy itself that pay decisions year on year are not indicating a pattern that might cause concern. This can be achieved by school/academy undertaking an annual equality analysis which would help identify any potential inequality and demonstrate that the school/academy is attempting to eliminate discrimination and advance equality. Such analysis to include:
- the pay profile of teachers by the protected characteristic i.e. age, disability, race and gender.
 - the reasons that teachers with different protected characteristics are rewarded differently if that is the case;
 - whether teachers who share particular protected characteristics are being treated less favourably than other teachers.

6. Job descriptions

- 6.1 The Headteacher/Principal will ensure that each member of staff is provided with a job description in accordance with the staffing structure agreed by the Governing Body. Job descriptions may be reviewed from time to time in consultation with the individual employee concerned in order to make reasonable changes in the light of the changing needs of the school/academy. Job descriptions will identify key areas of responsibility. All job descriptions will be reviewed annually as part of the appraisal process.

7. Appraisal

- 7.1 The Governing Body will comply with The Education (School Teachers' Appraisal) (England) Regulations 2012 concerning the appraisal of teachers.
- 7.2 The Appraisal Regulations state that appraisal objectives for all teachers, including the leadership group, must be such that, if they are achieved, they will contribute to:
- Improving the education of pupils at that school/academy; and
 - The implementation of any plan of the Governing Body designed to improve the school's/academy's education provision and performance.
- 7.3 Assessment will be based on evidence from a range of sources (see the appraisal policy). Although the school/academy will establish a firm evidence base in relation to the performance of all teachers, there is a responsibility on individual teachers and appraisers to work together. Teachers should also gather any evidence they deem to be appropriate in relation to meeting their objectives, the Teachers' Standards and any other criteria (e.g application to be paid on Upper Pay Range) so that such evidence can be taken into account at the review. The arrangements of teacher appraisals are set out in the separate school's/academy's appraisal policy and supporting documentation which can be located on the Walsall Link.
- 7.4 The Headteacher/Principal will moderate objectives to ensure consistency and fairness; the Headteacher/Principal will also moderate performance assessment and initial pay recommendations to ensure consistency and fairness.

8. Governing Body obligations

The Governing Body will fulfil its obligations to:

- 8.1 Teachers: as set out in the school teachers' pay and conditions document ('the Document') and the conditions of service for school teachers in England and Wales (commonly known as the Burgundy book).
- 8.2 Support staff: the national joint council for local government services national agreement on pay and conditions of service (Green Book) or any LA pay/grading system.
- 8.3 The Governing Body will need to consider any updated pay policy and assure themselves that appropriate arrangements for linking appraisal to pay are in place, can be applied consistently and that their pay decisions can be objectively justified.
- 8.4 The Governing Body will ensure that appraisers, decision-makers and any appeal committee governors receive appropriate training to ensure fair and open decision-making.
- 8.5 The Governing Body will ensure that mid-year reviews are undertaken for teachers and all members of the leadership group.
- 8.6 The Governing Body will ensure that it makes funds available to support pay decisions in accordance with this pay policy (see Procedures) and the school/academy's spending plan.
- 8.7 The Governing Body will monitor the outcomes of pay decisions, including the extent to which different groups of teachers progress at different rates, ensuring continued compliance with equalities legislation.

9. Headteacher/Principal obligations

The Headteacher/Principal will:

- develop clear arrangements for linking appraisal to pay progression and consult with staff and union representatives on the appraisal and pay policies;
- submit any updated appraisal and pay policies to the Governing Body for approval;
- ensure that effective appraisal arrangements are in place, and that any appraisers have the knowledge and skills to apply procedures fairly;
- ensure that mid-term reviews are undertaken for all teachers, including the leadership group;
- submit pay recommendations to the Governing Body and ensure the Governing Body has sufficient information upon which to make pay decisions; and
- ensure that teachers are informed about decisions reached and that records are kept of recommendations and decisions made.

10. Teachers' obligations

A teacher will:

- engage with appraisal; this includes working with their appraiser to ensure that there is a secure evidence base in order for an annual pay determination to be made;
- keep records of their objectives and review them throughout the appraisal process;
- share any evidence they consider relevant with their appraiser; and
- ensure they have an annual review of their performance.

11. Differentials

- 11.1 Appropriate differentials will be created and maintained between posts within the school/academy, recognising accountability and job weight, and the Governing Body's need to recruit, retain and motivate sufficient employees of the required quality at all levels.

12. Discretionary pay awards

- 12.1 Criteria for the use of pay discretions are set out in this policy and discretionary awards of additional pay will only be made in accordance with these criteria.

13. Salary safeguarding for Teachers

- 13.1 Where a pay determination leads or may lead to the start of a period of safeguarding, the Governing Body will comply with the relevant provisions of the Document and will give the required notification as soon as possible and no later than one month after the determination.

14. Procedures

- 14.1 The Governing Body will determine the annual pay budget on the recommendation of the pay committee, taking into account paragraph 19.2(e) of the Document. **SCHOOL/ACADEMY TO DECIDE** It will also allocate X per cent to allow for the best performing teachers to make more rapid progress up the relevant pay range. Due to budget constraints, there will be

no accelerated progression on any pay scale [The latter choice should only be used where there is objective evidence of budget issues.]

14.2 The Governing Body has delegated its pay powers to the pay committee. Any person employed to work at the school, other than the head, must withdraw from a meeting at which the pay or appraisal of any other employee of the school, is under consideration. The head must withdraw from that part of the meeting where the subject of consideration is his or her own pay. A relevant person must withdraw where there is a conflict of interest or any doubt about his/her ability to act impartially.

14.3 Where possible, no member of the Governing Body who is employed to work in the school shall be eligible for membership of this committee. The pay committee will be attended by the head in an advisory capacity. Where the pay committee has invited either a representative of the LA or the external adviser to attend and offer advice on the determination of the head's pay, that person will withdraw at the same time as the head while the committee reaches its decision. Any member of the committee required to withdraw will do so.

14.4 The terms of reference for the pay committee will be determined from time to time by the Governing Body. The current terms of reference are:

- to achieve the aims of the whole school pay policy in a fair and equal manner;
- to apply the criteria set by the whole school pay policy in determining the pay of each member of staff at the annual review;
- to observe all statutory and contractual obligations;
- to minute clearly the reasons for all decisions and report the fact of these decisions to the next meeting of the full Governing Body;
- to recommend to the Governing Body the annual budget needed for pay, bearing in mind the need to ensure the availability of monies to support any exercise of pay discretion;
- to keep abreast of relevant developments and to advise the Governing Body when the school's pay policy needs to be revised; and
- to work with the head in ensuring that the Governing Body complies with the Education (School Teachers' Appraisal) (England) Regulations 2012.

14.5 The report of the pay committee will be placed in the confidential section of the Governing Body's agenda and will either be received or referred back. Reference back may occur only if the pay committee has exceeded its powers under the policy.

15. Staff paid in accordance with STPCD

15.1 Annual determination of pay

All teaching staff salaries, including those of the Head, Deputy Head(s) and Assistant Head(s) will be reviewed annually to take effect from 1 September. The Governing Body will endeavour to complete teachers' annual appraisal and pay reviews by 31 October and the Headteacher/Principal annual pay review by 31 December. They will, however, complete the process without undue delay.

15.2 Notification of pay determination

Decisions will be communicated to each member of staff by the head in writing in accordance with paragraph 3.4 of the Document and will set out the reasons why decisions have been taken. An instruction to amend pay from the relevant date will be issued immediately after the time limit for the lodging of an appeal has passed, or immediately after an appeal has been concluded.

16. Appeals procedure

The Governing Body has an appeals procedure in relation to pay in accordance with the provisions of paragraph 2.1(b). It is set out as an appendix to this policy.

17. Headteacher/Principal pay - Pay on appointment

17.1 The pay committee will review the school's Headteacher group and the Head's pay range in accordance with paragraphs four, five, six and eight (ordinary school), or paragraphs four, five, six, seven and eight (special schools) of the Document.

17.2 If the Headteacher/Principal takes on permanent accountability for one or more additional schools, the pay committee will set a pay range in accordance with the provisions of paragraph 6.6 or 7.9 of the Document, as the case may be.

17.3 For new appointments, the pay committee will determine the Headteacher group, and pay range taking account of the full role of the Headteacher/Principal (part seven of the Document), all permanent responsibilities of the role, any challenges that are specific to the role and all other relevant considerations paragraphs 9.2 of the Document, including recruitment issues. The pay committee will consider the reference points on leadership scale and take into account the factors set out in Appendix One when determining an appropriate pay range. It will also take account of any other considerations it feels are relevant and minute carefully its decisions and reasons for those decisions

17.4 The pay committee will consider using its discretion, in exceptional circumstances only, to exceed the 25 per cent limit beyond the maximum of the group range when setting the pay range for the Headteacher/Principal, as set out in paragraph 9.3 of the Document. However, before doing so, it will make a fully-documented business case and seek external independent advice.

17.5 Walsall's recommendation is that the pay committee will use 7 reference points within the pay range.

At the appointment stage, candidate specific factors will be taken into account when determining the starting salary. If necessary, the Governing Body will adjust the pay range to ensure appropriate scope of [insert number] reference points, for performance related pay progression.

17.6 The pay committee will have regard to the provisions of paragraph 9.4 of the Document in particular, and will also take account of the pay and ranges of other staff, including any permanent payments, to ensure that appropriate differentials are created and maintained between posts of differing responsibility and accountability

17.7 The pay committee will consider the use of temporary payments for clearly time-limited responsibilities or duties only, in accordance with paragraph 10 of the Document.

- 17.8 The pay committee will consider whether the circumstances specific to the role or candidate warrant a higher than normal pay range. It will exercise its discretionary powers, where appropriate, in accordance with paragraph 9.3 of the Document. It will only set a range the maximum of which is more than 25 per cent above the maximum value of the group range in exceptional circumstances. In such circumstances, it will make a business case to the Governing Body and the Governing Body will seek external independent advice before giving agreement
- 17.9 The pay committee will consider whether there is a need for any temporary payments (paragraph 10 of the Document) for clearly time-limited responsibilities or duties. The total sum of the temporary payments made to a head will not exceed 25 per cent of the annual salary which is otherwise payable to the head; and the total sum of salary and other payments made to a head must not exceed 25 per cent above the maximum of the Headteacher group, except in wholly exceptional circumstances
- 17.10 The pay committee may determine that temporary and other payments be made to a head which exceeds the limit above in wholly exceptional circumstances where it has made a business case and with the agreement of the Governing Body. The Governing Body will seek external independent advice before providing agreement

17.11 Serving Headteacher/Principal

The pay committee will only re-determine the pay range of a serving Headteacher/Principal, in accordance with paragraph nine of the Document, if the responsibilities of the post change significantly or if the pay committee determines that this is required to maintain consistency with pay arrangements for new appointments to the leadership team made on or after 1 September 2014, or with pay arrangements for a member(s) of the leadership group whose responsibilities significantly change on or after 1 September 2014 (paragraph four of the Document).

- 17.12 It will also re-determine the pay range if the group size of the school increases, or if the head takes on permanent accountability for an additional school(s) (paragraph eight, section three).
- 17.13 If the pay committee re-determines the Headteacher's pay range, it will take account of all indefinite responsibilities of the post, any specific challenges and all other relevant factors, including retention issues. The pay committee will take into account the factors set out in Annex A when determining an appropriate pay range. It will also take account of any other considerations it feels are relevant and minute carefully its decisions and reasons for those decisions.
- 17.14 The pay committee will consider using its discretion, in exceptional circumstances, to exceed the 25 per cent limit beyond the maximum of the group range, as set out in paragraph 9.3 of the Document. However, before agreeing to do so, it will make a fully-documented business case and will seek external independent advice.
- 17.15 The pay committee will use reference points within the pay range and will leave at least [insert number] reference points for performance-related pay progression
- 17.16 The pay committee will review the Headteacher/Principal's pay in accordance with paragraph 11 of the Document and award one reference point where there has been sustained high quality of performance having regard to the results of the most recent appraisal carried out in accordance with the appraisal regulations 2012 and any recommendation on pay progression in the Headteacher/principal's most recent appraisal report

- 17.17 **Delete/Insert as required** - Where the Headteacher/Principal's performance is exceptional, it will award accelerated performance related pay progression of [insert number] reference points taking account of the most recent appraisal and any recommendation on pay
- 17.18 If the pay committee decides to re-determine the pay range, it will only determine the head's pay range in accordance with paragraph nine and paragraph eight of the Document.
- 17.19 The pay committee will consider the use of temporary payments for clearly temporary responsibilities or duties only in accordance with paragraph 10 of the Document
- 17.20 The total sum of temporary payments made to a head must not exceed 25 per cent of the annual salary which is otherwise payable to the Headteacher/Principal; and the total sum of salary and other payments made to a head must not exceed 25 per cent above the maximum of the Headteacher group, except in wholly exceptional circumstances.
- 17.21 The pay committee may determine that additional/temporary payments be made to a head which exceeds the limit above in wholly exceptional circumstances and with the agreement of the Governing Body. The Governing Body will seek external independent advice before providing agreement

18. Deputy/Assistant Headteacher pay

18.1 Pay on appointment

The pay committee will determine a pay range on the Leadership Pay Range attached at Appendix 1 The pay committee will take account of the full role of the deputy/assistant Headteacher (part seven), all indefinite responsibilities of the role, any challenges that are specific to the role and all other relevant considerations paragraph 9.2 – 9.4 of the Document, including recruitment issues. The pay committee will take into account the factors set out in Appendix 1 when determining an appropriate pay range. It will also take account of any other considerations it feels are relevant and minute carefully its decisions and reasons for those decisions.

Walsall's recommendation is that the pay range will contain 5 reference points.

- 18.2 At the appointment stage, candidate specific factors will be taken into account when determining the starting salary. If necessary, the Governing Body will adjust the pay range to ensure appropriate scope of [insert number] reference points, for performance related pay progression.
- 18.3 The pay committee will consider whether the award of any additional payments are relevant, as set out in paragraph 26 of the Document and paragraphs 60 to 68 of section three Guidance contained in the Document.

18.4 Serving Deputy/Assistant Headteacher

The pay committee will review and, if necessary, re-determine the Deputy/Assistant Head pay range where there has been a significant change in the responsibilities of the serving Deputy/Assistant Headteacher (paragraph ten of section three guidance in the Document),

- 18.5 When determining the pay range of a serving Deputy/Assistant head, the pay committee will take account of all permanent responsibilities of the role, any challenges that are specific to the role and all other relevant considerations (paragraph 9.2 of the Document), including retention issues. The pay committee will take into account the factors set out in Annex A when determining an appropriate pay range. It will also take account of any other

considerations it feels are relevant and minute carefully its decisions and reasons for those decisions

- 18.6 The pay committee will ensure the maintenance of appropriate differentials between different posts in its staffing structure, but will note paragraph 9.4 of the Document.
- 18.7 The pay committee will consider whether the award of any additional payments is relevant, as set out in paragraph 26 of the Document and paragraphs 48 to 59 of section three of the Document.
- 18.8 The pay committee will use reference points within the pay range and will leave at least [insert number] reference points for performance-related pay progression
- 18.9 The pay committee will review pay in accordance with paragraphs 11 of the Document and award one reference point where there has been sustained high quality of performance having regard to the results of the recent appraisal and to any recommendation on pay progression recorded in the deputy/assistant head's most recent appraisal report
- 18.10 **Delete/Insert as required** - The pay committee will award accelerated performance related pay progression of up to [insert number] reference points if there has been exceptional performance, taking account of the results of the most recent appraisal and any pay recommendation and appropriate differentials.

19. Classroom Teachers

19.1 Pay on appointment

Delete/Insert as required

- 19.2 This school/academy has not adopted pay portability. The Headteacher in conjunction with Governors will determine the starting salary of a vacant classroom teacher post on the main pay range/upper pay range, such as the Committee determines. The advertisement for the post will indicate that pay portability will not be applied.

or

- 19.3 This school/academy has adopted pay portability. In the event appointee worked as a classroom teacher previously the Committee will pay the same rate as they were paid in their previous school/academy including pay progress for this cycle, this is known as pay portability.

N.B: The pay policy is only agreed with NAHT, NEU (NUT & ATL) and NASUWT if the paragraph on pay portability is included. ASCL agree the policy if schools are given the option of whether or not to accept pay portability.

- 19.4 The Governing Body will, if necessary, use its discretion to award a recruitment incentive benefit to secure the candidate of its choice.

19.5 Annual pay determination

The Committee will use reference points for classroom teachers. Therefore the pay scale for main pay range teachers in this school/academy is:

MS Point 1 £28,000

MS Point 2 £29,800

MS Point 3 £31,750

MS Point 4	£33,850
MS Point 5	£35,990
MS Point 6	£38,810

- 19.6 Appraisal objectives will become more challenging as the teacher progresses up the main pay range. Objectives will, however, be such that, if achieved, meet the requirements of the appraisal regulations 2012 (see Appraisal above).
- 19.7 To move up the main pay range, one annual point at a time, 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 'good', as defined by Ofsted. However, this does not mean that every lesson observation needs to be 'good'.
- 19.8 **Delete/Insert as required** - If the evidence shows that a teacher has exceptional performance, the Governing Body may consider the use of its flexibility to award enhanced pay progression up to the maximum of [insert reference point]. Teaching over time will be 'outstanding', as defined by Ofsted.
- 19.9 Judgments will only be made on evidence gathered which is related to the formal appraisal process. 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 school/academy.
- 19.10 Further information, including sources of evidence, is contained in the appraisal policy.
- 19.11 The pay committee will take account of the pay recommendation contained in the appraisal report. Any increase (i.e. no movement, one point, more than one point) will be clearly attributable to the performance of the teacher in question. The pay committee will be able to justify its decisions.

In the case of NQTs, pay decisions will be made by means of the statutory induction process.

20. Applications to be paid on the Upper Pay Range

- 20.1 It is the responsibility of the teacher to decide whether or not they wish to apply to be paid on the upper pay range. Applications will only be considered taking into account two successful appraisals.
- 20.2 If successful, the teacher will move to the UPR from 1 September following the years' appraisal reviews submitted. For example, if the appraisal reviews cover academic years 2019/20 (main scale point 5) and 2023/2022 (main scale point 6) and the application is submitted before 31 October 2022, movement to the UPR will take effect from 1 September 2022.
- 20.3 If a teacher is simultaneously employed at another school(s), they may submit separate applications if they wish to apply to be paid on the UPR in that school(s). This school/academy will not be bound by any pay decision made by another school/academy.

20.4 All applications should include the results of the two most recent appraisals under the appraisal regulations 2012 including any recommendation on pay. Where such information is not applicable or available, e.g. those returning from maternity or sickness absence, a written statement and summary of evidence designed to demonstrate that the applicant has met the assessment criteria must be submitted by the applicant.

20.5 In order for the assessment to be robust and transparent, it will be an evidence-based process only. Teachers therefore should ensure that they build a mainly paper evidence base to support their application. Those teachers who have been absent, through sickness, disability or maternity, may cite written evidence from previous years in support of their application.

20.6 Process

One application may be submitted annually. The closing date for applications is normally 31st October of each year; however, exceptions will be made in particular circumstances, e.g. those teachers who are on maternity leave or on sick leave. The process for applications is:

- complete the school/academy's application form (Appendix Two)
- submit the application form and supporting evidence to the Headteacher by the cut-off date of 31st October;
- the teacher will receive notification of the name of the assessor of your application within 5 working days;
- the assessor will assess the application, which will include a recommendation to the pay committee of the relevant body;
- the application, evidence and recommendation will be passed to the Headteacher for moderation purposes, if the Headteacher is not the assessor;
- the pay committee will make the final decision, advised by the Headteacher;
- Teachers will receive written notification of the outcome of their application. Where the application is unsuccessful, the written notification will include the areas where it was felt that the teacher's performance did not satisfy the relevant criteria set out in this policy (see Assessment below);
- If requested, oral feedback will be provided by the assessor. Oral feedback will be given within 10 school working days of the date of notification of the outcome of the application. Feedback will be given in a positive and encouraging environment and will include advice and support on areas for improvement in order to meet the relevant criteria;
- successful applicants will move to the minimum of the UPR; and
- unsuccessful applicants can appeal the decision. The appeals process is set out in Appendix 4.

20.7 Assessment

The teacher will be required to meet the criteria set out in paragraph 15 (Appendix Three) of the Document, namely that:

- The teacher is highly competent in all elements of the relevant standards; and
- The teacher's achievements and contribution to an educational setting or settings are substantial and sustained.

In this school/academy, this is interpreted as follows:

“Highly competent”:

- 20.8 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.
- 20.9 (e.g. performance which is good enough to fulfil wider professional responsibilities, and develop effective professional relations with colleagues, giving them advice and demonstrating to them effective teaching practice and how to make a positive contribution to the wider life and ethos of the school/academy, in order to help them meet the relevant standards and develop their teaching practice).

“Substantial”:

- 20.10 the teacher’s achievements and contribution to the school/academy are significant - not just in raising standards of teaching and learning in their own classroom or with their own groups of children, but also in making a significant wider contribution to school improvement, which impacts on pupil progress and the effectiveness of staff and colleagues.
- 20.11 (e.g. of real importance, validity or value to the school/academy; play a critical role in the life of the school/academy; provide a role model for teaching and learning; make a distinctive contribution to the raising of pupil standards; take advantage of appropriate opportunities for professional development and use the outcomes effectively to improve pupils’ learning).

“Sustained”:

- 20.12 The teacher must have had two consecutive successful appraisal reports and have made good progress towards their objectives during this period. They will have been expected to have shown that their teaching expertise has grown over the relevant period and is consistently good to outstanding.

21. Upper pay range

Annual pay determination

The upper pay range in this school/academy will consist of three ranges set out below:

UPR Point 1 £40,625

UPR Point 2 £42,131

UPR Point 3 £43,685

- 21.1 The pay committee will determine whether there has been continued good performance. In making such a determination, it will take into account:
- paragraph 19 and the criteria set out in paragraph 15.2 of the Document;
 - the appraisal report and the pay recommendation of the appraiser; and
 - the appraisal evidence that the teacher has maintained the criteria set out in paragraph 15.2, namely that the teacher is highly competent in all elements of the relevant standards; and that the teacher’s achievements and contribution to an educational setting or settings are substantial and sustained. The meaning of these criteria is set out above.
- 21.2 Where it is clear that the appraisal evidence shows that the teacher has continued good performance, as set out above, and has made good progress towards their objectives, the

teacher will move to next point on the upper pay range; or if already on the mid-point, will move to the top of the upper pay range.

- 21.3 Pay progression on the upper pay range will be clearly attributable to the performance of the individual teacher. The pay committee will be able to objectively justify its decisions.

Where it is clear from the evidence that the teacher's performance is exceptional, in relation to the criteria set out above, the pay committee may use its flexibility to decide on enhanced progression from the minimum to the maximum of UPR. Teaching over time will be 'outstanding' as defined by Ofsted.

- 21.4 Further information, including sources of evidence is contained within the appraisal policy. The pay committee will be advised by the Headteacher in making all such decisions.

22. Leading Practitioner roles

Insert this paragraph if you do not intend to recruit a LP. If this is the case the other paragraphs can be deleted.

- 22.1 *It is not the intention of the Governing Body to create a leading practitioner role at this time but the Governing Body will review its position from to time.*

Or

If the above paragraph is included then delete the paragraph below. If you intend to have Leading Practitioners the delete the paragraph above.

Lead Practitioner Range with discretionary reference points

L1	£44,523
L2	£45,639
L3	£46,788
L4	£47,941
L5	£49,136
L6	£50,368
L7	£51,725
L8	£52,917
L9	£54,239
L10	£55,633
L11	£57,075
L12	£58,391
L13	£59,850
L14	£61,343
L15	£62,869
L16	£64,541
L17	£66,022
L18	£67,685

22.2 The Governing Body will take account of paragraphs 16 and 51 of the Document when determining the role of leading practitioner in this school/academy. Additional duties will be set out in the job description of the leading practitioner and will include:

- a leadership role in developing, implementing and evaluating policies and practices in the school/academy that contribute to school improvement;
- the improvement of teaching within school [and within the wider school community] which impact significantly on pupil progress;
- improving the effectiveness of staff and colleagues, particularly in relation to specific areas such as [insert school specific areas]

22.3 Pay on appointment

The pay committee will determine a pay range of 5 reference points from the Walsall Leading Practitioner pay range (Appendix one). L 1 – 18

22.4 In accordance with paragraph 16 of the Document, and paragraphs 33, 34 and 36 of the section three guidance of the Document, the relevant body will use reference points and will ensure that there is appropriate scope within the pay range to allow for performance related pay progression over time. The relevant body will leave 2 reference points for performance related pay progression.

The Headteacher/Principal will agree appraisal objectives for the leading practitioner.

22.5 Annual pay determination

The pay committee shall have regard to the results of the leading practitioner's appraisal, including the pay recommendation, when exercising any discretion in relation to their pay, in accordance with paragraph 19 of the Document.

The appraisal evidence should show the leading practitioner:

- has made good progress towards their objectives;
- is an example of teaching skills, which should impact significantly on pupil progress within school/academy and within the wider 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.

22.6 "Highly competent" and "substantial" are defined in the section entitled, "Applications to be paid on the upper pay range".

22.7 The pay committee will determine pay progression such that the amount is clearly attributable to the performance of the leading practitioner. The pay committee will be able to objectively justify its decision. Judgements will only be made on evidence gathered which is related to the formal appraisal process.

22.8 **Delete/Insert as Required** - Where it is clear from the evidence that the teacher's performance is exceptional, the pay committee may award enhanced pay progression of 2 reference points.

22.9 Further information, including sources of evidence, is contained within the appraisal policy. The pay committee will be advised by the Headteacher/Principal in making all such decisions.

23. Unqualified teachers

Pay on appointment

23.1 The pay committee will pay any unqualified teacher in accordance with paragraph 17 of the Document. The pay committee will determine where a newly appointed unqualified teacher will enter the scale, having regard to any qualifications or experience s/he may have, which they consider to be of value.

23.2 The Unqualified Teacher Pay Range and Walsall Reference points:

UQ Point 1	£19,340
UQ Point 2	£21,559
UQ Point 3	£23,777
UQ Point 4	£25,733
UQ Point 5	£27,954
UQ Point 6	£30,172

23.3 The pay committee will consider whether it wishes to pay an additional allowance, in accordance with paragraph 22 of the document. In applying additional allowances, consideration should be given to maintaining differentials.

23.4 Annual pay determination

In order to progress up the unqualified teacher range, one point annually, unqualified teachers will need to show that they have made good progress towards their objectives.

23.5 **Delete/Insert as Required** - If the evidence shows that the unqualified teacher has exceptional performance, the Governing Body may award enhanced pay progression of 2 reference points.

23.6 Judgements will only be made on evidence gathered which is related to the appraisal process. Information on sources of evidence is contained within the appraisal policy.

23.7 The pay committee will be advised by the Headteacher/Principal in making all such decisions. Pay progression on the unqualified teacher range will be clearly attributable to the performance of the individual teacher. The pay committee must be able to objectively justify its decisions.

Allowances and other payments for classroom teachers

24. Teaching and learning responsibility (TLR) payments

24.1 The pay committee may award a TLR to a classroom teacher in accordance with paragraph 20 of the Document and paragraphs 46 to 53 of the section three guidance of the Document. TLR 1 or 2 will be for clearly defined and sustained additional responsibility in the context of the school/academy's staffing structure for the purpose of ensuring the continued delivery of high quality teaching and learning. All job descriptions will be regularly reviewed and will

make clear, if applicable, the responsibility or package of responsibilities for which a TLR is awarded, taking into account the criterion and factors set out at paragraph 20.4 of the Document.

- 24.2 The pay committee will ensure that sufficient differential exists between different levels of TLR, taking account of the responsibilities for which the TLR is awarded. All decisions will be objectively justified.

WMBC TLR 1 and 2 are:

- a) The annual value of a TLR1 must be no less than £8,706 and no greater than £14,732
- b) The annual value of TLR2 must be no less than £3,017 and no greater than £7,368

- 24.3 The pay committee may award a TLR 3 in accordance with paragraph 20.3 between £600 and £2,975. A TLR3 is a fixed-term award. TLR3s may be awarded only for clearly time-limited school improvement projects, one-off externally driven responsibilities, or where teachers are undertaking planning, preparation, coordination of, or delivery of tutoring to provide catch-up support to pupils on learning lost to the pandemic, and where that tutoring work is taking place outside of normal directed hours but during the school day. The fixed-term for which they are to be awarded must be established at the outset of the award. The relevant body should not award consecutive TLR3s for the same responsibility unless that responsibility relates to tutoring, as set out above. TLR3s are not subject to safeguarding.

25. Special educational needs (SEN) allowances

- 25.1 The pay committee will award an SEN spot value allowance on a range of between £2,384 and £4,703 to any classroom teacher who meets the criteria as set out in paragraph 21 of the Document.
- 25.2 When deciding on the amount of the allowance to be paid, the Governing Body will take into account the structure of the SEN provision, whether any mandatory qualifications are required for the post, the qualifications or expertise of the teacher relevant to the post; and the relative demands of the post (paragraph 21.3 of the Document). The Governing Body will also establish differential values in relation to SEN roles in the school/academy in order to reflect significant differences in the nature and challenge of the work entailed so that the different payment levels can be objectively justified. The Governing Body will take account of paragraphs 54 to 58 of the section three guidance of the Document.

26. Acting Allowance

- 26.1 Subject to paragraph 23.6 of the Document Where a teacher is assigned and carries out duties of a Headteacher/Principal, Deputy Headteacher or Assistant Headteacher but has not been appointed as an acting Headteacher/Principal, Deputy Headteacher or Assistant Headteacher, the school/academy must, within the period of four weeks beginning on the day on which such duties are first assigned and carried out, determine whether or not an allowance ('acting allowance') must be paid in accordance with the provisions outlined in 23.2 – 23.6 of the Document.

27. Allowance payable to unqualified teachers

27.1 The relevant body may determine that such additional allowance, as it considers appropriate, is to be paid to an unqualified teacher where it considers, in the context of its staffing structure and pay policy that the teacher:

a) has taken on a sustained additional responsibility which:

i. is focused on teaching and learning; and

ii. requires the exercise of a teacher's professional skills and judgment; or

b) has qualifications or experience which bring added value to the role being undertaken.

28. Performance payments to seconded teachers

28.1 Where:

a) a teacher is temporarily seconded to a post as Headteacher/Principal in a school/academy causing concern which is not the teacher's normal place of work; and

b) the relevant body of that school/academy considers that the teacher merits additional payment to reflect sustained high quality of performance throughout the secondment, the relevant body may pay the teacher a lump sum accordingly. Subject to paragraph 10.4, the total value of the additional payment and any annual salary and other payments paid to the teacher during the secondment must not exceed 25% above the maximum of the Headteacher group for the school/academy to which the teacher is seconded.

29. Additional Payments – Delete/Insert as Required

29.1 Continuing Professional Development (CPD)

Payments may be made to classroom teachers in accordance with paragraph 26 of the Document in respect of CPD undertaken outside of either the 1265 hours of directed time for full-time teacher; for the appropriate proportion of the 1265 hours of directed time for part-time teachers

29.2 Initial Teacher Training (ITT) activities

Leading Practitioners may be required to undertake activities related to providing ITT as part of their role. In accordance with paragraph 26 of the Document other teachers may receive additional payment for activities related to ITT only which is provided as an ordinary incident in the conduct of the school/academy. The appropriate level of payment for ITT activities will be dependent on the level of work undertaken.

29.3 Service Provision

Where a Headteacher/Principal in one school/academy is providing a service to another school/academy for example National Leader of Education (NLE) The school/academy will determine how much if any, addition payment is due to the individual concerned in line with the provisions of the Document. In line with the Provision for service to other school/academy – operating principles and requirements as outlined in the Document.

Consideration should also be given to the remuneration of other teachers who as a result of the Headteacher/Principal's additional role are taking on additional responsibilities and activities. Any increase in remuneration should be agreed where the post accrues extra

responsibilities as a result of the Headteacher/Principal's enlarged role. This is not an automatic entitlement.

29.4 Out-of-school hours learning activities

School/academy's should decide whether to make payments to teachers who agreed to participate in out-of-hours learning. Payments to classroom teachers should only be made in respect of those activities undertaken outside of either the 1265 hours or directed time for full time teachers or the appropriate proportion of the 1265 hours of directed time for part-time teacher.

30. Recruitment and Retention

30.1 The Committee will consider the award of recruitment and retention payments under paragraph 27 of the Document and against the background of any national guidance or advice, teacher supply and demand, curriculum areas and the retention of experienced staff. In particular where awarding a recruitment and retention allowance enables the school/academy to recruit and retain teachers of the quality required to ensure school improvement.

Payments may only be made for recruitment and retention purposes, not for carrying out specific responsibilities or to supplement pay for other reasons.

The Committee will pay recruitment awards in the following circumstances:

[School to insert details one of the possible circumstances may be an advance in the case of rental property]:

The Committee will pay retention awards in the following circumstances:

[School to insert details]:

30.2 The pay committee will consider exercising its powers under paragraph 27 of the Document where they consider it is appropriate to do so in order to recruit or retain relevant teachers. It will make clear at the outset, in writing, the expected duration of any such incentive or benefit, and the review date after which it may be withdrawn.

The Governing Body will, nevertheless, conduct an annual formal review of all such awards

31. Salary sacrifice arrangements for Teachers

31.1 Where the employer operates a salary sacrifice arrangement, a teacher may participate in any arrangement and his/her gross salary shall be reduced accordingly, in accordance with the provisions of paragraph 28 of the Document.

32. Part-time employees and Short Notice Teachers

32.1 **Teachers:** The Governing Body will apply the provisions of the Document in relation to part-time teachers' pay and working time, in accordance with paragraphs 40, 43 and 52.5 onwards, and paragraphs 35, 38-43 and 78-86 of the section three guidance of the Document.

32.2 **All staff:** The Headteacher/Principal and Governing Body will use their best endeavours to ensure that all part-time employees are treated no less favourably than a full-time comparator.

Teachers employed on a short-notice and Supply basis

- a. Such teachers will be paid in accordance with paragraph 44 of the Document

33. OVERPAYMENT OF SALARY

- 33.1 The school/academy expects all staff to behave with honesty and integrity. With specific regard to overpayments of salary, it is expected that staff will report promptly any such payment received, or any other payment received to which they are not entitled. Deliberate failure to report overpayments of salary will be treated as misconduct and will be dealt with through the Disciplinary Policy.

Once an overpayment has been established, recovery and timescale will be discussed with the individual, taking account of the values of money involved, the timescale of overpayment and to minimise hardship.

Where an employee is repaying an overpayment but leaves the school/academy before the full overpayment is recovered, the balance will be deducted from the final salary payment. Where the amount outstanding exceeds the final salary, an invoice will be raised for the outstanding amount and sent to the employee.

Every effort will be made to secure agreement on a recovery schedule however agreement with an employee is not a requirement to proceed with recovery.

34. Support Staff

- 34.1 The pay committee notes its powers to determine the pay of support staff in accordance with paragraph 17 and 29 of the School Staffing (England) Regulations 2009 and chapter seven of the associated guidance.

35. Pay and Grading

- 35.1 The Committee will determine the pay and grading of non-teaching employees in line with:
- WMBC Pay and grading scheme for Community and Voluntary Controlled Schools and other schools that have adopted the scheme in Appendix 5 (A). Under exceptional circumstances the Governing Body may decide to pay outside of the single status framework. It is recommended that HR advice is sought prior to confirming the position.
 - For Academies, Trust/Voluntary Aided .Schools pay and grading arrangements will be agreed within the school – The NJC scp's are outlined in - Appendix 5 (B)

36. Increments

- 36.1 Each employee will be granted one additional increment from 1 April each year, until the maximum of the pay band is reached.
- 36.2 Employees with less than six months' service in the pay band by 1 April in any year will not be granted their first increment until six months after their appointment, promotion or move to the pay band. Thereafter increments are applicable from 1 April each year until the employee reaches the maximum pay for their band.
- 36.4 National Terms and Conditions may be applied regarding unsatisfactory performance.

37. 37 hour week

- 37.1 The standard working week for full-time employees is 37 hours per week and 52 weeks per year. When entering into a contractual relationship with an employee, the Governing Body determine the number of hours and when they want staff to work and whether they wish to make any contractual provisions to vary when the hours are actually worked.

38. Salary sacrifice arrangements

- 38.1 Where the school/academy operates a salary sacrifice arrangement, employees may participate in any arrangement and his/her gross salary shall be reduced accordingly.

39. Honorariums or acting up for Support Staff

- 39.1 It may be necessary for the school/academy to use acting up arrangements from time to time to cover short term absences or specific pieces of work. Acting up is a useful way to aid the personal and career development of an employee and provide valuable cover where necessary.
- 39.2 Routine acting up arrangements should be for a maximum of 12 calendar months, may be extended in exceptional circumstances to an absolute maximum of 18 months.
- 39.3 Normal practice is to pay the employee the difference between their substantive spinal column point (SCP) and the bottom SCP of the higher graded post. If they are not undertaking the full duties and responsibilities of the post, they should be paid the pro rata difference between SCPs; for example, 50% of the differences if they are covering half the duties, etc. Where the grades overlap the next SCP should be used.
- 39.4 If the employee receives an increment during the acting up period, the payment should be adjusted accordingly to maintain the differential between substantive and acting up grade.
- 39.5 Where the employee is undertaking a specific piece of work, as opposed to covering duties at a higher grade, you should assess the grade at which this work is valued and pay the difference in the same way.

40. Extended Schools

- 40.1 Support staff employed on extended school contracts should be paid on a NJC Spinal Column point (whether this is a spot point or a scale). This will allow for inflationary increases to be applied as and when applicable.

41 Apprentices

- 41.1 Apprentices employed directly in schools are required to participate in an agreed apprenticeship programme and will be paid in accordance with the national apprenticeship pay arrangements.

Appendix 1

WMBC Leadership Pay Arrangements and Range

Headteacher Group Sizes and Group Ranges 2022/23		
Headteacher Group	Pay points	England and Wales £
Minimum	L1	£44,305xx
	L2	£45,414
	L3	£46,548
	L4	£47,706
	L5	£48,895
Group 1 (L6-L18a)	L6	£50,122xx
	L7	£51,470
Group 2 (L8-L21a)	L8	£52,659xx
	L9	£53,973
	L10	£55,360
Group 3 (L11-L24a)	L11	£56,796xx
	L12	£58,105
	L13	£59,558
Group 4 (L14-L27a)	L14	£61,042xx
	L15	£62,561
	L16	£64,225
	L17	£65,699
Group 5 (L18-L31a)	L18a	£66,684
	L18b	£67,351
	L19	£69,022
	L20	£70,733
Group 6 (L21-L35a)	L21a	£71,765xx
	L21b	£72,483
	L22	£74,283

Human Resources – Schools
Pay Policy

	L23	£76,122
Group 7 (L24-L39a)	L24a	£77,237xx
	L24b	£78,010xx
	L25	£79,949
	L26	£81,927
	L27a	£83,126xx
	L27b	£83,956
Group 8 (L28-L43a)	L28	£86,040xx
	L29	£88,170
	L30	£90,365
	L31a	£91,679xx
	L31	£92,597
	L32	£94,898
	L33	£97,256
	L34	£99,660
	L35a	£101,126xx
	L35b	£102,137
	L36	£104,666
	L37	£107,267
	L38	£109,922
	L39a	£111,485xx
	L39b	£112,601
	L40	£115,410
	L41	£118,293
	L42	£121,258
Maximum	L43	£123,057xx

Permanent Responsibilities to be taken into account when setting Leadership Pay

The statutory provisions of the school teachers’ pay and conditions document paragraph 9.2 state that when determining the pay range of a leadership group member, the relevant body must take into account of “all of the permanent responsibilities of the role, any challenges that are specific to the role, and all other relevant considerations”.

Social challenge:

- Number of pupils eligible for the pupil premium/free school meals,
- Number and challenge of children with special needs [NB: pupils with statements or education, health and care plans are taken into account when calculating the group size of the school]
- Number of ‘looked after’ children
- Level of pupil mobility in the area
- Number of pupils with English as a second language
- Complexity of pupil population and school workforce
- Number of staff
- Variety of school workforce (e.g. teachers, speech therapists)
- Small school
- Rural school
- Specialist units or centres
- Any specific challenges associated with running more than one school, eg managing geographically split sites, particular challenges of the additional school(s)
- Contribution to wider educational development
- NLE, SLE, LLE responsibilities which are not time-limited
- Teaching school status
- Other relevant issues (e.g. NQT lead, multi-stakeholders)
- Recruitment and retention issues

Pay Ranges for Headteachers 2022	
GROUP SIZE	ANNUAL SALARY £
1	(6) 50,122 – 65,684 (18a)
2	(8) 52,659 – 71,765 (21a)
3	(11) 56,796 – 77,237 (24a)
4	(14) 61,042 – 83,126 (27a)
5	(18) 67,351 – 91,679 (31a)
6	(21) 72,483 – 101,126 (35a)
7	(24) 78,010 – 111,485 (39a)
8	(28) 86,040 – 123,057 (L43)

Appendix Two

Upper Pay Range Application Form

Eligibility Criteria

In order to be assessed you must be a qualified teacher and need to be able to evidence that you are:

- highly competent in all elements of the relevant standards; and
- That your achievements and contribution to the school/academy have been substantial and sustained.

(As detailed in Appendix Three).

Name: _____

Post: _____

Appraisal Details:

Years covered by review statements _____

School/academy covered by review statements _____

Please provide an explanation why, in your judgement, your achievements and contribution to the school /academy has been substantial and sustained. Additional documentary evidence should be attached.

Declaration:

I confirm that at the date of this request for assessment to be paid on the Upper Pay Range I meet the eligibility criteria and I submit appraisal review statements covering the relevant period.

Teacher's signature:..... Date:.....

Appendix Three

Upper Pay Range Progression Criteria

The teacher will be required to meet the criteria set out in paragraph 15 of the Document, namely that:

- the teacher is highly competent in all elements of the relevant standards; and
- the teacher's achievements and contribution to an educational setting or settings are substantial and sustained.

In this school/academy, this is interpreted as follows:

“highly competent”:

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.

(e.g. performance which is good enough to fulfil wider professional responsibilities, and develop effective professional relations with colleagues, giving them advice and demonstrating to them effective teaching practice and how to make a positive contribution to the wider life and ethos of the school/academy, in order to help them meet the relevant standards and develop their teaching practice).

“substantial”:

The teacher's achievements and contribution to the school/academy are significant, not just in raising standards of teaching and learning in their own classroom, or with their own groups of children, but also in making a significant wider contribution to school improvement, which impacts on pupil progress and the effectiveness of staff and colleagues.

(e.g. of real importance, validity or value to the school/academy; play a critical role in the life of the school; provide a role model for teaching and learning; make a distinctive contribution to the raising of pupil standards; take advantage of appropriate opportunities for professional development and use the outcomes effectively to improve pupils' learning).

“sustained”:

The teacher must have had two consecutive successful appraisal reports and have made good progress towards their objectives during this period (see exceptions outlined in paragraph 10.2 of the Document). They will have been expected to have shown that their teaching expertise has grown over the relevant period and is consistently good to outstanding.

Model appeals procedure

The school teachers' pay and conditions document ('the Document') requires schools and local authorities to have a pay policy in place that sets out the basis on which teachers' pay is determined and the procedures for handling appeals.

As part of the overall appraisal process, a pay recommendation is made by the appraiser/reviewer (normally the line manager) and discussed with the teacher at the review meeting prior to being submitted to the pay committee or relevant decision-making body. Written details of and the reasons for the pay recommendation will be given to the teacher.

At this particular stage of the pay determination process, if the teacher wishes to better understand the rationale for the pay recommendation or bring any further evidence to the attention of the appraiser/reviewer, they should be given the opportunity to do so before the final pay recommendation is drafted in the appraisal report. The nature of any subsequent appraisal and pay discussion will be informal and therefore representation (on either side) is not necessary nor would it be appropriate. At the conclusion of any further discussion, the pay recommendation may be adjusted or it may remain the same; the appraisal report will be updated to reflect the discussion.

If a teacher believes that the final pay recommendation falls short of his/her expectations and wishes to seek a further review of the information that affects their pay, they may wish to formally appeal against the decision, utilising the formal appeal hearing procedure. Appeal hearings against pay decisions must satisfy the dispute resolution requirements of employment law (ie part four of the Trade Union and Labour Relations (Consolidation) Act, 1992) and the ACAS code of practice.

Appeal hearing procedure

It is the intention that the appeals procedure will be dealt with promptly, thoroughly and impartially.

Guidance

When a teacher feels that a pay decision is incorrect or unjust, they may appeal against that decision, especially when there is new evidence to consider.

Teachers/Headteachers/Principals should put their appeal in writing to either the Headteacher/Principal or the Governing Body; the appeal should include sufficient details of its basis.

Appeals should be heard without unreasonable delay and at an agreed date, time and place.

Employees have a statutory right to be accompanied at any stage of an appeal hearing by a companion who may be either a work colleague or a trade union representative.

Appeal procedure steps: informal stage

As part of the pay determination process, the line manager (the recommendation provider) will make a recommendation to the decision maker (the person/s or committee responsible for approving the pay recommendation) supported by relevant assessment evidence. On determining a teacher's pay, the decision maker will write to the teacher advising them of the pay decision, the reasons for it and will, at the same time, confirm their right to appeal the decision to the decision maker.

If the teacher wishes to appeal the decision, it must be done in writing to the decision maker, normally with 10 school working days or within a mutually agreed alternative timescale. The

appeal must include a statement, in sufficient detail, of the grounds of the appeal. In the event that an initial appeal is raised, the decision maker must then arrange to meet the teacher to discuss the appeal. The recommendation provider should also be invited to the meeting to clarify the basis for the original recommendation.

The decision maker will reconsider the decision in private and write to notify the teacher of the outcome of the review and of the teacher's right of appeal to the Governing Body. If the teacher wishes to exercise the right of appeal, he/she must write to the clerk of the Governing Body at the earliest opportunity and normally within 10 school working days, including a statement of the grounds of the appeal and sufficient details of the facts on which they will rely.

This will invoke the formal stage of the appeal procedure.

Appeal procedure steps: formal stage

On receipt of the written appeal, the clerk to the Governing Body will establish an appeal committee that should consist of three governors, none of whom are employees in the school or have been previously involved in the relevant pay determination process. A meeting of the appeal committee should be convened at the earliest opportunity and no later than 20 school working days of the date on which the written appeal was received. Both the recommendation provider and the decision maker will be required to attend the meeting.

The chair of the appeal committee will invite the employee to set out their case. The employee should be reminded of their right to be accompanied by a work colleague or trade union representative. Both the recommendation maker and the decision maker will also be asked to take the committee through the procedures that were observed in their part of the pay policy determination process.

Following the conclusion of representations by all relevant parties, the appeal committee will consider all the evidence in private and reach a decision. The appeal committee will write to the teacher notifying them of their decision and the reasons for it. Other attendees at the meeting will also be notified of the decision. The decision of the appeal committee is final.

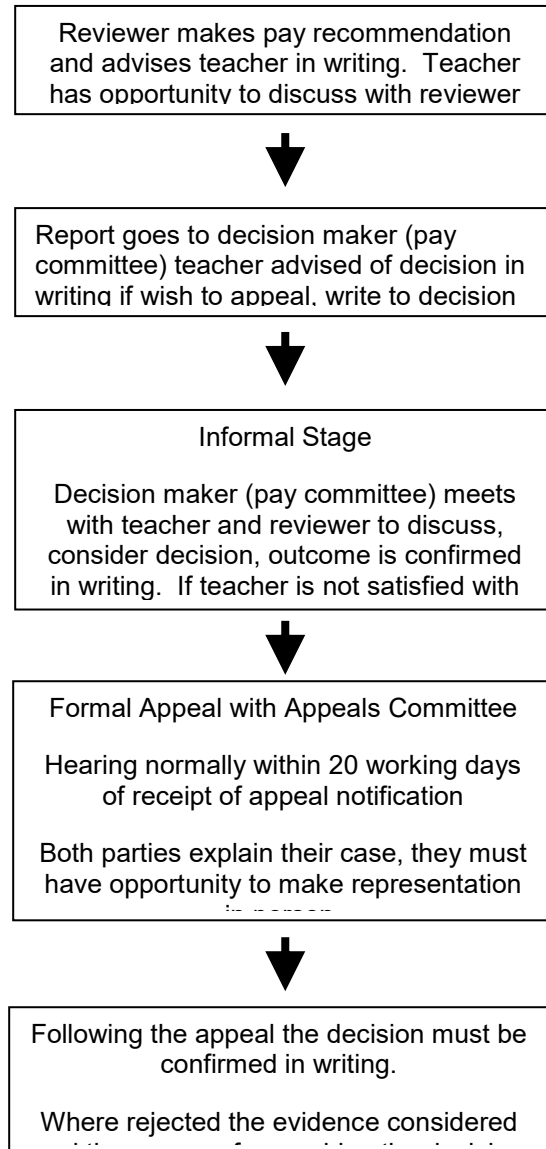
The modified procedure

There will be no entitlement to invoke the appeal procedure in relation to a pay decision if the teacher has left the employment of the school/academy.

Where a teacher has, whilst employed at the school/academy, lodged an appeal against a pay decision but has then subsequently left the employment before any appeal hearing is held, the following steps will be observed:

- The teacher must have set out details of their appeal in writing;
- The teacher must have sent a copy of their appeal to the chair of the Governing Body;
- The chair of the Governing Body will consult with relevant school/academy personnel and provide the teacher with an appropriate written response on behalf of the school/academy.

Pay Hearings and Appeals Procedure



**If the appellant is the Headteacher/Principal then where it refers to Headteacher/Principal above it will be the relevant Governor responsible for the Headteacher/Principal's appraisal, and the teacher becomes the Headteacher/Principal.*

Appendix Five (A)

WMBC Single Status Pay Bands for Support Staff as at 1st April 2021 - Applicable to all Community and Voluntary Controlled Schools and other schools that have adopted the WMBC Single Status Grades

			01-Apr-21		
		SCP	per annum	per month	per hour
G1		1	£18,333	£1,527.75	£9.50
G1	G2	2	£18,516	£1,543.00	£9.60
		3	£18,887	£1,573.92	£9.79
G3	G2	4	£19,264	£1,605.33	£9.99
		5	£19,650	£1,637.50	£10.19
G3	G4	6	£20,043	£1,670.25	£10.39
		7	£20,444	£1,703.67	£10.60
		8	£20,852	£1,737.67	£10.81
G5		9	£21,269	£1,772.42	£11.02
		10	£21,695	£1,807.92	£11.25
	G4	11	£22,129	£1,844.08	£11.47
		12	£22,571	£1,880.92	£11.70
		13	£23,023	£1,918.58	£11.93
		14	£23,484	£1,957.00	£12.17
	G6	15	£23,953	£1,996.08	£12.42
		16	£24,432	£2,036.00	£12.66
G5		17	£24,920	£2,076.67	£12.92
		18	£25,419	£2,118.25	£13.18
		19	£25,927	£2,160.58	£13.44
		20	£26,446	£2,203.83	£13.71
		21	£26,975	£2,247.92	£13.98
G7		22	£27,514	£2,292.83	£14.26
	G6	23	£28,226	£2,352.17	£14.63
		24	£29,174	£2,431.17	£15.12
		25	£30,095	£2,507.92	£15.60
	G8	26	£30,984	£2,582.00	£16.06
G7		27	£31,895	£2,657.92	£16.53
		28	£32,798	£2,733.17	£17.00
		29	£33,486	£2,790.50	£17.36
G9		30	£34,373	£2,864.42	£17.82
	G8	31	£35,336	£2,944.67	£18.32
		32	£36,371	£3,030.92	£18.85
		33	£37,568	£3,130.67	£19.47
	G10	34	£38,553	£3,212.75	£19.98
G9		35	£39,571	£3,297.58	£20.51
		36	£40,578	£3,381.50	£21.03
		37	£41,591	£3,465.92	£21.56
G11		38	£42,614	£3,551.17	£22.09
	G10	39	£43,570	£3,630.83	£22.58
		40	£44,624	£3,718.67	£23.13
		41	£45,648	£3,804.00	£23.66

Please note that SCP 1 will have the living wage allowance applied

NB. at the point of September 2022, April pay award had not been implemented

01-Apr-21	SCP	Applicable to Academies, Voluntary Aided and Trust Schools that have not adopted WMBC Single Status						
Per Annum				TA's		Admin		Lunch
£18,333	1	Scale 1		TA1		Level 1		MMSA
£18,516	2							MMSA
£18,887	3	Scale 1	Scale 2	TA1	TA2	Level 1	Level 2	
£19,264	4		Scale 2					MMSS
£19,650	5	Scale 3						MMSS
£20,043	6	Scale 3			TA2		Level 2	
£20,444	7		Scale 4	TA3		Level 3		
£20,852	8							
£21,269	9							MMSP
£21,695	10							
£22,129	11		Scale 4			Level 3		
£22,571	12	Scale 5					Level 4	MMSP
£23,023	13							
£23,484	14							
£23,953	15							
£24,432	16							
£24,920	17							
£25,419	18	Scale 5						
£25,927	19		Scale 6	TA3				
£26,446	20				TA4			
£26,975	21							
£27,514	22		Scale 6				Level 4	
£28,226	23	SO1						
£29,174	24				TA4			
£30,095	25	SO1						
£30,984	26		SO2					
£31,895	27							
£32,798	28		SO2					

**Draft policy subject to
STPCD confirmation**

**Unattached
Teachers Pay
Policy
2022/2023**



Walsall Council

Version Control

Document title	Unattached Teachers Pay Policy 2022/2023		
Owner	Human Resources	Status	DRAFT
Version	1	Approved on	
Effective from	1 September 2022	Review date	31 August 2023
Last updated	29 September 2022	Last updated by	HR Strategy and Planning
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 2022.		

This policy links to:

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

This list is not exhaustive.

For further advice or guidance on this policy, or if you would like this information in another language or format please contact:

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Contents

1.0	Introduction	4
2.0	Scope	4
3.0	Principles	5
4.0	Accountabilities	6
5.0	Procedure	8
5.1	Unqualified teachers' pay determination.....	8
5.2	Qualified teachers' pay determination	8
5.3	Moving from main pay to upper pay	9
5.4	Leading practitioner and leadership group pay determination..	10
5.5	Head teachers' pay determination	10
6.0	Teaching and learning responsibility (TLR) payments	11
7.0	Special educational needs (SEN) allowances	12
8.0	Recruitment and retention incentives	12
9.0	Salary sacrifice	12
10.0	Out of school hours learning activity	13
11.0	Acting allowance	13
12.0	Honorariums	13
13.0	Exit payments	13
14.0	Pay multiples	13
	Appendix A Unattached teachers' pay scales 2022/23	14
	Appendix B Appeal	15
	Appendix C Application to move to upper pay	17

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 customer focused, effective, efficient and equitable, and helps embed the behaviours and values expected of all employees as part of the Behaviour and Standards Framework.
- 1.5 Council employees have a duty to demonstrate principles of equality, diversity and inclusion across all interactions ensuring compliance with council policies, procedures and relevant legislation. The council adopts a zero tolerance approach to discrimination and will not accept any form of unlawful or unfair discrimination on the grounds of age, disability, gender, gender identity, marital or civil partnership status, race, ethnic origin, colour, nationality, pregnancy or maternity, religion or belief (or no religion or belief), sexual orientation, class or social background, political belief or Trade Union affiliation. We are committed to equal opportunities and aspire to have a diverse workforce, and an inclusive workplace culture, all of which enable better outcomes for our staff and the local citizens we serve. Employees should refer to the equality and diversity protocol for further information.
- 1.6 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 31st August 2023.

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 2022/23 award implemented on 01 September 2022 has been confirmed as:

- A 5% increase will be applied to all pay and allowance ranges, with higher increases to some parts of the Main Pay Range.

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 aim and priorities 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 aim and priorities 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 aim and priorities, 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 31st 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 from 1 September following the years' appraisal reviews submitted. For example, if the appraisal reviews cover academic years 2020/21 and 2021/2022 and the application is submitted before 31 October 2022, movement to the UPR will take effect from 1 September 2022.

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.

6.0 Teaching and learning responsibility (TLR) payments

- 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.

7.0 Special educational needs (SEN) allowances

- 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.

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).

12.0 Honorariums

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

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.

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 annual Pay Policy Statement.

Appendix A Unattached Teachers' Pay Scales September 2022 (subject to final STPCD)

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	19,340
2	21,559
3	23,777
4	25,733
5	27,954
6	30,172

Teachers Leading Practitioners Pay Range	
Spine Point	Annual Salary
LP	£
*1	##
**2	##
3	##
4	##
*5	##
**6	##

Ranges used *1-5 and **2-6

Teachers Main Pay Range	
Spine Point	Annual Salary
MPR	£
1	28,000
2	29,800
3	31,750
4	33,850
5	35,990
6	38,810

Teaching and Learning Responsibility Allowance	
TLR 3	£
Minimum	600
Maximum	2,975
TLR2	£
Minimum	3,017
Maximum	7,368
TLR1	£
Minimum	8,706
Maximum	14,732

Teachers Upper Pay Range	
Spine point	Annual salary
UPR	£
1	40,620/5#
2	42,131
3	43,685

Special Educational Needs Allowance	
SEN1 Spot rate £	2,384
SEN2 Spot rate £	4,703

There are currently two conflicting figures in the draft STPCD – correct figure to be confirmed following final STPCD publication.

Draft STPCD confirmed 5% uplift to existing salaries – payroll to confirm specific values as these were not provided in the STPCD.

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.

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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 31st 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.

Ref No.

Equality Impact Assessment (EqIA) for Policies, Procedures and Services

Proposal name	Schools Model Pay Policy		
Directorate	Resources and Transformation		
Service	HR Schools Consultancy		
Responsible Officer	Primula Paul / Kerry Smith		
Proposal planning start	August 2022	Proposal start date (due or actual date)	1st September 2022 (to be back dated in accordance with STPCD which is not published until end October 2022)

1	What is the purpose of the proposal?	Yes / No	New / revision
	Policy	Yes	Revision
	Procedure	No	NA
	Guidance	No	NA
	Is this a service to customers/staff/public?	No	NA
	If yes, is it contracted or commissioned?	No	NA
	Other - give details		
2	What is the business case for this proposal? Please provide the main purpose of the service, intended outcomes and reasons for change?		
	<p>The Model Pay Policy sets out a policy on pay and conditions for all staff employed in Schools and Academies to be adopted by Governors. The policy aims to assist schools to attract and retain skilled employees. The policy incorporates the requirements of the School Teachers Pay and Conditions Document.</p> <p>This is an annual review of the Pay Policy and has been amended to remain in line with current legislation and good practice. The policy will be applicable to all school based staff should governors decide to adopt the policy. Schools that do not adopt the Model Policy will be required to undertake consultation on the Policy they intend to adopt.</p> <p>The changes to STPCD in relation to the pay are:</p> <p>A 5% increase will be applied to all pay and allowance ranges, with higher increases to some parts of the Main Pay Range.</p>		

	Other amendments		
	Addition of point 41 in the policy providing clarification that apprentices employed in schools to be paid in accordance with the national apprentice rates.		
3	Who is the proposal likely to affect?		
	People in Walsall	Yes / No	Detail
	All	No	Staff employed in schools and academies.
	Specific group/s	Yes	
	Council employees	Yes	
	Other (identify)	No	
4	Please provide service data relating to this proposal on your customer's protected characteristics.		
	<p>The council's education workforce profile is detailed in the Education Employment Monitoring report 2021/22. The Model Pay Policy may be adopted by any of these schools as the Governing Bodies have responsibility for staffing and can chose which policies to approve.</p> <p>As of 31 March 2022 the total number of Education employees were 3758. The education workforce is made up of 90.93% females. 11.42% of the education workforce are classified as minority ethnic. In total there were 20 employees (0.53% of the education workforce) who declared they had a disability, as defined by the Equality Act 2010. 5.83% of the education workforce are under 25 years of age, 18.84% of the workforce are 55 years or older, 39.25% of the education workforce are aged between 40-54 years old and 50-54 years old are the largest age group making up 13.86% of the education workforce.</p>		
5	Please provide details of all engagement and consultation undertaken for this proposal. (Please sue a separate box for each engagement/consultation).		
	<p>The School Teachers Pay and Conditions Document (STPCD) details the terms of employment of those employees within teacher's terms and conditions. The Document and statutory guidance have been amended in response to the recommendations in the 32nd report of the School Teachers' Review Body (the STRB) and the changes to the STPCD 2022.</p> <p>The Document and statutory guidance were subject to consultation with the teacher unions, employers and other relevant interested parties as part of the usual statutory consultation process. The final version of the STPCD was not published until October 2022, with pay awards being back dated to 1 September 2022.</p> <p>The School Teachers Pay and Conditions Document gives discretion on how the pay uplift is to be applied locally.</p>		
	Consultation Activity		
	Complete a copy of this table for each consultation activity you have undertaken.		
	Type of engagement/consultation	Date	23/09/22 to 29/09/22
	Senior WGS Officers		

	Who attended/participated?	Senior WCS Officers		
	Protected characteristics of participants	A range of protected characteristics including, gender, race, age, disability.		
	Feedback			
	No comments were received from consultation.			
	Type of engagement/consultation	Trade unions via email and with a meeting held on the 28/09/22	Date	23/09/22 to 28/09/22
	Who attended/participated?	Teachers unions/professional associations		
	Protected characteristics of participants	A range of protected characteristics including, gender, race, age, disability.		
	Feedback			
	The trade unions approved of implementing the changes in accordance with the STPCD.			
6	Concise overview of all evidence, engagement and consultation			
	Full consultation with trade unions and council management for the Schools Model Pay policy between 23/09/22 – 29/09/22			
	No comments were received in respect of protected characteristics. The Schools Model Pay Policy includes the relevant changes to STPCD and statutory guidance with regards to teachers' pay and progression.			
	The policy will be sent for approval at CMT on 06/10/22 and Personnel Committee on 25/10/22. If approved the pay award will be backdated to 1 September 2022 in line with Teachers' Terms and Conditions.			
7	How may the proposal affect each protected characteristic or group? The effect may be positive, negative, neutral or not known. Give reasons and if action is needed.			
	Characteristic	Affect	Reason	Action needed Yes / No
	Age	Neutral	The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination.	No

Disability	Negative	<p>The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination.</p> <p>Potential impact on employees who require reasonable adjustments for communication and for those who do not understand the policy e.g. employees with learning disabilities.</p>	Yes
Gender reassignment	Neutral	<p>The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination.</p>	No
Marriage and civil partnership	Neutral	<p>The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination.</p>	No
Pregnancy and maternity	Negative	<p>The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination.</p> <p>Potential impact for people who are on maternity or paternity leave and are not updated about the policy.</p>	Yes
Race	Neutral	<p>The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination.</p> <p>Potential impact on employees where English is not their first language may require additional communication</p>	Yes
Religion or belief	Neutral	<p>The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination.</p>	No
Sex	Positive	<p>The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce</p>	No

			the risk of discrimination. Women make up the majority of those impacted and the basis of the policy is related to fairness and improving pay conditions.	
	Sexual orientation	Neutral	The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination.	No
8	Does your proposal link with other proposals to have a cumulative effect on particular equality groups? If yes, give details.			No
9	Which justifiable action does the evidence, engagement and consultation feedback suggest you take?			
	A	No major change required		
	B	Adjustments needed to remove barriers or to better promote equality		
	C	Continue despite possible adverse impact		
	D	Stop and rethink your proposal		

Action and monitoring plan				
Action Date	Action	Responsibility	Outcome Date	Outcome
Day of Launch	The policy to be explained/made available to employees, including those on maternity /parental leave.	Employee's line manager should make themselves available to explain the policy to ensure understanding and offer support to allow individuals to achieve the requirements	As and when required	

Update to EqIA	
Date	Detail
01/09/2023	Procedure to be reviewed annually

Contact us

Consultation and Equalities
Resources & Transformation

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Inside Walsall: [http://int.walsall.gov.uk/Service information/Equality and diversity](http://int.walsall.gov.uk/Service%20information/Equality%20and%20diversity)

Ref No.

Equality Impact Assessment (EqIA) for Policies, Procedures and Services

Proposal name	Unattached Teachers Pay Policy		
Directorate	Resource and Transformation		
Service	HR Strategy and Planning		
Responsible Officer	Rebecca Harrison		
Proposal planning start	August 2022	Proposal start date (due or actual date)	1st September 2022 (to be back dated in accordance with STPCD which is not published until end October 2022)

1	What is the purpose of the proposal?	Yes / No	New / revision
	Policy	Yes	Revision
	Procedure	No	NA
	Guidance	No	NA
	Is this a service to customers/staff/public?	No	NA
	If yes, is it contracted or commissioned?	No	NA
	Other - give details		
2	What is the business case for this proposal? Please provide the main purpose of the service, intended outcomes and reasons for change?		
	<p>The Unattached Teachers Pay Policy sets out Council policy on pay and conditions for all Unattached Teachers, assisting the Council to attract and retain skilled employees. The policy will be applicable to all unattached teachers employed within the Council under teachers' terms and conditions. The policy incorporates the requirements of the School Teachers Pay and Conditions Document (STPCD), which is published annually.</p> <p>This is an annual review of the Unattached Teachers' Pay Policy and has been amended in line with current legislation and good practice, as well as the requirements of the STPCD document 2022.</p> <p>The changes to STPCD in relation to the pay are:</p> <ul style="list-style-type: none"> A 5% increase will be applied to all pay and allowance ranges, with higher increases to some parts of the Main Pay Range. 		



3	Who is the proposal likely to affect?		
	People in Walsall	Yes / No	Detail
	All		The Council currently employs 28 individuals classed as Unattached Teachers on Teachers Terms and Conditions affected by this policy.
	Specific group/s		
	Council employees	Yes	
	Other (identify)		
4	Please provide service data relating to this proposal on your customer's protected characteristics.		
	<p>Corporately unattached teachers represent less than 1% of the corporate workforce.</p> <p>As at 30 June 2022 this group of staff are made up of 85.7% female employees and 14.3% male employees.</p> <p>Of the employees classed as unattached teachers that have declared their ethnicity 7.1% are of minority ethnicity which includes all ethnic groups, excluding White British. 14.2% have chosen not to state their ethnicity. Of those who have completed their disability information 4.7% of unattached teachers have declared a disability. 25% have chosen to not state if they have a disability or not.</p> <p>Of the employees classed as unattached teachers, 14.3% are in the age group 25-39, 39.3% are in the age group 40-49 and 46.4% are in the age group 50-64. There are no unattached teachers in the age groups 'under 25' or '65 and over'.</p>		
5	Please provide details of all engagement and consultation undertaken for this proposal. (Please sue a separate box for each engagement/consultation).		
	<p>The School Teachers Pay and Conditions Document (STPCD) details the terms of employment of those employees within teacher's terms and conditions. The Document and statutory guidance have been amended in response to the recommendations in the 32nd report of the School Teachers' Review Body (the STRB) and the changes to the STPCD 2022.</p> <p>The Document and statutory guidance were subject to consultation with the teacher unions, employers and other relevant interested parties as part of the usual statutory consultation process. The final version of the STPCD was not published until October 2022, with pay awards being back dated to 1 September 2022.</p> <p>The School Teachers Pay and Conditions Document gives discretion on how the pay uplift is to be applied locally.</p>		
	<p>Consultation Activity Complete a copy of this table for each consultation activity you have undertaken.</p>		
	Type of engagement/consultation	Date	Relevant Senior Managers within the Council via email 23/09/22 29/09/22
	Who attended/participated?	Senior Managers within Access and Inclusion (SEN team), and Place and Environment (Forest Arts).	

	Protected characteristics of participants	A range of protected characteristics including, gender, race, age, disability.		
	Feedback	No comments were received from consultation.		
	Type of engagement/consultation	Trade unions - via email and with a meeting scheduled for 28/09/22	Date	23/09/22 29/09/22
	Who attended/participated?	Teachers unions/professional associations		
	Protected characteristics of participants	A range of protected characteristics including, gender, race, age, disability.		
	Feedback	The trade unions approved of implementing the changes in accordance with the STPCD and how they have been incorporated into the Unattached Teachers' Pay Policy.		
6	Concise overview of all evidence, engagement and consultation			
	Full consultation with trade unions and council management for the unattached teachers policy between 23/09/22 – 29/09/22.			
	No comments were received in respect of protected characteristics. The Unattached Teachers' Pay Policy includes the relevant changes to STPCD and statutory guidance with regards to teachers' pay and progression.			
	The policy will be sent for approval at CMT on 06/10/22 and Personnel Committee on 25/10/22. If approved the pay award will be backdated to 1 September 2022 in line with Teachers' Terms and Conditions.			
7	How may the proposal affect each protected characteristic or group? The effect may be positive, negative, neutral or not known. Give reasons and if action is needed.			
	Characteristic	Affect	Reason	Action needed Yes / No
	Age	Neutral	The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination. (There are no unattached teachers under 25 or over 65)	No
	Disability	Negative	The policy sets out the approach to pay in regards to	Yes

		<p>teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination.</p> <p>Potential impact on employees who require reasonable adjustments for communication and for those who do not understand the policy e.g. employees with learning disabilities.</p>	
Gender reassignment	Neutral	The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination.	No
Marriage and civil partnership	Neutral	The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination.	No
Pregnancy and maternity	Negative	<p>The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination.</p> <p>Potential impact for people who are on maternity or paternity leave and are not updated about the policy.</p>	Yes
Race	Neutral	<p>The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination.</p> <p>Potential impact on employees where English is not their first language may require additional communication</p>	Yes
Religion or belief	Neutral	The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination.	No
Sex	Positive	<p>The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination.</p> <p>Women make up the majority of</p>	No

			those impacted and the basis of the policy is related to fairness and improving pay conditions.	
	Sexual orientation	Neutral	The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination.	No
8	Does your proposal link with other proposals to have a cumulative effect on particular equality groups? If yes, give details.			No
9	Which justifiable action does the evidence, engagement and consultation feedback suggest you take?			
	A	No major change required		
	B	Adjustments needed to remove barriers or to better promote equality		
	C	Continue despite possible adverse impact		
	D	Stop and rethink your proposal		

Action and monitoring plan				
Action Date	Action	Responsibility	Outcome Date	Outcome
Day of Launch	The policy to be explained/made available to employees, including those on maternity /parental leave.	Employee's line manager should make themselves available to explain the policy to ensure understanding and offer support to allow individuals to achieve the requirements	As and when required	
Day of Launch	The procedure will be explained/made available in other languages on request for employees whose first language is not English.	Appropriate liaison as required with the councils Interpretation, Translation, Transcription and Easy Read service (ITTE)	As and when requested	
Day of Launch	Alternative formats (audio and Easy Read) for disabled employees of the new policy will be	Liaison as required with the appropriate council procured services via the	As and when requested	

	made available on request.	Community, Equality and Cohesion team.		
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Update to EqIA	
Date	Detail
01/09/2023	Procedure to be reviewed annually

Contact us

Consultation and Equalities
Resources & Transformation

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Inside Walsall: [http://int.walsall.gov.uk/Service information/Equality and diversity](http://int.walsall.gov.uk/Service_information/Equality_and_diversity)

Personnel Committee - 25 October 2022

Employee Benefits & Shared Cost AVC's

1. Purpose of the Report

- 1.1 To gain Personnel Committee approval for the introduction of a new employee benefits platform that includes the implementation of a salary sacrifice car lease scheme and a Shared Cost Additional Voluntary Contribution (Shared Cost AVC) pension arrangement for Local Government Pension Scheme (LGPS) members. The principles of which were endorsed by CMT at their meeting of 13 October 2022 subject to approval of a detailed implementation plan.

2. Recommendations

- 2.1 Personnel Committee is recommended to approve the introduction of an employee benefits package supplied via partnering with an external provider to deliver a fully managed service covering a range of employee benefits and salary sacrifice options including a car lease scheme and Shared Cost AVCs. Section 3.8 below provides further information.
- 2.2 Personnel Committee is recommended to approve the implementation of a Shared Cost AVC pension arrangement for LGPS members.
- 2.3 Personnel Committee is recommended to approve that earnings related payments, such as overtime, pay increases, contractual allowances, occupational maternity pay, occupational sickness pay and redundancy are calculated on the notional salary before applying the salary sacrifice reduction for Shared Cost AVCs. Section 3.8.5 below provides further information.
- 2.4 Personnel Committee is recommended to approve the inclusion of a new discretion in the Council's LGPS Discretionary Pension Policy Statement to permit LGPS staff to participate in a Shared Cost AVC scheme. Section 3.8.6 below provides further information.
- 2.5 Personnel Committee is recommended to approve the implementation of a Shared Cost AVC scheme for members of the Teachers and NHS Pension Scheme, subject to the necessary changes being made to the regulations to allow these staff to participate. Shared Cost AVCs cannot be implemented at this time for teachers and NHS staff, but approval now will provide us with the necessary authority to introduce a scheme, subject to the legislative changes being made.
- 2.6 Personnel Committee is recommended to approve the implementation of a benefits platform that incorporates both lease cars and Shared Cost AVCs as salary sacrifice benefits and also recommends that any further decisions regarding the detail of the employee benefits platform be delegated to the Executive Director of Resources and Transformation,

including the appointment of a provider, subject to council procurement rules and CMT approval.

3. Background Information

Aim

- 3.1 As a Council we currently face a number of workforce and labour market challenges, which are contextualised and compounded by our external environment, increased hybrid ways of working brought about in part by the pandemic, a geographically dispersed labour market, widespread national skills shortages and labour supply shortages, increasing national competition amongst employers and a labour market with changing needs and expectations. All of which are adding to our recruitment and retention challenges. This is acknowledged and accepted across the Council and we have made a number of commitments to address these challenges and improve our position as an 'Employer of Choice' over the coming months and years. This commitment is embedded in our Council Plan and supported by our Proud Promises, as well as being a primary focus of the Enabling Culture and Communications (ECC) workstream across the Council. In addition key elements of the Councils Workforce and OD Strategies also aim to improve recruitment, retention and reward. Making the most of our employee benefit offer is a pivotal tool that will allow us to capitalise on our employee offer, marketing it, utilising it and supporting not just recruitment and retention but also employee recognition and reward.
- 3.2 With the current cost of living challenges facing our employees there isn't a better time to offer 'our people' additional support to help them through the financial challenges they may be facing. A benefits platform that offers a comprehensive mix of financial incentives, whether this be through salary sacrifice savings or instant discounts across a range of high-street/online retailers (including the ability to spread the cost of large purchases) may provide much needed support at this current time.
- 3.3. Partnering with an external provider to offer a complete and comprehensive bespoke platform means that we can showcase all of our employee benefits in one easy to use portal. This will allow us to identify and demonstrate to existing employees the full range of benefits they get working for our local authority (in addition to just their pay, through developing a personalised total reward statement), as well as showcasing and marketing our attractive employment offer to prospective candidates and the wider labour market as a whole.
- 3.4 A bespoke platform can be customised to council requirements, will illustrate our total employment offer and could be tailored to include our Proud Promises, our PLATE values and help to promote our supportive and inclusive culture demonstrating the importance of our people and their whole health and wellbeing. There are also platform options that include the ability to communicate directly with employees via a messaging service in order to promote the total benefits offer as well as added wellbeing and reward and recognition initiatives depending on the external provider and elements offered with the package.

- 3.5 An employee benefits offer that allows us to utilise salary sacrifice for lease cars and in particular hybrid or electric vehicles (EV) also helps us to deliver against action 4.1 of the Council's current Climate Change Action Plan, which includes specifically the introduction of EV salary sacrifice. Dependent on provider, such a platform and offer can be extensively promoted and marketed, alongside other carbon footprint benefits such as a cycle to work salary sacrifice scheme and bike shop purchases offered through monthly payroll deductions.

Know

- 3.6 There are a number of employee benefits providers in the market and having done external research over a number of months, we know a number of the larger providers will be able to offer a range of benefits in one customisable platform including Shared Cost AVC's and lease vehicles. Some of these providers offer their benefits platform (and associated marketing and communications) free of charge particularly to public sector organisations and are available to access through our existing procurement framework arrangements.
- 3.7 Depending on the provider and the agreed package, a total employee benefits platform could include any of the following employee benefits (some of which also result in employer National Insurance contribution savings as well as additional Income Tax and employee NI savings);
- Lifestyle Savings – Huge range of instant discounts for a wide variety of well-known high street and online retailers, covering -
 - Supermarkets
 - Food & Drink Offers
 - Days out for all the family
 - Cinema, Theatre & TV
 - Cashback Cards
 - Home, Garden and Pets
 - Mobile, Broadband and utilities
 - Sustainable Living
 - Local Benefits
 - Salary Sacrifice and payroll deductions (providing the ability to spread the cost of large items over a set period of time)
 - Home Electronics
 - Cycle to Work
 - Bike Shop
 - Affordable Loans
 - Travel and Leisure
 - Gym Membership
 - Car leasing
 - AVC Wise
 - Online access to employee health and wellbeing support, such as -
 - Access to a range of wellbeing topics such as stress, anxiety, and domestic abuse
 - Ask Bill – free and impartial money advice from Ask Bill - including tips on how to reduce utility bills, manage money and deal with debt issues

3.8 Shared Cost AVC schemes have been widely adopted across the LGPS in the United Kingdom with over 100 councils already delivering this key staff benefit.

3.8.1 LGPS members are currently permitted to contribute to a standard Additional Voluntary Contribution scheme (AVC) and receive Income Tax relief on their contributions through their payslip. AVCs are a long-term pension savings plan that runs alongside the main LGPS scheme that allows a member to build up a capital sum. On retirement, they can access the benefits through a range of options including the ability to receive the capital sum 100% tax free in most cases.

3.8.2 AVC contributions are paid across to a partnering responsible financial organisation who manage the plan and investments. The LGPS Administering Authority (West Midlands Pension Fund) are responsible for selecting the external provider (currently Prudential), and this arrangement would not change with the introduction of a salary sacrifice Shared Cost AVC scheme.

3.8.3 The LGPS and HMRC regulations provide the necessary authority for employers to introduce a Shared Cost AVC scheme. The advantages of implementing this new Shared Cost AVC arrangement over the current standard AVC scheme is that in addition to the Income Tax relief that staff currently received, they will also receive National Insurance contribution relief too. The Council will also make savings, through a reduction in the employer National Insurance contributions. Section 4.3 (example 1) below provides estimated savings.

3.8.4 To ensure that the Shared Cost AVC arrangement is compliant with the LGPS/HMRC regulations, the scheme must be set up as a 'shared cost' scheme which requires both the employee and employer to contribute to the Shared Cost AVC. Although this suggests that the Council will pay a financial contribution towards the Shared Cost AVC plan, this is not the case. How it works in practice is that the employee accepts a contractual reduction in remuneration (a salary sacrifice), equivalent to the amount they would like to pay into the scheme, and the employer pays this amount into the Shared Cost AVC plan on their behalf. To meet the 'shared cost' arrangement the employee is then required to pay a nominal £1 each month into the Shared Cost AVC through a payslip deduction. Section 4.3 (example 2) below provides an example of the comparative savings of the current AVC scheme and new Shared Cost AVC scheme.

3.8.5 Recommendation 2.3 above, covers the treatment of earnings-related payments for staff who opt for Shared Cost AVCs. It is critical that the Shared Cost AVC scheme does not affect future earnings because of the salary sacrifice reduction, as this would be counter-productive to implementing a scheme. To ensure that the scheme is effective, contractual earnings such as overtime, pay

increases, contractual allowances, occupational maternity pay, occupational sickness pay, and redundancy must continue to be calculated on the notional salary **before** the salary sacrifice is applied. If we calculate contractual pay on the salary after the salary sacrifice, this will result in a reduction in pay on earnings related payments. Without this approach there will be little incentive for staff to commence Shared Cost AVCs and we will not deliver either an improved pension outcome for staff and/or employer savings. This approach is consistent with all other public sector employers who have introduced Shared Cost AVCs.

3.8.6 Recommendation 2.4 above covers the requirement to make amendments to the council’s LGPS Discretionary Pension Policy Statement, which is published annually as part of the Council’s Pay Policy statement. This is purely an administrative procedure, and the proposed new discretion is shown in the table below.

Shared Cost Additional Voluntary Contributions		
Whether, how much and what circumstances to contribute to a Shared Cost AVC scheme	R17 (1) and R15 (1) (d)	Walsall Council will pay shared cost AVCs where an employee has elected to pay AVCs by salary sacrifice. The amount of these employer Shared Cost AVCs will not exceed the amount of salary sacrificed by the employee. This discretion is subject to the employee meeting the conditions for acceptance into the salary sacrifice Shared Cost AVC scheme and may be withdrawn or changed at any time.

3.8.7 It is important to note that Shared Cost AVCs will not affect the main LGPS scheme benefits provided that the employer specifies in the supporting documentation that the Shared Cost AVC contribution the employer makes to the Shared Cost AVC will be a pensionable emolument (in accordance with the LGPS regulations (Regulation 20(1)(b) of the 2013 Regulations). This will be included in the Shared Cost AVC scheme documentation.

3.8.8 The main advantages of implementing a Shared Cost AVC scheme are:

- Staff will have access to a new financial well-being benefit that provides significantly improved retirement benefit outcomes
- Staff who contribute to a Shared Cost AVC scheme will pay lower National Insurance contributions (NICs) and this saving will automatically be passed into the AVC. For most staff this will result in a saving of 13.25%
- Staff will continue to receive income tax relief on their Shared Cost AVC contributions
- The combined tax and NIC saving equates to a growth/yield rate of over 49% for basic rate taxpayers and over 76% for higher rate taxpayers through the payslip

- The introduction of a Shared Cost AVC will have no effect on the main LGPS benefits
- The council will make savings in employer NICs. Section 4.3 below provides further detail on potential savings
- Staff will have access to a wide range of pension webinars and the option of individual pension meetings.

It provides a fully customisable benefits platform that is delivered and managed as part of a free platform, council resource to support the set up and administer through the platform is limited.
It allows integration of all benefits in one place (including those we already offer – not supplied by the provider) and illustrate our total employee reward offer, our values and our culture, supporting recruitment and retention.
It provides an engaging platform for employees and allows the promotion and marketing of a variety of health and wellbeing initiatives.
An external provider will be responsible for the marketing and promotion of the service as well as managing direct messaging campaigns to staff so they are fully aware of what is available and on offer to them.
A managed provision will also provide the council with ongoing metrics regarding usage, websites hits and popularity of offers so that we gain insights into what benefits our employees want to see more of, what they are utilising and what is likely to motivate our workforce allowing us to better target future benefits offers/campaigns.
Why use a provider specifically for Shared Cost AVCs?
It provides a guarantee to the council that the scheme will be legislatively compliant with HMRC and LGPS Regulations.
It delivers an efficient automated processing platform with workflow to administer Shared Cost AVC applications and scheme amendments including NLW/MNW compliance checks.
It provides accurate calculators to help staff understand the benefits of saving towards their retirement.
It delivers a comprehensive range of pension webinars to enable staff to be better informed and educated about their LGPS pension and Shared Cost AVCs.
It provides the launch and ongoing communication collateral to make staff aware of the scheme.
It provides a full audit trail of all transactional activity including embedding electronic contractual change documentation to eliminate internal HR resource.
It provides several help options to support staff (telephone helplines, web chat, webinars, and one to one meetings).
It improves the processing of Shared Cost AVCs through a direct link to the AVC providers
It includes a continual review process to ensure that all supporting scheme documentation is up to date and relevant (FAQs, videos, Knowledge Hub guidance, retirement projection calculators etc.)
It will deliver additional savings to the council through better communication of the Shared Cost AVC scheme

3.9 Recommendation 2.1 above, advises that the council engages with an external provider to deliver a range of employee benefits including Shared Cost AVCs for several important reasons, shown in the table below.

3.10 Subject to Personnel Committee approval of the introduction of a benefits platform to include a lease car scheme and Shared Cost AVCs, council colleagues (including HR, finance, payroll, procurement, legal, communications) will devise an implementation plan (as changes will also be required to One Source Fusion functionality) and present an update back to CMT advising an implementation date (once available).

Our Council Plan priorities

- 3.11 The policy is directly aligned to the council's strategic priority of internal focus ensuring all council services are customer focussed, effective, efficient and equitable and helps support a positive employee health and wellbeing culture, as well as embedding further our 'employer of choice' proposition.

Response

- 3.12 Subject to approval and development of an implementation plan (refer to section 3.10) including identifying a suitable provider on an existing framework (where feasible) in order to support and speed up implementation and launch. The launch will be project managed alongside the provider, communications and the HR/Payroll implementation team and employee engagement and communication will be ongoing throughout as part of our culture and engagement transformation work.

Review

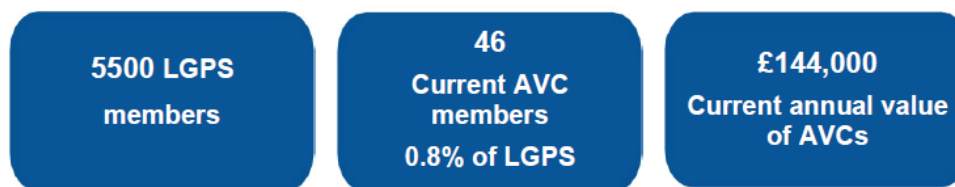
- 3.13 Any partnering arrangement will be reviewed on an ongoing basis and formally 6 months prior to the end of the expiry of any contractual agreement, for example, sign up to a benefits provider would usually be for an initial 2-3 years dependent on provider and the initial agreement.

4. Financial Implications

- 4.1 The benefits platforms are usually free of charge, as is any provider marketing and promotion. Based on research to date, there is normally no initial set up costs, other than limited payroll resource to administer the scheme – this would kept to a minimum and would be supported by the provider.
- 4.2 It is not proposed that the employer makes any contribution to any other elements of the benefits offer including the car lease scheme and other elements signed up (e.g. health insurance) – as these would be voluntary and at the employees cost (the only exception being Shared Cost AVCs – see 4.3 below for further information).
- 4.3 In terms of Shared Cost AVCs, there will be proposed employer NIC savings, however the level of these savings will be based entirely upon on the level of employee take-up. The procurement of an external provider, who has a track record of delivering Shared Cost AVC services to councils will provide the necessary safeguards that the scheme is compliant with employment and tax law. It also removes the risk of the council having to fund back-office resource to deliver a skilled complex service. The external providers who deliver this type of service normally charge fees based on the member [Page 82 of 103](#) Cs. This is commonly around 4-5% of

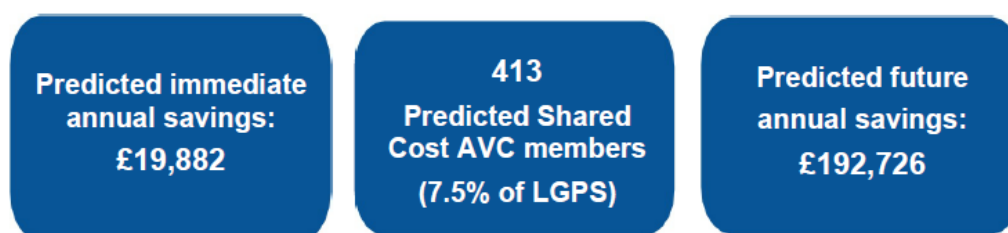
the employer NIC savings. There are normally no set up fees and post 'go live' there will be employer savings of around 11% on the total member AVC contributions.

Example 1 - Shared Cost AVC Employer Estimated NIC Savings based on current AVC uptake



If we assume 90% of the current AVC members (41) transfer to the salary sacrifice Shared Cost AVC arrangement, **Walsall Council** can expect to achieve immediate annual savings of around **£19,882**, based on 15.55% employer saving.

Example 2 - Shared Cost AVC Employer Estimated NIC Savings Model (based on year 3 of implementation) - assuming an increase in take up of 7.5% and applying £250 per month average Shared Cost AVC value (increase in take up estimated as a result of provider promotion and marketing activity)



5. Legal Considerations

5.1 There are a number of legal issues that require action prior to the implementation of a Shared Cost AVC scheme;

- The Shared Cost AVC scheme information pack and frequently asked questions must explain the scheme in sufficient depth to enable staff to understand the implications of becoming a Shared Cost AVC member.
- The employee will be required to sign a salary sacrifice agreement to vary the contract of employment to accept the contractual reduction in remuneration.
- The Shared Cost AVC scheme will need to be approved by HMRC.
- The council's discretionary pension's policy will need to be amended and published to provide the authority to enable staff to pay into Shared Cost AVCs as one of our discretions.
- The scheme documentation will need to state that the Shared Cost AVCs are to be treated as a pensionable emolument in accordance with the

LGPS regulations (Regulation 20(1)(b) of the 2013 Regulations), to ensure that a member's main scheme benefits are not reduced.

- 5.2 The report identifies and addresses the risks and makes the appropriate recommendations to avoid any potential loss to contributors regarding the LGPS and seeks to maximise tax efficiencies to be delivered to both the employee and employer. This comment is set against the additional reassurance that all current AVC holders will receive a full briefing on Shared Cost AVCs and that the scheme will be approved by HMRC before implementation.
- 5.3 Any procurement of any goods and/or services under the employee benefits scheme will be a contract directly between the benefits provider and the employee, Walsall Council as the employer will take no responsibility in any way.

6. Risk Management

- 6.1 An equality impact assessment is not required as this report does not result in any equality issues. The employee benefits offer will be available to all employees on a fully voluntary basis and will be accessible in a number of formats with support options for access available.

7. People

- 7.1 There is no direct impact on our citizens as a result of this policy. The policy is however, part of the employment and benefits framework that helps to ensure that residents of Walsall get the best possible services from council employees.

8. Consultation

- 8.1 The details of any resultant employee benefits package implemented will be shared with trade union colleagues in our information and consultation forum, ERF, as well as widely communicated and promoted across the council via a number of communication channels and in conjunction with the council's communications employee engagement specialist.

Author

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Walsall Council

Personnel Committee

Tuesday, 25 October September 2022 at 6.00 pm

At the Council House, Walsall

Public access to meeting via: www.WalsallCouncilWebcasts.com

Membership:

Councillor M. Bird (Chair)
Councillor A. Andrew (Vice-Chair)
Councillor S. Elson
Councillor A. Garcha
Councillor N. Gultasib
Councillor K. Hussain
Councillor A. Nawaz
Councillor C. Towe
Councillor J. Whitehouse

Quorum:

Three Members

A g e n d a

Part 1 – Public Session

- 1. Apologies**
- 2. Declarations of Interest**
- 3. Local Government (Access to Information) Act 1985 (as amended):**

To agree that, where applicable, the public be excluded from the private session during consideration of the agenda items indicated for the reasons shown on the agenda.
- 4. To approve the Minutes of the meeting held on 13 October 2022 – To Follow**
- 5. Schools Model Pay Policy and the Unattached Teachers Pay Policy - Enclosed**
- 6. Employee Benefits and Shared Cost Additional Voluntary Contributions to the LGPS - Enclosed**

The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012

Specified pecuniary interests

The pecuniary interests which are specified for the purposes of Chapter 7 of Part 1 of the Localism Act 2011 are the interests specified in the second column of the following:

Subject	Prescribed description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by a member in carrying out duties as a member, or towards the election expenses of a member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Regulations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority:</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to a member's knowledge):</p> <p>(a) the landlord is the relevant authority;</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where:</p> <p>(a) that body (to a member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either:</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

Schedule 12A to the Local Government Act, 1972 (as amended)

Access to information: Exempt information

Part 1

Descriptions of exempt information: England

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes:
 - (a) to give any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.
8. Information being disclosed during a meeting of a Scrutiny and Performance Panel when considering flood risk management functions which:
 - (a) Constitutes a trades secret;
 - (b) Its disclosure would, or would be likely to, prejudice the commercial interests of any person (including the risk management authority);
 - (c) It was obtained by a risk management authority from any other person and its disclosure to the public by the risk management authority would constitute a breach of confidence actionable by that other person.

Personnel Committee – 25 October 2022

**Schools' Model Pay Policy 2022
Unattached Teachers' Pay Policy 2022**

1. Purpose of the report

- 1.1 To gain Personnel Committee approval for the updated Schools' Model Pay Policy 2022 and Unattached Teachers' Pay Policy 2022 (detailed below) endorsed by CMT at their meeting of 06 October 2022.
- 1.2 It should be noted that the current policy drafts are informed by the current draft School Teachers Pay and Conditions Document (STPCD), which is due to be finalised on 14th October – the pay policies will be subject to any changes and/or further amends published in the final version of the STPCD.

2. Recommendations

- 2.1 Personnel Committee is recommended to approve the Schools' Model Pay Policy 2022 and Unattached Teachers' Pay Policy 2022 (detailed below), to be back dated and take effect from 1 September 2022.

3. Background

- 3.1 This report covers the annual update of the following policies;
 - a) The Schools' Model Pay Policy 2022 (Appendix 1)
 - b) The Unattached Teachers' Pay Policy 2022 (Appendix 2)
- 3.2 Governing Bodies of all schools and academies are required annually to adopt a pay policy following full consultation with representatives of recognised unions and professional associations. The attached Schools' Model Pay Policy (at appendix 1) is recommended for Governing Bodies to adopt.
- 3.3 The Unattached Teachers' Pay Policy (at appendix 2) sets out the Council's policy on pay and conditions for all unattached teachers (i.e. those employed corporately by the council in Children's Services - Specialist Inclusion Team and in Economy, Environment and Communities - Music Education Hub). The policy incorporates the requirements of the School Teachers' Pay and Conditions Document and reflects the Schools' Model Pay Policy to ensure a fair and consistent approach.
- 3.4 Both of the attached pay policies have been updated to reflect the requirements of the School Teachers' Pay and Conditions Document (STPCD), of which a draft version was published in July 2022. The final version of the STPCD is due to be laid before parliament on the 14th October and both Pay Policies will be subject to any further STPCD amends. The draft changes to the STPCD 2022 (that have been incorporated into both Pay Policies) are;

- In line with the recommendations in the STRB's 32nd report from 1 September 2022: a 5% increase will be applied to all pay and allowance ranges and advisory points, with higher increases to some parts of the Main Pay Range as a step towards achieving a minimum starting salary of £30,000 by September 2023.

3.5 Policy a) the Schools' Model Pay Policy - Following consultation with trade unions and Headteachers across the borough it is proposed to update the Schools' Model Pay Policy in line with the 2022 STPCD to take effect from 1 September 2022. Therefore, a 5% increase will be applied to all pay and allowance ranges, with higher increases to some parts of the Main Pay Range (refer to appendix 1).

The Policy also clarifies that apprentices directly employed in schools are paid in accordance with the national pay rates applicable to apprentices at the time of their employment.

3.6 Policy b) the Unattached Teachers' Pay Policy, has also been updated in line with STPCD and would be back dated effective from 1 September 2022. The only change is;

- i) A 5% increase will be applied to all pay and allowance ranges, with higher increases to some parts of the Main Pay Range (refer to appendix 2 of the this report, Unattached Teachers Pay Policy 2022/23 section 3.2 and appendix A of the policy);

Our Council plan priorities

3.7 The Unattached Teachers Pay Policy is directly aligned to the council's strategic priority of internal focus ensuring all council services are customer focussed, effective, efficient and equitable and helps embed the behaviours and values expected of all employees as part of the Behaviour and Standards Framework.

Response

3.8 The policies, will take effect from 1 September 2022. The Schools' Model Pay Policy will be issued to schools following approval of Personnel Committee for their consideration and adoption.

3.9 Once approved by Personnel Committee if a school does not adopt the attached School's Model Pay Policy they will be required to enter into a separate consultation process with staff and unions. Schools would be required to defend any potential equal pay claims.

Review

3.10 The policies will be reviewed on annual basis in accordance with the statutory changes to the School Teachers' Pay and Conditions Document.

4. Financial Considerations

4.1 The Schools' Model Pay Policy has been reviewed by finance and they have confirmed that the costs associated with this pay policy are expected to be met

from individual school budgets. Schools budgets are delegated to them and are funded through the Dedicated Schools Grant (DSG).

4.2 For the Unattached Teachers' Pay Policy the cost associated with the pay uplift will be met from existing service budgets.

5. Legal

5.1 There are no anticipated legal issues arising from this report.

6. Risk Management

6.1 There are no identifiable risks associated with this implementation, indeed this procedure attempts to ensure that School's and the Council remain compliant with the law.

7. People

7.1 There is no direct impact on our citizens as a result of this procedure. The Equality Impact Assessments are attached;

- EqIA Schools' Model Pay Policy (Appendix 3)
- EqIA Unattached Teachers' Pay Policy (Appendix 4)

8. Consultation

8.1 For the Schools' Model Pay Policy consultation has taken place with the Headteachers from Primary, Nursery and Special Schools and the Headteachers of Secondary Schools that are not Academies. Both teaching and support unions have been consulted with during October 2022. The trade unions were in favour of implementing the pay uplift as outlined in the STPCD.

8.2 The Unattached Teachers' Pay Policy has been out to consultation between 23 - 29 September 2022 with relevant senior managers within the council and the trade unions. The trade unions were in favour of implementing the pay uplift as outlined in the STPCD.

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Appendix 1 **DRAFT Model Pay Policy** **– 2022 -SUBJECT TO STPCD**

Document information

Document title	Pay Policy		
Owner	Human Resources – Schools		
Version	Final	Status	
Approved on	Xx September 2022	Last updated by	Primula Paul
Effective from	1 September 2022	Review Date	September 2023
Purpose	To set out the framework for making pay decisions for directly employed School/Academy staff.		

Document accessibility

If you would like this information in another language or format please speak to your Headteacher/Principal

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CONTENTS

1	Introduction	4
1.4	Teachers Pay Award September 2022	4
2	Statement of Intent	4
3	Equalities legislation	5
4	Pay progression based on Performance	6
5	Equalities and pay progression	6
6	Job descriptions	6
7	Appraisal	7
8	Governing Body Obligations	7
9	Headteacher/Principal Obligations	8
10	Teachers' Obligations	8
11	Differentials	8
12	Discretionary pay awards	8
13	Salary safeguarding for teachers	8
14	Procedures	8
15	Staff paid in accordance with STPCD	9
15.1	Annual determination of pay	9
15.2	Notification of pay determination	10
16	Appeals procedure	10
17	Headteacher/Principal – pay on appointment	10
17.11	Serving Headteachers/Principals	11
18	Deputy/Assistant Headteachers	12
19	Classroom Teachers	13
20	Applications to be paid on the Upper Pay Range	14
21	Upper Pay Range	16
22	Leading Practitioner Posts	17

23	Unqualified Teachers	19
	Allowances and other payments for classroom teachers	19
24	Teaching and Learning Responsibility Payments	20
25	Special Educational Needs Allowances	20
26	Acting Allowances	20
27	Allowance payable to unqualified teachers	21
28	Performance Payments to Seconded teachers	21
29	Additional Payments	21
30	Recruitment And Retention Incentive Benefits	22
31	Salary Sacrifice Arrangements	22
32	Part-Time Teachers and Short Notice Teachers	22
33	Overpayment of Salaries	23
34	Support Staff	23
35	Pay and Grading	23
36	Increments	23
37	37 hour week	24
38	Salary Sacrifice	24
39	Acting Up for support staff	24
40	Extended Schools	24
	Appendix One WMBC Leadership Pay arrangements and range	25
	Appendix Two Upper Pay Range application form	28
	Appendix Three Upper pay range progression criteria	29
	Appendix Four Model appeals procedure	32
	Appendix Five (a) WMBC Single Stages pay bands	33
	Appendix Five (b) NJC Scales	34

1. Introduction

1 The Governing Body has adopted this policy to take effect from 1st September 2022 following full consultation with representatives of recognised unions and professional associations and Walsall Children's Services. It will review the policy annually following similar consultation. This policy meets the requirements of the School teachers' pay and conditions document 2022 and guidance on school teachers' pay and conditions (STPCD) ('Document'). The link to the Document is attached below. It has regard to the statutory guidance accompanying the Document and conforms to the local authority's salary scales and conditions of service for support staff. This policy should be read alongside the Document.

1.2 The Governing Body will ensure that all employees are made aware of the existence of this policy and have ready access to a copy of it.

1.3 The Governing Body delegates the implementation of this policy to the Pay Committee (hereinafter referred to as the 'pay committee'), with the exception of threshold assessment for teachers and determining the salaries of newly appointed employees in accordance with this policy, both of which are delegated to the Headteacher/Principal. The Headteacher/Principal is also asked to agree performance objectives with other teachers on the leadership spine, review those objectives annually and report on the outcome of that review to this pay committee in time for the annual review of salaries of those teachers.

This Pay Policy should be read in conjunction with the Pay Policy Guidance 2019.

1.4 Teachers Pay Award September 2022 (STPCD)

In 2022 the DfE have fully implemented the recommendations by the 32nd report of the School Teachers' Review Body ('STRB') accepted and outlined in the STPCD.

The main changes to the Document and accompanying guidance since 2020

- It makes provision for the September 2022 pay award and introduces
- it also reflects a change in the number of days that teachers must be available to work as a result of the additional Bank Holiday on Monday 19th September 2022 due to the state funeral of Queen Elizabeth II .
-

Consultation with trade unions and Walsall Headteachers/Principals

Following detailed consultation with all appropriate trade unions and Headteachers/Principals across the borough this model pay policy outlines the proposed pay ranges for Walsall schools.

1.5 The following are links to:

- School Teachers' Pay and Conditions Document (STPCD)
[School teachers' pay and conditions - GOV.UK](#)
- Implementing your schools approach to pay – DfE advice updated March 2019:
<https://www.gov.uk/government/publications/reviewing-and-revising-school-teachers-pay>

2. Statement of intent

2.1 The prime statutory duty of governing bodies in England, as set out in section 21(2) of the Education Act 2002, is to "...conduct the school with a view to promoting high standards of educational achievement at the school." The pay policy is intended to support that statutory duty.

In adopting this pay policy, the aim for our school/academy is to:

- Maximise the quality of teaching and learning at the school/academy
- Support the recruitment and retention of a high quality teacher workforce
- Enable the school/academy to recognise and reward teachers appropriately for their contribution to the school
- Help to ensure that decisions on pay are managed in a fair, just and transparent way
- Ensure appropriate consultation has taken place with union consultation and agreement
- PLUS ANY OTHER AIMS THAT SCHOOL MAY WISH TO OUTLINE

2.2 The Governing Body of _____ school/academy will make all pay decisions at this school/academy. They will act with integrity, confidentiality, objectivity and honesty in the best interests of the school/academy; will be open about decisions made and actions taken, and will be prepared to explain decisions and actions to interested persons. Its procedures for determining pay will be consistent with the principles of public life: objectivity, openness and accountability.

3. Equalities legislation

3.1 The Governing Body will promote equality in all aspects of school life, particularly with regard to all decisions on advertising of posts, appointing, promoting and paying staff, training and staff development.

The Governing Body will comply with relevant equalities legislation including:

Employment Relations Act 1999

Equality Act 2010

Employment Rights Act 1996

The Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000

The Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002

The Agency Workers Regulations 2010.

3.2 Equality Act 2010 – With regard to the Equality Act, the Governing Body will comply with the Public Sector Equality Duty (PSED) introduced by the Equality Act. In order to discharge the duty schools must have due regard to the need to:

(i) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act.

(ii) advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it.

(iii) foster good relations between people who share a relevant protected characteristic and people who do not share it.

See ‘Governing Body obligations’ in relation to monitoring the impact of this policy.

4. Pay progression based on performance

- 4.1 In this school/academy, all teachers can expect to receive regular, constructive feedback on their performance and are subject to annual appraisal. This will enable teachers with their appraiser to recognise their strengths, informs plans for their future development and helps to enhance their professional practice.
- 4.2 Decisions regarding pay progression will be made with reference to the teachers' appraisal reports and the pay recommendations they contain. In the case of NQTs, whose appraisal arrangements are different, pay decisions will be made by means of the statutory induction process. It will be possible for a 'no progression' determination to be made without recourse to the capability procedure.

5. Equalities and pay progression

- 5.1 The Governing Body will ensure that its processes are open, transparent and fair. All decisions will be objectively justified and minutes of any decisions. The reasons for them will be recorded and kept. Adjustments will be made to take account of special circumstances, e.g. an absence on maternity or disability-related sick leave. Adjustments will be made on a case-by-case basis.
- 5.2 The school/academy will do everything in its power to make a performance-related judgement. If little or no performance evidence is available from the relevant appraisal cycle, because the teacher has been away from school/academy due to pregnancy, maternity or disability-related illness, it will use evidence from previous appraisal cycles where possible.
- 5.3 On-going equality analyses can assist in identifying any potential inequality and guard against possible equal pay claims
- 5.4 The principal means of preventing equal pay claims is for the school/academy to ensure that individual pay decisions are fully compliant with the Equality Act as set out in Section 2 above, and that the duty to have due regard is discharged. The school/academy will satisfy itself that pay decisions year on year are not indicating a pattern that might cause concern. This can be achieved by school/academy undertaking an annual equality analysis which would help identify any potential inequality and demonstrate that the school/academy is attempting to eliminate discrimination and advance equality. Such analysis to include:
- the pay profile of teachers by the protected characteristic i.e. age, disability, race and gender.
 - the reasons that teachers with different protected characteristics are rewarded differently if that is the case;
 - whether teachers who share particular protected characteristics are being treated less favourably than other teachers.

6. Job descriptions

- 6.1 The Headteacher/Principal will ensure that each member of staff is provided with a job description in accordance with the staffing structure agreed by the Governing Body. Job descriptions may be reviewed from time to time in consultation with the individual employee concerned in order to make reasonable changes in the light of the changing needs of the school/academy. Job descriptions will identify key areas of responsibility. All job descriptions will be reviewed annually as part of the appraisal process.

7. Appraisal

- 7.1 The Governing Body will comply with The Education (School Teachers' Appraisal) (England) Regulations 2012 concerning the appraisal of teachers.
- 7.2 The Appraisal Regulations state that appraisal objectives for all teachers, including the leadership group, must be such that, if they are achieved, they will contribute to:
- Improving the education of pupils at that school/academy; and
 - The implementation of any plan of the Governing Body designed to improve the school's/academy's education provision and performance.
- 7.3 Assessment will be based on evidence from a range of sources (see the appraisal policy). Although the school/academy will establish a firm evidence base in relation to the performance of all teachers, there is a responsibility on individual teachers and appraisers to work together. Teachers should also gather any evidence they deem to be appropriate in relation to meeting their objectives, the Teachers' Standards and any other criteria (e.g application to be paid on Upper Pay Range) so that such evidence can be taken into account at the review. The arrangements of teacher appraisals are set out in the separate school's/academy's appraisal policy and supporting documentation which can be located on the Walsall Link.
- 7.4 The Headteacher/Principal will moderate objectives to ensure consistency and fairness; the Headteacher/Principal will also moderate performance assessment and initial pay recommendations to ensure consistency and fairness.

8. Governing Body obligations

The Governing Body will fulfil its obligations to:

- 8.1 Teachers: as set out in the school teachers' pay and conditions document ('the Document') and the conditions of service for school teachers in England and Wales (commonly known as the Burgundy book).
- 8.2 Support staff: the national joint council for local government services national agreement on pay and conditions of service (Green Book) or any LA pay/grading system.
- 8.3 The Governing Body will need to consider any updated pay policy and assure themselves that appropriate arrangements for linking appraisal to pay are in place, can be applied consistently and that their pay decisions can be objectively justified.
- 8.4 The Governing Body will ensure that appraisers, decision-makers and any appeal committee governors receive appropriate training to ensure fair and open decision-making.
- 8.5 The Governing Body will ensure that mid-year reviews are undertaken for teachers and all members of the leadership group.
- 8.6 The Governing Body will ensure that it makes funds available to support pay decisions in accordance with this pay policy (see Procedures) and the school/academy's spending plan.
- 8.7 The Governing Body will monitor the outcomes of pay decisions, including the extent to which different groups of teachers progress at different rates, ensuring continued compliance with equalities legislation.

9. Headteacher/Principal obligations

The Headteacher/Principal will:

- develop clear arrangements for linking appraisal to pay progression and consult with staff and union representatives on the appraisal and pay policies;
- submit any updated appraisal and pay policies to the Governing Body for approval;
- ensure that effective appraisal arrangements are in place, and that any appraisers have the knowledge and skills to apply procedures fairly;
- ensure that mid-term reviews are undertaken for all teachers, including the leadership group;
- submit pay recommendations to the Governing Body and ensure the Governing Body has sufficient information upon which to make pay decisions; and
- ensure that teachers are informed about decisions reached and that records are kept of recommendations and decisions made.

10. Teachers' obligations

A teacher will:

- engage with appraisal; this includes working with their appraiser to ensure that there is a secure evidence base in order for an annual pay determination to be made;
- keep records of their objectives and review them throughout the appraisal process;
- share any evidence they consider relevant with their appraiser; and
- ensure they have an annual review of their performance.

11. Differentials

- 11.1 Appropriate differentials will be created and maintained between posts within the school/academy, recognising accountability and job weight, and the Governing Body's need to recruit, retain and motivate sufficient employees of the required quality at all levels.

12. Discretionary pay awards

- 12.1 Criteria for the use of pay discretions are set out in this policy and discretionary awards of additional pay will only be made in accordance with these criteria.

13. Salary safeguarding for Teachers

- 13.1 Where a pay determination leads or may lead to the start of a period of safeguarding, the Governing Body will comply with the relevant provisions of the Document and will give the required notification as soon as possible and no later than one month after the determination.

14. Procedures

- 14.1 The Governing Body will determine the annual pay budget on the recommendation of the pay committee, taking into account paragraph 19.2(e) of the Document. **SCHOOL/ACADEMY TO DECIDE** It will also allocate X per cent to allow for the best performing teachers to make more rapid progress up the relevant pay range. Due to budget constraints, there will be

no accelerated progression on any pay scale [The latter choice should only be used where there is objective evidence of budget issues.]

14.2 The Governing Body has delegated its pay powers to the pay committee. Any person employed to work at the school, other than the head, must withdraw from a meeting at which the pay or appraisal of any other employee of the school, is under consideration. The head must withdraw from that part of the meeting where the subject of consideration is his or her own pay. A relevant person must withdraw where there is a conflict of interest or any doubt about his/her ability to act impartially.

14.3 Where possible, no member of the Governing Body who is employed to work in the school shall be eligible for membership of this committee. The pay committee will be attended by the head in an advisory capacity. Where the pay committee has invited either a representative of the LA or the external adviser to attend and offer advice on the determination of the head's pay, that person will withdraw at the same time as the head while the committee reaches its decision. Any member of the committee required to withdraw will do so.

14.4 The terms of reference for the pay committee will be determined from time to time by the Governing Body. The current terms of reference are:

- to achieve the aims of the whole school pay policy in a fair and equal manner;
- to apply the criteria set by the whole school pay policy in determining the pay of each member of staff at the annual review;
- to observe all statutory and contractual obligations;
- to minute clearly the reasons for all decisions and report the fact of these decisions to the next meeting of the full Governing Body;
- to recommend to the Governing Body the annual budget needed for pay, bearing in mind the need to ensure the availability of monies to support any exercise of pay discretion;
- to keep abreast of relevant developments and to advise the Governing Body when the school's pay policy needs to be revised; and
- to work with the head in ensuring that the Governing Body complies with the Education (School Teachers' Appraisal) (England) Regulations 2012.

14.5 The report of the pay committee will be placed in the confidential section of the Governing Body's agenda and will either be received or referred back. Reference back may occur only if the pay committee has exceeded its powers under the policy.

15. Staff paid in accordance with STPCD

15.1 Annual determination of pay

All teaching staff salaries, including those of the Head, Deputy Head(s) and Assistant Head(s) will be reviewed annually to take effect from 1 September. The Governing Body will endeavour to complete teachers' annual appraisal and pay reviews by 31 October and the Headteacher/Principal annual pay review by 31 December. They will, however, complete the process without undue delay.

15.2 Notification of pay determination

Decisions will be communicated to each member of staff by the head in writing in accordance with paragraph 3.4 of the Document and will set out the reasons why decisions have been taken. An instruction to amend pay from the relevant date will be issued immediately after the time limit for the lodging of an appeal has passed, or immediately after an appeal has been concluded.

16. Appeals procedure

The Governing Body has an appeals procedure in relation to pay in accordance with the provisions of paragraph 2.1(b). It is set out as an appendix to this policy.

17. Headteacher/Principal pay - Pay on appointment

17.1 The pay committee will review the school's Headteacher group and the Head's pay range in accordance with paragraphs four, five, six and eight (ordinary school), or paragraphs four, five, six, seven and eight (special schools) of the Document.

17.2 If the Headteacher/Principal takes on permanent accountability for one or more additional schools, the pay committee will set a pay range in accordance with the provisions of paragraph 6.6 or 7.9 of the Document, as the case may be.

17.3 For new appointments, the pay committee will determine the Headteacher group, and pay range taking account of the full role of the Headteacher/Principal (part seven of the Document), all permanent responsibilities of the role, any challenges that are specific to the role and all other relevant considerations paragraphs 9.2 of the Document, including recruitment issues. The pay committee will consider the reference points on leadership scale and take into account the factors set out in Appendix One when determining an appropriate pay range. It will also take account of any other considerations it feels are relevant and minute carefully its decisions and reasons for those decisions

17.4 The pay committee will consider using its discretion, in exceptional circumstances only, to exceed the 25 per cent limit beyond the maximum of the group range when setting the pay range for the Headteacher/Principal, as set out in paragraph 9.3 of the Document. However, before doing so, it will make a fully-documented business case and seek external independent advice.

17.5 Walsall's recommendation is that the pay committee will use 7 reference points within the pay range.

At the appointment stage, candidate specific factors will be taken into account when determining the starting salary. If necessary, the Governing Body will adjust the pay range to ensure appropriate scope of [insert number] reference points, for performance related pay progression.

17.6 The pay committee will have regard to the provisions of paragraph 9.4 of the Document in particular, and will also take account of the pay and ranges of other staff, including any permanent payments, to ensure that appropriate differentials are created and maintained between posts of differing responsibility and accountability

17.7 The pay committee will consider the use of temporary payments for clearly time-limited responsibilities or duties only, in accordance with paragraph 10 of the Document.

- 17.8 The pay committee will consider whether the circumstances specific to the role or candidate warrant a higher than normal pay range. It will exercise its discretionary powers, where appropriate, in accordance with paragraph 9.3 of the Document. It will only set a range the maximum of which is more than 25 per cent above the maximum value of the group range in exceptional circumstances. In such circumstances, it will make a business case to the Governing Body and the Governing Body will seek external independent advice before giving agreement
- 17.9 The pay committee will consider whether there is a need for any temporary payments (paragraph 10 of the Document) for clearly time-limited responsibilities or duties. The total sum of the temporary payments made to a head will not exceed 25 per cent of the annual salary which is otherwise payable to the head; and the total sum of salary and other payments made to a head must not exceed 25 per cent above the maximum of the Headteacher group, except in wholly exceptional circumstances
- 17.10 The pay committee may determine that temporary and other payments be made to a head which exceeds the limit above in wholly exceptional circumstances where it has made a business case and with the agreement of the Governing Body. The Governing Body will seek external independent advice before providing agreement

17.11 Serving Headteacher/Principal

The pay committee will only re-determine the pay range of a serving Headteacher/Principal, in accordance with paragraph nine of the Document, if the responsibilities of the post change significantly or if the pay committee determines that this is required to maintain consistency with pay arrangements for new appointments to the leadership team made on or after 1 September 2014, or with pay arrangements for a member(s) of the leadership group whose responsibilities significantly change on or after 1 September 2014 (paragraph four of the Document).

- 17.12 It will also re-determine the pay range if the group size of the school increases, or if the head takes on permanent accountability for an additional school(s) (paragraph eight, section three).
- 17.13 If the pay committee re-determines the Headteacher's pay range, it will take account of all indefinite responsibilities of the post, any specific challenges and all other relevant factors, including retention issues. The pay committee will take into account the factors set out in Annex A when determining an appropriate pay range. It will also take account of any other considerations it feels are relevant and minute carefully its decisions and reasons for those decisions.
- 17.14 The pay committee will consider using its discretion, in exceptional circumstances, to exceed the 25 per cent limit beyond the maximum of the group range, as set out in paragraph 9.3 of the Document. However, before agreeing to do so, it will make a fully-documented business case and will seek external independent advice.
- 17.15 The pay committee will use reference points within the pay range and will leave at least [insert number] reference points for performance-related pay progression
- 17.16 The pay committee will review the Headteacher/Principal's pay in accordance with paragraph 11 of the Document and award one reference point where there has been sustained high quality of performance having regard to the results of the most recent appraisal carried out in accordance with the appraisal regulations 2012 and any recommendation on pay progression in the Headteacher/principal's most recent appraisal report

- 17.17 **Delete/Insert as required** - Where the Headteacher/Principal's performance is exceptional, it will award accelerated performance related pay progression of [insert number] reference points taking account of the most recent appraisal and any recommendation on pay
- 17.18 If the pay committee decides to re-determine the pay range, it will only determine the head's pay range in accordance with paragraph nine and paragraph eight of the Document.
- 17.19 The pay committee will consider the use of temporary payments for clearly temporary responsibilities or duties only in accordance with paragraph 10 of the Document
- 17.20 The total sum of temporary payments made to a head must not exceed 25 per cent of the annual salary which is otherwise payable to the Headteacher/Principal; and the total sum of salary and other payments made to a head must not exceed 25 per cent above the maximum of the Headteacher group, except in wholly exceptional circumstances.
- 17.21 The pay committee may determine that additional/temporary payments be made to a head which exceeds the limit above in wholly exceptional circumstances and with the agreement of the Governing Body. The Governing Body will seek external independent advice before providing agreement

18. Deputy/Assistant Headteacher pay

18.1 Pay on appointment

The pay committee will determine a pay range on the Leadership Pay Range attached at Appendix 1 The pay committee will take account of the full role of the deputy/assistant Headteacher (part seven), all indefinite responsibilities of the role, any challenges that are specific to the role and all other relevant considerations paragraph 9.2 – 9.4 of the Document, including recruitment issues. The pay committee will take into account the factors set out in Appendix 1 when determining an appropriate pay range. It will also take account of any other considerations it feels are relevant and minute carefully its decisions and reasons for those decisions.

Walsall's recommendation is that the pay range will contain 5 reference points.

- 18.2 At the appointment stage, candidate specific factors will be taken into account when determining the starting salary. If necessary, the Governing Body will adjust the pay range to ensure appropriate scope of [insert number] reference points, for performance related pay progression.
- 18.3 The pay committee will consider whether the award of any additional payments are relevant, as set out in paragraph 26 of the Document and paragraphs 60 to 68 of section three Guidance contained in the Document.

18.4 Serving Deputy/Assistant Headteacher

The pay committee will review and, if necessary, re-determine the Deputy/Assistant Head pay range where there has been a significant change in the responsibilities of the serving Deputy/Assistant Headteacher (paragraph ten of section three guidance in the Document),

- 18.5 When determining the pay range of a serving Deputy/Assistant head, the pay committee will take account of all permanent responsibilities of the role, any challenges that are specific to the role and all other relevant considerations (paragraph 9.2 of the Document), including retention issues. The pay committee will take into account the factors set out in Annex A when determining an appropriate pay range. It will also take account of any other

considerations it feels are relevant and minute carefully its decisions and reasons for those decisions

- 18.6 The pay committee will ensure the maintenance of appropriate differentials between different posts in its staffing structure, but will note paragraph 9.4 of the Document.
- 18.7 The pay committee will consider whether the award of any additional payments is relevant, as set out in paragraph 26 of the Document and paragraphs 48 to 59 of section three of the Document.
- 18.8 The pay committee will use reference points within the pay range and will leave at least [insert number] reference points for performance-related pay progression
- 18.9 The pay committee will review pay in accordance with paragraphs 11 of the Document and award one reference point where there has been sustained high quality of performance having regard to the results of the recent appraisal and to any recommendation on pay progression recorded in the deputy/assistant head's most recent appraisal report
- 18.10 **Delete/Insert as required** - The pay committee will award accelerated performance related pay progression of up to [insert number] reference points if there has been exceptional performance, taking account of the results of the most recent appraisal and any pay recommendation and appropriate differentials.

19. Classroom Teachers

19.1 Pay on appointment

Delete/Insert as required

- 19.2 This school/academy has not adopted pay portability. The Headteacher in conjunction with Governors will determine the starting salary of a vacant classroom teacher post on the main pay range/upper pay range, such as the Committee determines. The advertisement for the post will indicate that pay portability will not be applied.

or

- 19.3 This school/academy has adopted pay portability. In the event appointee worked as a classroom teacher previously the Committee will pay the same rate as they were paid in their previous school/academy including pay progress for this cycle, this is known as pay portability.

N.B: The pay policy is only agreed with NAHT, NEU (NUT & ATL) and NASUWT if the paragraph on pay portability is included. ASCL agree the policy if schools are given the option of whether or not to accept pay portability.

- 19.4 The Governing Body will, if necessary, use its discretion to award a recruitment incentive benefit to secure the candidate of its choice.

19.5 Annual pay determination

The Committee will use reference points for classroom teachers. Therefore the pay scale for main pay range teachers in this school/academy is:

MS Point 1 £28,000

MS Point 2 £29,800

MS Point 3 £31,750

MS Point 4	£33,850
MS Point 5	£35,990
MS Point 6	£38,810

- 19.6 Appraisal objectives will become more challenging as the teacher progresses up the main pay range. Objectives will, however, be such that, if achieved, meet the requirements of the appraisal regulations 2012 (see Appraisal above).
- 19.7 To move up the main pay range, one annual point at a time, 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 'good', as defined by Ofsted. However, this does not mean that every lesson observation needs to be 'good'.
- 19.8 **Delete/Insert as required** - If the evidence shows that a teacher has exceptional performance, the Governing Body may consider the use of its flexibility to award enhanced pay progression up to the maximum of [insert reference point]. Teaching over time will be 'outstanding', as defined by Ofsted.
- 19.9 Judgments will only be made on evidence gathered which is related to the formal appraisal process. 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 school/academy.
- 19.10 Further information, including sources of evidence, is contained in the appraisal policy.
- 19.11 The pay committee will take account of the pay recommendation contained in the appraisal report. Any increase (i.e. no movement, one point, more than one point) will be clearly attributable to the performance of the teacher in question. The pay committee will be able to justify its decisions.
- In the case of NQTs, pay decisions will be made by means of the statutory induction process.

20. Applications to be paid on the Upper Pay Range

- 20.1 It is the responsibility of the teacher to decide whether or not they wish to apply to be paid on the upper pay range. Applications will only be considered taking into account two successful appraisals.
- 20.2 If successful, the teacher will move to the UPR from 1 September following the years' appraisal reviews submitted. For example, if the appraisal reviews cover academic years 2019/20 (main scale point 5) and 2023/2022 (main scale point 6) and the application is submitted before 31 October 2022, movement to the UPR will take effect from 1 September 2022.
- 20.3 If a teacher is simultaneously employed at another school(s), they may submit separate applications if they wish to apply to be paid on the UPR in that school(s). This school/academy will not be bound by any pay decision made by another school/academy.

20.4 All applications should include the results of the two most recent appraisals under the appraisal regulations 2012 including any recommendation on pay. Where such information is not applicable or available, e.g. those returning from maternity or sickness absence, a written statement and summary of evidence designed to demonstrate that the applicant has met the assessment criteria must be submitted by the applicant.

20.5 In order for the assessment to be robust and transparent, it will be an evidence-based process only. Teachers therefore should ensure that they build a mainly paper evidence base to support their application. Those teachers who have been absent, through sickness, disability or maternity, may cite written evidence from previous years in support of their application.

20.6 Process

One application may be submitted annually. The closing date for applications is normally 31st October of each year; however, exceptions will be made in particular circumstances, e.g. those teachers who are on maternity leave or on sick leave. The process for applications is:

- complete the school/academy's application form (Appendix Two)
- submit the application form and supporting evidence to the Headteacher by the cut-off date of 31st October;
- the teacher will receive notification of the name of the assessor of your application within 5 working days;
- the assessor will assess the application, which will include a recommendation to the pay committee of the relevant body;
- the application, evidence and recommendation will be passed to the Headteacher for moderation purposes, if the Headteacher is not the assessor;
- the pay committee will make the final decision, advised by the Headteacher;
- Teachers will receive written notification of the outcome of their application. Where the application is unsuccessful, the written notification will include the areas where it was felt that the teacher's performance did not satisfy the relevant criteria set out in this policy (see Assessment below);
- If requested, oral feedback will be provided by the assessor. Oral feedback will be given within 10 school working days of the date of notification of the outcome of the application. Feedback will be given in a positive and encouraging environment and will include advice and support on areas for improvement in order to meet the relevant criteria;
- successful applicants will move to the minimum of the UPR; and
- unsuccessful applicants can appeal the decision. The appeals process is set out in Appendix 4.

20.7 Assessment

The teacher will be required to meet the criteria set out in paragraph 15 (Appendix Three) of the Document, namely that:

- The teacher is highly competent in all elements of the relevant standards; and
- The teacher's achievements and contribution to an educational setting or settings are substantial and sustained.

In this school/academy, this is interpreted as follows:

“Highly competent”:

- 20.8 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.
- 20.9 (e.g. performance which is good enough to fulfil wider professional responsibilities, and develop effective professional relations with colleagues, giving them advice and demonstrating to them effective teaching practice and how to make a positive contribution to the wider life and ethos of the school/academy, in order to help them meet the relevant standards and develop their teaching practice).

“Substantial”:

- 20.10 the teacher’s achievements and contribution to the school/academy are significant - not just in raising standards of teaching and learning in their own classroom or with their own groups of children, but also in making a significant wider contribution to school improvement, which impacts on pupil progress and the effectiveness of staff and colleagues.
- 20.11 (e.g. of real importance, validity or value to the school/academy; play a critical role in the life of the school/academy; provide a role model for teaching and learning; make a distinctive contribution to the raising of pupil standards; take advantage of appropriate opportunities for professional development and use the outcomes effectively to improve pupils’ learning).

“Sustained”:

- 20.12 The teacher must have had two consecutive successful appraisal reports and have made good progress towards their objectives during this period. They will have been expected to have shown that their teaching expertise has grown over the relevant period and is consistently good to outstanding.

21. Upper pay range

Annual pay determination

The upper pay range in this school/academy will consist of three ranges set out below:

UPR Point 1 £40,625

UPR Point 2 £42,131

UPR Point 3 £43,685

- 21.1 The pay committee will determine whether there has been continued good performance. In making such a determination, it will take into account:
- paragraph 19 and the criteria set out in paragraph 15.2 of the Document;
 - the appraisal report and the pay recommendation of the appraiser; and
 - the appraisal evidence that the teacher has maintained the criteria set out in paragraph 15.2, namely that the teacher is highly competent in all elements of the relevant standards; and that the teacher’s achievements and contribution to an educational setting or settings are substantial and sustained. The meaning of these criteria is set out above.
- 21.2 Where it is clear that the appraisal evidence shows that the teacher has continued good performance, as set out above, and has made good progress towards their objectives, the

teacher will move to next point on the upper pay range; or if already on the mid-point, will move to the top of the upper pay range.

- 21.3 Pay progression on the upper pay range will be clearly attributable to the performance of the individual teacher. The pay committee will be able to objectively justify its decisions.

Where it is clear from the evidence that the teacher's performance is exceptional, in relation to the criteria set out above, the pay committee may use its flexibility to decide on enhanced progression from the minimum to the maximum of UPR. Teaching over time will be 'outstanding' as defined by Ofsted.

- 21.4 Further information, including sources of evidence is contained within the appraisal policy. The pay committee will be advised by the Headteacher in making all such decisions.

22. Leading Practitioner roles

Insert this paragraph if you do not intend to recruit a LP. If this is the case the other paragraphs can be deleted.

- 22.1 *It is not the intention of the Governing Body to create a leading practitioner role at this time but the Governing Body will review its position from to time.*

Or

If the above paragraph is included then delete the paragraph below. If you intend to have Leading Practitioners the delete the paragraph above.

Lead Practitioner Range with discretionary reference points

L1	£44,523
L2	£45,639
L3	£46,788
L4	£47,941
L5	£49,136
L6	£50,368
L7	£51,725
L8	£52,917
L9	£54,239
L10	£55,633
L11	£57,075
L12	£58,391
L13	£59,850
L14	£61,343
L15	£62,869
L16	£64,541
L17	£66,022
L18	£67,685

22.2 The Governing Body will take account of paragraphs 16 and 51 of the Document when determining the role of leading practitioner in this school/academy. Additional duties will be set out in the job description of the leading practitioner and will include:

- a leadership role in developing, implementing and evaluating policies and practices in the school/academy that contribute to school improvement;
- the improvement of teaching within school [and within the wider school community] which impact significantly on pupil progress;
- improving the effectiveness of staff and colleagues, particularly in relation to specific areas such as [insert school specific areas]

22.3 Pay on appointment

The pay committee will determine a pay range of 5 reference points from the Walsall Leading Practitioner pay range (Appendix one). L 1 – 18

22.4 In accordance with paragraph 16 of the Document, and paragraphs 33, 34 and 36 of the section three guidance of the Document, the relevant body will use reference points and will ensure that there is appropriate scope within the pay range to allow for performance related pay progression over time. The relevant body will leave 2 reference points for performance related pay progression.

The Headteacher/Principal will agree appraisal objectives for the leading practitioner.

22.5 Annual pay determination

The pay committee shall have regard to the results of the leading practitioner's appraisal, including the pay recommendation, when exercising any discretion in relation to their pay, in accordance with paragraph 19 of the Document.

The appraisal evidence should show the leading practitioner:

- has made good progress towards their objectives;
- is an example of teaching skills, which should impact significantly on pupil progress within school/academy and within the wider 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.

22.6 "Highly competent" and "substantial" are defined in the section entitled, "Applications to be paid on the upper pay range".

22.7 The pay committee will determine pay progression such that the amount is clearly attributable to the performance of the leading practitioner. The pay committee will be able to objectively justify its decision. Judgements will only be made on evidence gathered which is related to the formal appraisal process.

22.8 **Delete/Insert as Required** - Where it is clear from the evidence that the teacher's performance is exceptional, the pay committee may award enhanced pay progression of 2 reference points.

- 22.9 Further information, including sources of evidence, is contained within the appraisal policy. The pay committee will be advised by the Headteacher/Principal in making all such decisions.

23. Unqualified teachers

Pay on appointment

- 23.1 The pay committee will pay any unqualified teacher in accordance with paragraph 17 of the Document. The pay committee will determine where a newly appointed unqualified teacher will enter the scale, having regard to any qualifications or experience s/he may have, which they consider to be of value.

- 23.2 The Unqualified Teacher Pay Range and Walsall Reference points:

UQ Point 1	£19,340
UQ Point 2	£21,559
UQ Point 3	£23,777
UQ Point 4	£25,733
UQ Point 5	£27,954
UQ Point 6	£30,172

- 23.3 The pay committee will consider whether it wishes to pay an additional allowance, in accordance with paragraph 22 of the document. In applying additional allowances, consideration should be given to maintaining differentials.

23.4 Annual pay determination

In order to progress up the unqualified teacher range, one point annually, unqualified teachers will need to show that they have made good progress towards their objectives.

- 23.5 **Delete/Insert as Required** - If the evidence shows that the unqualified teacher has exceptional performance, the Governing Body may award enhanced pay progression of 2 reference points.
- 23.6 Judgements will only be made on evidence gathered which is related to the appraisal process. Information on sources of evidence is contained within the appraisal policy.
- 23.7 The pay committee will be advised by the Headteacher/Principal in making all such decisions. Pay progression on the unqualified teacher range will be clearly attributable to the performance of the individual teacher. The pay committee must be able to objectively justify its decisions.

Allowances and other payments for classroom teachers

24. Teaching and learning responsibility (TLR) payments

- 24.1 The pay committee may award a TLR to a classroom teacher in accordance with paragraph 20 of the Document and paragraphs 46 to 53 of the section three guidance of the Document. TLR 1 or 2 will be for clearly defined and sustained additional responsibility in the context of the school/academy's staffing structure for the purpose of ensuring the continued delivery of high quality teaching and learning. All jobs and positions will be regularly reviewed and will

make clear, if applicable, the responsibility or package of responsibilities for which a TLR is awarded, taking into account the criterion and factors set out at paragraph 20.4 of the Document.

- 24.2 The pay committee will ensure that sufficient differential exists between different levels of TLR, taking account of the responsibilities for which the TLR is awarded. All decisions will be objectively justified.

WMBC TLR 1 and 2 are:

- a) The annual value of a TLR1 must be no less than £8,706 and no greater than £14,732
- b) The annual value of TLR2 must be no less than £3,017 and no greater than £7,368

- 24.3 The pay committee may award a TLR 3 in accordance with paragraph 20.3 between £600 and £2,975. A TLR3 is a fixed-term award. TLR3s may be awarded only for clearly time-limited school improvement projects, one-off externally driven responsibilities, or where teachers are undertaking planning, preparation, coordination of, or delivery of tutoring to provide catch-up support to pupils on learning lost to the pandemic, and where that tutoring work is taking place outside of normal directed hours but during the school day. The fixed-term for which they are to be awarded must be established at the outset of the award. The relevant body should not award consecutive TLR3s for the same responsibility unless that responsibility relates to tutoring, as set out above. TLR3s are not subject to safeguarding.

25. Special educational needs (SEN) allowances

- 25.1 The pay committee will award an SEN spot value allowance on a range of between £2,384 and £4,703 to any classroom teacher who meets the criteria as set out in paragraph 21 of the Document.
- 25.2 When deciding on the amount of the allowance to be paid, the Governing Body will take into account the structure of the SEN provision, whether any mandatory qualifications are required for the post, the qualifications or expertise of the teacher relevant to the post; and the relative demands of the post (paragraph 21.3 of the Document). The Governing Body will also establish differential values in relation to SEN roles in the school/academy in order to reflect significant differences in the nature and challenge of the work entailed so that the different payment levels can be objectively justified. The Governing Body will take account of paragraphs 54 to 58 of the section three guidance of the Document.

26. Acting Allowance

- 26.1 Subject to paragraph 23.6 of the Document Where a teacher is assigned and carries out duties of a Headteacher/Principal, Deputy Headteacher or Assistant Headteacher but has not been appointed as an acting Headteacher/Principal, Deputy Headteacher or Assistant Headteacher, the school/academy must, within the period of four weeks beginning on the day on which such duties are first assigned and carried out, determine whether or not an allowance ('acting allowance') must be paid in accordance with the provisions outlined in 23.2 – 23.6 of the Document.

27. Allowance payable to unqualified teachers

27.1 The relevant body may determine that such additional allowance, as it considers appropriate, is to be paid to an unqualified teacher where it considers, in the context of its staffing structure and pay policy that the teacher:

a) has taken on a sustained additional responsibility which:

i. is focused on teaching and learning; and

ii. requires the exercise of a teacher's professional skills and judgment; or

b) has qualifications or experience which bring added value to the role being undertaken.

28. Performance payments to seconded teachers

28.1 Where:

a) a teacher is temporarily seconded to a post as Headteacher/Principal in a school/academy causing concern which is not the teacher's normal place of work; and

b) the relevant body of that school/academy considers that the teacher merits additional payment to reflect sustained high quality of performance throughout the secondment, the relevant body may pay the teacher a lump sum accordingly. Subject to paragraph 10.4, the total value of the additional payment and any annual salary and other payments paid to the teacher during the secondment must not exceed 25% above the maximum of the Headteacher group for the school/academy to which the teacher is seconded.

29. Additional Payments – Delete/Insert as Required

29.1 Continuing Professional Development (CPD)

Payments may be made to classroom teachers in accordance with paragraph 26 of the Document in respect of CPD undertaken outside of either the 1265 hours of directed time for full-time teacher; for the appropriate proportion of the 1265 hours of directed time for part-time teachers

29.2 Initial Teacher Training (ITT) activities

Leading Practitioners may be required to undertake activities related to providing ITT as part of their role. In accordance with paragraph 26 of the Document other teachers may receive additional payment for activities related to ITT only which is provided as an ordinary incident in the conduct of the school/academy. The appropriate level of payment for ITT activities will be dependent on the level of work undertaken.

29.3 Service Provision

Where a Headteacher/Principal in one school/academy is providing a service to another school/academy for example National Leader of Education (NLE) The school/academy will determine how much if any, addition payment is due to the individual concerned in line with the provisions of the Document. In line with the Provision for service to other school/academy – operating principles and requirements as outlined in the Document.

Consideration should also be given to the remuneration of other teachers who as a result of the Headteacher/Principal's additional role are taking on additional responsibilities and activities. Any increase in remuneration should be agreed where the post accrues extra

responsibilities as a result of the Headteacher/Principal's enlarged role. This is not an automatic entitlement.

29.4 Out-of-school hours learning activities

School/academy's should decide whether to make payments to teachers who agreed to participate in out-of-hours learning. Payments to classroom teachers should only be made in respect of those activities undertaken outside of either the 1265 hours or directed time for full time teachers or the appropriate proportion of the 1265 hours of directed time for part-time teacher.

30. Recruitment and Retention

30.1 The Committee will consider the award of recruitment and retention payments under paragraph 27 of the Document and against the background of any national guidance or advice, teacher supply and demand, curriculum areas and the retention of experienced staff. In particular where awarding a recruitment and retention allowance enables the school/academy to recruit and retain teachers of the quality required to ensure school improvement.

Payments may only be made for recruitment and retention purposes, not for carrying out specific responsibilities or to supplement pay for other reasons.

The Committee will pay recruitment awards in the following circumstances:

[School to insert details one of the possible circumstances may be an advance in the case of rental property]:

The Committee will pay retention awards in the following circumstances:

[School to insert details]:

30.2 The pay committee will consider exercising its powers under paragraph 27 of the Document where they consider it is appropriate to do so in order to recruit or retain relevant teachers. It will make clear at the outset, in writing, the expected duration of any such incentive or benefit, and the review date after which it may be withdrawn.

The Governing Body will, nevertheless, conduct an annual formal review of all such awards

31. Salary sacrifice arrangements for Teachers

31.1 Where the employer operates a salary sacrifice arrangement, a teacher may participate in any arrangement and his/her gross salary shall be reduced accordingly, in accordance with the provisions of paragraph 28 of the Document.

32. Part-time employees and Short Notice Teachers

32.1 **Teachers:** The Governing Body will apply the provisions of the Document in relation to part-time teachers' pay and working time, in accordance with paragraphs 40, 43 and 52.5 onwards, and paragraphs 35, 38-43 and 78-86 of the section three guidance of the Document.

32.2 **All staff:** The Headteacher/Principal and Governing Body will use their best endeavours to ensure that all part-time employees are treated no less favourably than a full-time comparator.

Teachers employed on a short-notice and Supply basis

- a. Such teachers will be paid in accordance with paragraph 44 of the Document

33. OVERPAYMENT OF SALARY

- 33.1 The school/academy expects all staff to behave with honesty and integrity. With specific regard to overpayments of salary, it is expected that staff will report promptly any such payment received, or any other payment received to which they are not entitled. Deliberate failure to report overpayments of salary will be treated as misconduct and will be dealt with through the Disciplinary Policy.

Once an overpayment has been established, recovery and timescale will be discussed with the individual, taking account of the values of money involved, the timescale of overpayment and to minimise hardship.

Where an employee is repaying an overpayment but leaves the school/academy before the full overpayment is recovered, the balance will be deducted from the final salary payment. Where the amount outstanding exceeds the final salary, an invoice will be raised for the outstanding amount and sent to the employee.

Every effort will be made to secure agreement on a recovery schedule however agreement with an employee is not a requirement to proceed with recovery.

34. Support Staff

- 34.1 The pay committee notes its powers to determine the pay of support staff in accordance with paragraph 17 and 29 of the School Staffing (England) Regulations 2009 and chapter seven of the associated guidance.

35. Pay and Grading

- 35.1 The Committee will determine the pay and grading of non-teaching employees in line with:
- WMBC Pay and grading scheme for Community and Voluntary Controlled Schools and other schools that have adopted the scheme in Appendix 5 (A). Under exceptional circumstances the Governing Body may decide to pay outside of the single status framework. It is recommended that HR advice is sought prior to confirming the position.
 - For Academies, Trust/Voluntary Aided .Schools pay and grading arrangements will be agreed within the school – The NJC scp's are outlined in - Appendix 5 (B)

36. Increments

- 36.1 Each employee will be granted one additional increment from 1 April each year, until the maximum of the pay band is reached.
- 36.2 Employees with less than six months' service in the pay band by 1 April in any year will not be granted their first increment until six months after their appointment, promotion or move to the pay band. Thereafter increments are applicable from 1 April each year until the employee reaches the maximum pay for their band.
- 36.4 National Terms and Conditions may be applied regarding unsatisfactory performance.

37. 37 hour week

- 37.1 The standard working week for full-time employees is 37 hours per week and 52 weeks per year. When entering into a contractual relationship with an employee, the Governing Body determine the number of hours and when they want staff to work and whether they wish to make any contractual provisions to vary when the hours are actually worked.

38. Salary sacrifice arrangements

- 38.1 Where the school/academy operates a salary sacrifice arrangement, employees may participate in any arrangement and his/her gross salary shall be reduced accordingly.

39. Honorariums or acting up for Support Staff

- 39.1 It may be necessary for the school/academy to use acting up arrangements from time to time to cover short term absences or specific pieces of work. Acting up is a useful way to aid the personal and career development of an employee and provide valuable cover where necessary.
- 39.2 Routine acting up arrangements should be for a maximum of 12 calendar months, may be extended in exceptional circumstances to an absolute maximum of 18 months.
- 39.3 Normal practice is to pay the employee the difference between their substantive spinal column point (SCP) and the bottom SCP of the higher graded post. If they are not undertaking the full duties and responsibilities of the post, they should be paid the pro rata difference between SCPs; for example, 50% of the differences if they are covering half the duties, etc. Where the grades overlap the next SCP should be used.
- 39.4 If the employee receives an increment during the acting up period, the payment should be adjusted accordingly to maintain the differential between substantive and acting up grade.
- 39.5 Where the employee is undertaking a specific piece of work, as opposed to covering duties at a higher grade, you should assess the grade at which this work is valued and pay the difference in the same way.

40. Extended Schools

- 40.1 Support staff employed on extended school contracts should be paid on a NJC Spinal Column point (whether this is a spot point or a scale). This will allow for inflationary increases to be applied as and when applicable.

41 Apprentices

- 41.1 Apprentices employed directly in schools are required to participate in an agreed apprenticeship programme and will be paid in accordance with the national apprenticeship pay arrangements.

Appendix 1

WMBC Leadership Pay Arrangements and Range

Headteacher Group Sizes and Group Ranges 2022/23		
Headteacher Group	Pay points	England and Wales £
Minimum	L1	£44,305xx
	L2	£45,414
	L3	£46,548
	L4	£47,706
	L5	£48,895
Group 1 (L6-L18a)	L6	£50,122xx
	L7	£51,470
Group 2 (L8-L21a)	L8	£52,659xx
	L9	£53,973
	L10	£55,360
Group 3 (L11-L24a)	L11	£56,796xx
	L12	£58,105
	L13	£59,558
Group 4 (L14-L27a)	L14	£61,042xx
	L15	£62,561
	L16	£64,225
	L17	£65,699
Group 5 (L18-L31a)	L18a	£66,684
	L18b	£67,351
	L19	£69,022
	L20	£70,733
Group 6 (L21-L35a)	L21a	£71,765xx
	L21b	£72,483
	L22	£74,283

Human Resources – Schools
Pay Policy

	L23	£76,122
Group 7 (L24-L39a)	L24a	£77,237xx
	L24b	£78,010xx
	L25	£79,949
	L26	£81,927
	L27a	£83,126xx
	L27b	£83,956
Group 8 (L28-L43a)	L28	£86,040xx
	L29	£88,170
	L30	£90,365
	L31a	£91,679xx
	L31	£92,597
	L32	£94,898
	L33	£97,256
	L34	£99,660
	L35a	£101,126xx
	L35b	£102,137
	L36	£104,666
	L37	£107,267
	L38	£109,922
	L39a	£111,485xx
	L39b	£112,601
	L40	£115,410
	L41	£118,293
	L42	£121,258
Maximum	L43	£123,057xx

Permanent Responsibilities to be taken into account when setting Leadership Pay

The statutory provisions of the school teachers’ pay and conditions document paragraph 9.2 state that when determining the pay range of a leadership group member, the relevant body must take into account of “all of the permanent responsibilities of the role, any challenges that are specific to the role, and all other relevant considerations”.

Social challenge:

- Number of pupils eligible for the pupil premium/free school meals,
- Number and challenge of children with special needs [NB: pupils with statements or education, health and care plans are taken into account when calculating the group size of the school]
- Number of ‘looked after’ children
- Level of pupil mobility in the area
- Number of pupils with English as a second language
- Complexity of pupil population and school workforce
- Number of staff
- Variety of school workforce (e.g. teachers, speech therapists)
- Small school
- Rural school
- Specialist units or centres
- Any specific challenges associated with running more than one school, eg managing geographically split sites, particular challenges of the additional school(s)
- Contribution to wider educational development
- NLE, SLE, LLE responsibilities which are not time-limited
- Teaching school status
- Other relevant issues (e.g. NQT lead, multi-stakeholders)
- Recruitment and retention issues

Pay Ranges for Headteachers 2022	
GROUP SIZE	ANNUAL SALARY £
1	(6) 50,122 – 65,684 (18a)
2	(8) 52,659 – 71,765 (21a)
3	(11) 56,796 – 77,237 (24a)
4	(14) 61,042 – 83,126 (27a)
5	(18) 67,351 – 91,679 (31a)
6	(21) 72,483 – 101,126 (35a)
7	(24) 78,010 – 111,485 (39a)
8	(28) 86,040 – 123,057 (L43)

Appendix Two

Upper Pay Range Application Form

Eligibility Criteria

In order to be assessed you must be a qualified teacher and need to be able to evidence that you are:

- highly competent in all elements of the relevant standards; and
- That your achievements and contribution to the school/academy have been substantial and sustained.

(As detailed in Appendix Three).

Name: _____

Post: _____

Appraisal Details:

Years covered by review statements _____

School/academy covered by review statements _____

Please provide an explanation why, in your judgement, your achievements and contribution to the school /academy has been substantial and sustained. Additional documentary evidence should be attached.

Declaration:

I confirm that at the date of this request for assessment to be paid on the Upper Pay Range I meet the eligibility criteria and I submit appraisal review statements covering the relevant period.

Teacher's signature:..... Date:.....

Appendix Three

Upper Pay Range Progression Criteria

The teacher will be required to meet the criteria set out in paragraph 15 of the Document, namely that:

- the teacher is highly competent in all elements of the relevant standards; and
- the teacher's achievements and contribution to an educational setting or settings are substantial and sustained.

In this school/academy, this is interpreted as follows:

“highly competent”:

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.

(e.g. performance which is good enough to fulfil wider professional responsibilities, and develop effective professional relations with colleagues, giving them advice and demonstrating to them effective teaching practice and how to make a positive contribution to the wider life and ethos of the school/academy, in order to help them meet the relevant standards and develop their teaching practice).

“substantial”:

The teacher's achievements and contribution to the school/academy are significant, not just in raising standards of teaching and learning in their own classroom, or with their own groups of children, but also in making a significant wider contribution to school improvement, which impacts on pupil progress and the effectiveness of staff and colleagues.

(e.g. of real importance, validity or value to the school/academy; play a critical role in the life of the school; provide a role model for teaching and learning; make a distinctive contribution to the raising of pupil standards; take advantage of appropriate opportunities for professional development and use the outcomes effectively to improve pupils' learning).

“sustained”:

The teacher must have had two consecutive successful appraisal reports and have made good progress towards their objectives during this period (see exceptions outlined in paragraph 10.2 of the Document). They will have been expected to have shown that their teaching expertise has grown over the relevant period and is consistently good to outstanding.

Model appeals procedure

The school teachers' pay and conditions document ('the Document') requires schools and local authorities to have a pay policy in place that sets out the basis on which teachers' pay is determined and the procedures for handling appeals.

As part of the overall appraisal process, a pay recommendation is made by the appraiser/reviewer (normally the line manager) and discussed with the teacher at the review meeting prior to being submitted to the pay committee or relevant decision-making body. Written details of and the reasons for the pay recommendation will be given to the teacher.

At this particular stage of the pay determination process, if the teacher wishes to better understand the rationale for the pay recommendation or bring any further evidence to the attention of the appraiser/reviewer, they should be given the opportunity to do so before the final pay recommendation is drafted in the appraisal report. The nature of any subsequent appraisal and pay discussion will be informal and therefore representation (on either side) is not necessary nor would it be appropriate. At the conclusion of any further discussion, the pay recommendation may be adjusted or it may remain the same; the appraisal report will be updated to reflect the discussion.

If a teacher believes that the final pay recommendation falls short of his/her expectations and wishes to seek a further review of the information that affects their pay, they may wish to formally appeal against the decision, utilising the formal appeal hearing procedure. Appeal hearings against pay decisions must satisfy the dispute resolution requirements of employment law (ie part four of the Trade Union and Labour Relations (Consolidation) Act, 1992) and the ACAS code of practice.

Appeal hearing procedure

It is the intention that the appeals procedure will be dealt with promptly, thoroughly and impartially.

Guidance

When a teacher feels that a pay decision is incorrect or unjust, they may appeal against that decision, especially when there is new evidence to consider.

Teachers/Headteachers/Principals should put their appeal in writing to either the Headteacher/Principal or the Governing Body; the appeal should include sufficient details of its basis.

Appeals should be heard without unreasonable delay and at an agreed date, time and place.

Employees have a statutory right to be accompanied at any stage of an appeal hearing by a companion who may be either a work colleague or a trade union representative.

Appeal procedure steps: informal stage

As part of the pay determination process, the line manager (the recommendation provider) will make a recommendation to the decision maker (the person/s or committee responsible for approving the pay recommendation) supported by relevant assessment evidence. On determining a teacher's pay, the decision maker will write to the teacher advising them of the pay decision, the reasons for it and will, at the same time, confirm their right to appeal the decision to the decision maker.

If the teacher wishes to appeal the decision, it must be done in writing to the decision maker, normally with 10 school working days or within a mutually agreed alternative timescale. The

appeal must include a statement, in sufficient detail, of the grounds of the appeal. In the event that an initial appeal is raised, the decision maker must then arrange to meet the teacher to discuss the appeal. The recommendation provider should also be invited to the meeting to clarify the basis for the original recommendation.

The decision maker will reconsider the decision in private and write to notify the teacher of the outcome of the review and of the teacher's right of appeal to the Governing Body. If the teacher wishes to exercise the right of appeal, he/she must write to the clerk of the Governing Body at the earliest opportunity and normally within 10 school working days, including a statement of the grounds of the appeal and sufficient details of the facts on which they will rely.

This will invoke the formal stage of the appeal procedure.

Appeal procedure steps: formal stage

On receipt of the written appeal, the clerk to the Governing Body will establish an appeal committee that should consist of three governors, none of whom are employees in the school or have been previously involved in the relevant pay determination process. A meeting of the appeal committee should be convened at the earliest opportunity and no later than 20 school working days of the date on which the written appeal was received. Both the recommendation provider and the decision maker will be required to attend the meeting.

The chair of the appeal committee will invite the employee to set out their case. The employee should be reminded of their right to be accompanied by a work colleague or trade union representative. Both the recommendation maker and the decision maker will also be asked to take the committee through the procedures that were observed in their part of the pay policy determination process.

Following the conclusion of representations by all relevant parties, the appeal committee will consider all the evidence in private and reach a decision. The appeal committee will write to the teacher notifying them of their decision and the reasons for it. Other attendees at the meeting will also be notified of the decision. The decision of the appeal committee is final.

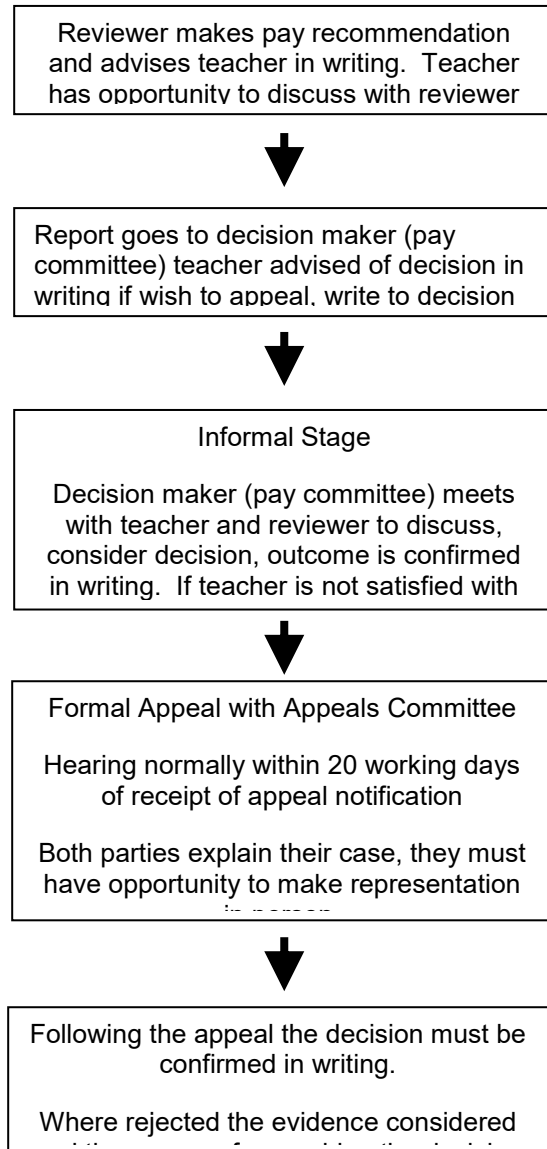
The modified procedure

There will be no entitlement to invoke the appeal procedure in relation to a pay decision if the teacher has left the employment of the school/academy.

Where a teacher has, whilst employed at the school/academy, lodged an appeal against a pay decision but has then subsequently left the employment before any appeal hearing is held, the following steps will be observed:

- The teacher must have set out details of their appeal in writing;
- The teacher must have sent a copy of their appeal to the chair of the Governing Body;
- The chair of the Governing Body will consult with relevant school/academy personnel and provide the teacher with an appropriate written response on behalf of the school/academy.

Pay Hearings and Appeals Procedure



**If the appellant is the Headteacher/Principal then where it refers to Headteacher/Principal above it will be the relevant Governor responsible for the Headteacher/Principal's appraisal, and the teacher becomes the Headteacher/Principal.*

Appendix Five (A)

WMBC Single Status Pay Bands for Support Staff as at 1st April 2021 - Applicable to all Community and Voluntary Controlled Schools and other schools that have adopted the WMBC Single Status Grades

			01-Apr-21		
		SCP	per annum	per month	per hour
G1		1	£18,333	£1,527.75	£9.50
G1	G2	2	£18,516	£1,543.00	£9.60
		3	£18,887	£1,573.92	£9.79
G3	G2	4	£19,264	£1,605.33	£9.99
		5	£19,650	£1,637.50	£10.19
G3	G4	6	£20,043	£1,670.25	£10.39
		7	£20,444	£1,703.67	£10.60
		8	£20,852	£1,737.67	£10.81
G5		9	£21,269	£1,772.42	£11.02
		10	£21,695	£1,807.92	£11.25
	G4	11	£22,129	£1,844.08	£11.47
		12	£22,571	£1,880.92	£11.70
		13	£23,023	£1,918.58	£11.93
		14	£23,484	£1,957.00	£12.17
	G6	15	£23,953	£1,996.08	£12.42
		16	£24,432	£2,036.00	£12.66
G5		17	£24,920	£2,076.67	£12.92
		18	£25,419	£2,118.25	£13.18
		19	£25,927	£2,160.58	£13.44
		20	£26,446	£2,203.83	£13.71
		21	£26,975	£2,247.92	£13.98
G7		22	£27,514	£2,292.83	£14.26
	G6	23	£28,226	£2,352.17	£14.63
		24	£29,174	£2,431.17	£15.12
		25	£30,095	£2,507.92	£15.60
	G8	26	£30,984	£2,582.00	£16.06
G7		27	£31,895	£2,657.92	£16.53
		28	£32,798	£2,733.17	£17.00
		29	£33,486	£2,790.50	£17.36
G9		30	£34,373	£2,864.42	£17.82
	G8	31	£35,336	£2,944.67	£18.32
		32	£36,371	£3,030.92	£18.85
		33	£37,568	£3,130.67	£19.47
	G10	34	£38,553	£3,212.75	£19.98
G9		35	£39,571	£3,297.58	£20.51
		36	£40,578	£3,381.50	£21.03
		37	£41,591	£3,465.92	£21.56
G11		38	£42,614	£3,551.17	£22.09
	G10	39	£43,570	£3,630.83	£22.58
		40	£44,624	£3,718.67	£23.13
		41	£45,648	£3,804.00	£23.66

Please note that SCP 1 will have the living wage allowance applied

NB. at the point of September 2022, April pay award had not been implemented

01-Apr-21	SCP	Applicable to Academies, Voluntary Aided and Trust Schools that have not adopted WMBC Single Status						
Per Annum				TA's		Admin		Lunch
£18,333	1	Scale 1		TA1		Level 1		MMSA
£18,516	2							MMSA
£18,887	3	Scale 1	Scale 2	TA1	TA2	Level 1	Level 2	
£19,264	4		Scale 2					MMSS
£19,650	5	Scale 3						MMSS
£20,043	6	Scale 3			TA2		Level 2	
£20,444	7		Scale 4	TA3		Level 3		
£20,852	8							
£21,269	9							MMSP
£21,695	10							
£22,129	11		Scale 4			Level 3		
£22,571	12	Scale 5					Level 4	MMSP
£23,023	13							
£23,484	14							
£23,953	15							
£24,432	16							
£24,920	17							
£25,419	18	Scale 5						
£25,927	19		Scale 6	TA3				
£26,446	20				TA4			
£26,975	21							
£27,514	22		Scale 6				Level 4	
£28,226	23	SO1						
£29,174	24				TA4			
£30,095	25	SO1						
£30,984	26		SO2					
£31,895	27							
£32,798	28		SO2					

**Draft policy subject to
STPCD confirmation**

**Unattached
Teachers Pay
Policy
2022/2023**



Walsall Council

Version Control

Document title	Unattached Teachers Pay Policy 2022/2023		
Owner	Human Resources	Status	DRAFT
Version	1	Approved on	
Effective from	1 September 2022	Review date	31 August 2023
Last updated	29 September 2022	Last updated by	HR Strategy and Planning
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 2022.		

This policy links to:

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

This list is not exhaustive.

For further advice or guidance on this policy, or if you would like this information in another language or format please contact:

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Contents

1.0	Introduction	4
2.0	Scope	4
3.0	Principles	5
4.0	Accountabilities	6
5.0	Procedure	8
5.1	Unqualified teachers' pay determination.....	8
5.2	Qualified teachers' pay determination	8
5.3	Moving from main pay to upper pay	9
5.4	Leading practitioner and leadership group pay determination.....	10
5.5	Head teachers' pay determination	10
6.0	Teaching and learning responsibility (TLR) payments	11
7.0	Special educational needs (SEN) allowances	12
8.0	Recruitment and retention incentives	12
9.0	Salary sacrifice	12
10.0	Out of school hours learning activity	13
11.0	Acting allowance	13
12.0	Honorariums	13
13.0	Exit payments	13
14.0	Pay multiples	13
	Appendix A Unattached teachers' pay scales 2022/23	14
	Appendix B Appeal	15
	Appendix C Application to move to upper pay	17

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 customer focused, effective, efficient and equitable, and helps embed the behaviours and values expected of all employees as part of the Behaviour and Standards Framework.
- 1.5 Council employees have a duty to demonstrate principles of equality, diversity and inclusion across all interactions ensuring compliance with council policies, procedures and relevant legislation. The council adopts a zero tolerance approach to discrimination and will not accept any form of unlawful or unfair discrimination on the grounds of age, disability, gender, gender identity, marital or civil partnership status, race, ethnic origin, colour, nationality, pregnancy or maternity, religion or belief (or no religion or belief), sexual orientation, class or social background, political belief or Trade Union affiliation. We are committed to equal opportunities and aspire to have a diverse workforce, and an inclusive workplace culture, all of which enable better outcomes for our staff and the local citizens we serve. Employees should refer to the equality and diversity protocol for further information.
- 1.6 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 31st August 2023.

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 2022/23 award implemented on 01 September 2022 has been confirmed as:

- A 5% increase will be applied to all pay and allowance ranges, with higher increases to some parts of the Main Pay Range.

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 aim and priorities 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 aim and priorities 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 aim and priorities, 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 31st 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 from 1 September following the years' appraisal reviews submitted. For example, if the appraisal reviews cover academic years 2020/21 and 2021/2022 and the application is submitted before 31 October 2022, movement to the UPR will take effect from 1 September 2022.

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.

6.0 Teaching and learning responsibility (TLR) payments

- 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.

7.0 Special educational needs (SEN) allowances

- 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.

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).

12.0 Honorariums

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

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.

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 annual Pay Policy Statement.

Appendix A Unattached Teachers' Pay Scales September 2022 (subject to final STPCD)

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	19,340
2	21,559
3	23,777
4	25,733
5	27,954
6	30,172

Teachers Leading Practitioners Pay Range	
Spine Point	Annual Salary
LP	£
*1	##
**2	##
3	##
4	##
*5	##
**6	##

Ranges used *1-5 and **2-6

Teachers Main Pay Range	
Spine Point	Annual Salary
MPR	£
1	28,000
2	29,800
3	31,750
4	33,850
5	35,990
6	38,810

Teaching and Learning Responsibility Allowance	
TLR 3	£
Minimum	600
Maximum	2,975
TLR2	£
Minimum	3,017
Maximum	7,368
TLR1	£
Minimum	8,706
Maximum	14,732

Teachers Upper Pay Range	
Spine point	Annual salary
UPR	£
1	40,620/5#
2	42,131
3	43,685

Special Educational Needs Allowance	
SEN1 Spot rate £	2,384
SEN2 Spot rate £	4,703

There are currently two conflicting figures in the draft STPCD – correct figure to be confirmed following final STPCD publication.

Draft STPCD confirmed 5% uplift to existing salaries – payroll to confirm specific values as these were not provided in the STPCD.

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.

DRAFT

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 31st 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.

Equality Impact Assessment (EqIA) for Policies, Procedures and Services

Proposal name	Schools Model Pay Policy		
Directorate	Resources and Transformation		
Service	HR Schools Consultancy		
Responsible Officer	Primula Paul / Kerry Smith		
Proposal planning start	August 2022	Proposal start date (due or actual date)	1st September 2022 (to be back dated in accordance with STPCD which is not published until end October 2022)

1	What is the purpose of the proposal?	Yes / No	New / revision
	Policy	Yes	Revision
	Procedure	No	NA
	Guidance	No	NA
	Is this a service to customers/staff/public?	No	NA
	If yes, is it contracted or commissioned?	No	NA
Other - give details			
2	What is the business case for this proposal? Please provide the main purpose of the service, intended outcomes and reasons for change?		
<p>The Model Pay Policy sets out a policy on pay and conditions for all staff employed in Schools and Academies to be adopted by Governors. The policy aims to assist schools to attract and retain skilled employees. The policy incorporates the requirements of the School Teachers Pay and Conditions Document.</p> <p>This is an annual review of the Pay Policy and has been amended to remain in line with current legislation and good practice. The policy will be applicable to all school based staff should governors decide to adopt the policy. Schools that do not adopt the Model Policy will be required to undertake consultation on the Policy they intend to adopt.</p> <p>The changes to STPCD in relation to the pay are:</p> <p>A 5% increase will be applied to all pay and allowance ranges, with higher increases to some parts of the Main Pay Range.</p>			

	Other amendments		
	Addition of point 41 in the policy providing clarification that apprentices employed in schools to be paid in accordance with the national apprentice rates.		
3	Who is the proposal likely to affect?		
	People in Walsall	Yes / No	Detail
	All	No	Staff employed in schools and academies.
	Specific group/s	Yes	
	Council employees	Yes	
	Other (identify)	No	
4	Please provide service data relating to this proposal on your customer's protected characteristics.		
	<p>The council's education workforce profile is detailed in the Education Employment Monitoring report 2021/22. The Model Pay Policy may be adopted by any of these schools as the Governing Bodies have responsibility for staffing and can chose which policies to approve.</p> <p>As of 31 March 2022 the total number of Education employees were 3758. The education workforce is made up of 90.93% females. 11.42% of the education workforce are classified as minority ethnic. In total there were 20 employees (0.53% of the education workforce) who declared they had a disability, as defined by the Equality Act 2010. 5.83% of the education workforce are under 25 years of age, 18.84% of the workforce are 55 years or older, 39.25% of the education workforce are aged between 40-54 years old and 50-54 years old are the largest age group making up 13.86% of the education workforce.</p>		
5	Please provide details of all engagement and consultation undertaken for this proposal. (Please sue a separate box for each engagement/consultation).		
	<p>The School Teachers Pay and Conditions Document (STPCD) details the terms of employment of those employees within teacher's terms and conditions. The Document and statutory guidance have been amended in response to the recommendations in the 32nd report of the School Teachers' Review Body (the STRB) and the changes to the STPCD 2022.</p> <p>The Document and statutory guidance were subject to consultation with the teacher unions, employers and other relevant interested parties as part of the usual statutory consultation process. The final version of the STPCD was not published until October 2022, with pay awards being back dated to 1 September 2022.</p> <p>The School Teachers Pay and Conditions Document gives discretion on how the pay uplift is to be applied locally.</p>		
	Consultation Activity		
	Complete a copy of this table for each consultation activity you have undertaken.		
	Type of engagement/consultation	Date	23/09/22 to 29/09/22
	Page 164 of 783 Senior WES Officers		

	Who attended/participated?	Senior WCS Officers		
	Protected characteristics of participants	A range of protected characteristics including, gender, race, age, disability.		
	Feedback			
	No comments were received from consultation.			
	Type of engagement/consultation	Trade unions via email and with a meeting held on the 28/09/22	Date	23/09/22 to 28/09/22
	Who attended/participated?	Teachers unions/professional associations		
	Protected characteristics of participants	A range of protected characteristics including, gender, race, age, disability.		
	Feedback			
	The trade unions approved of implementing the changes in accordance with the STPCD.			
6	Concise overview of all evidence, engagement and consultation			
	Full consultation with trade unions and council management for the Schools Model Pay policy between 23/09/22 – 29/09/22			
	No comments were received in respect of protected characteristics. The Schools Model Pay Policy includes the relevant changes to STPCD and statutory guidance with regards to teachers' pay and progression.			
	The policy will be sent for approval at CMT on 06/10/22 and Personnel Committee on 25/10/22. If approved the pay award will be backdated to 1 September 2022 in line with Teachers' Terms and Conditions.			
7	How may the proposal affect each protected characteristic or group? The effect may be positive, negative, neutral or not known. Give reasons and if action is needed.			
	Characteristic	Affect	Reason	Action needed Yes / No
	Age	Neutral	The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination.	No

Disability	Negative	<p>The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination.</p> <p>Potential impact on employees who require reasonable adjustments for communication and for those who do not understand the policy e.g. employees with learning disabilities.</p>	Yes
Gender reassignment	Neutral	<p>The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination.</p>	No
Marriage and civil partnership	Neutral	<p>The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination.</p>	No
Pregnancy and maternity	Negative	<p>The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination.</p> <p>Potential impact for people who are on maternity or paternity leave and are not updated about the policy.</p>	Yes
Race	Neutral	<p>The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination.</p> <p>Potential impact on employees where English is not their first language may require additional communication</p>	Yes
Religion or belief	Neutral	<p>The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination.</p>	No
Sex	Positive	<p>The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce</p>	No

			the risk of discrimination. Women make up the majority of those impacted and the basis of the policy is related to fairness and improving pay conditions.	
	Sexual orientation	Neutral	The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination.	No
8	Does your proposal link with other proposals to have a cumulative effect on particular equality groups? If yes, give details.			No
9	Which justifiable action does the evidence, engagement and consultation feedback suggest you take?			
	A	No major change required		
	B	Adjustments needed to remove barriers or to better promote equality		
	C	Continue despite possible adverse impact		
	D	Stop and rethink your proposal		

Action and monitoring plan				
Action Date	Action	Responsibility	Outcome Date	Outcome
Day of Launch	The policy to be explained/made available to employees, including those on maternity /parental leave.	Employee's line manager should make themselves available to explain the policy to ensure understanding and offer support to allow individuals to achieve the requirements	As and when required	

Update to EqIA	
Date	Detail
01/09/2023	Procedure to be reviewed annually

Contact us

Consultation and Equalities
Resources & Transformation

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Email equality@walsall.gov.uk

Inside Walsall: [http://int.walsall.gov.uk/Service information/Equality and diversity](http://int.walsall.gov.uk/Service%20information/Equality%20and%20diversity)

Ref No.

Equality Impact Assessment (EqIA) for Policies, Procedures and Services

Proposal name	Unattached Teachers Pay Policy		
Directorate	Resource and Transformation		
Service	HR Strategy and Planning		
Responsible Officer	Rebecca Harrison		
Proposal planning start	August 2022	Proposal start date (due or actual date)	1st September 2022 (to be back dated in accordance with STPCD which is not published until end October 2022)

1	What is the purpose of the proposal?	Yes / No	New / revision
	Policy	Yes	Revision
	Procedure	No	NA
	Guidance	No	NA
	Is this a service to customers/staff/public?	No	NA
	If yes, is it contracted or commissioned?	No	NA
	Other - give details		
2	What is the business case for this proposal? Please provide the main purpose of the service, intended outcomes and reasons for change?		
<p>The Unattached Teachers Pay Policy sets out Council policy on pay and conditions for all Unattached Teachers, assisting the Council to attract and retain skilled employees. The policy will be applicable to all unattached teachers employed within the Council under teachers' terms and conditions. The policy incorporates the requirements of the School Teachers Pay and Conditions Document (STPCD), which is published annually.</p> <p>This is an annual review of the Unattached Teachers' Pay Policy and has been amended in line with current legislation and good practice, as well as the requirements of the STPCD document 2022.</p> <p>The changes to STPCD in relation to the pay are:</p> <ul style="list-style-type: none"> A 5% increase will be applied to all pay and allowance ranges, with higher increases to some parts of the Main Pay Range. 			

3	Who is the proposal likely to affect?										
	People in Walsall	Yes / No	Detail								
	All		The Council currently employs 28 individuals classed as Unattached Teachers on Teachers Terms and Conditions affected by this policy.								
	Specific group/s										
	Council employees	Yes									
	Other (identify)										
4	Please provide service data relating to this proposal on your customer's protected characteristics.										
	<p>Corporately unattached teachers represent less than 1% of the corporate workforce.</p> <p>As at 30 June 2022 this group of staff are made up of 85.7% female employees and 14.3% male employees.</p> <p>Of the employees classed as unattached teachers that have declared their ethnicity 7.1% are of minority ethnicity which includes all ethnic groups, excluding White British. 14.2% have chosen not to state their ethnicity. Of those who have completed their disability information 4.7% of unattached teachers have declared a disability. 25% have chosen to not state if they have a disability or not.</p> <p>Of the employees classed as unattached teachers, 14.3% are in the age group 25-39, 39.3% are in the age group 40-49 and 46.4% are in the age group 50-64. There are no unattached teachers in the age groups 'under 25' or '65 and over'.</p>										
5	Please provide details of all engagement and consultation undertaken for this proposal. (Please sue a separate box for each engagement/consultation).										
	<p>The School Teachers Pay and Conditions Document (STPCD) details the terms of employment of those employees within teacher's terms and conditions. The Document and statutory guidance have been amended in response to the recommendations in the 32nd report of the School Teachers' Review Body (the STRB) and the changes to the STPCD 2022.</p> <p>The Document and statutory guidance were subject to consultation with the teacher unions, employers and other relevant interested parties as part of the usual statutory consultation process. The final version of the STPCD was not published until October 2022, with pay awards being back dated to 1 September 2022.</p> <p>The School Teachers Pay and Conditions Document gives discretion on how the pay uplift is to be applied locally.</p>										
	<p>Consultation Activity Complete a copy of this table for each consultation activity you have undertaken.</p> <table border="1"> <tr> <td>Type of engagement/consultation</td> <td>Relevant Senior Managers within the Council via email</td> <td>Date</td> <td>23/09/22 29/09/22</td> </tr> <tr> <td>Who attended/participated?</td> <td colspan="3">Senior Managers within Access and Inclusion (SEN team), and Place and Environment (Forest Arts).</td> </tr> </table>			Type of engagement/consultation	Relevant Senior Managers within the Council via email	Date	23/09/22 29/09/22	Who attended/participated?	Senior Managers within Access and Inclusion (SEN team), and Place and Environment (Forest Arts).		
Type of engagement/consultation	Relevant Senior Managers within the Council via email	Date	23/09/22 29/09/22								
Who attended/participated?	Senior Managers within Access and Inclusion (SEN team), and Place and Environment (Forest Arts).										

	Protected characteristics of participants	A range of protected characteristics including, gender, race, age, disability.		
	Feedback	No comments were received from consultation.		
	Type of engagement/consultation	Trade unions - via email and with a meeting scheduled for 28/09/22	Date	23/09/22 29/09/22
	Who attended/participated?	Teachers unions/professional associations		
	Protected characteristics of participants	A range of protected characteristics including, gender, race, age, disability.		
	Feedback	The trade unions approved of implementing the changes in accordance with the STPCD and how they have been incorporated into the Unattached Teachers' Pay Policy.		
6	Concise overview of all evidence, engagement and consultation			
	Full consultation with trade unions and council management for the unattached teachers policy between 23/09/22 – 29/09/22.			
	No comments were received in respect of protected characteristics. The Unattached Teachers' Pay Policy includes the relevant changes to STPCD and statutory guidance with regards to teachers' pay and progression.			
	The policy will be sent for approval at CMT on 06/10/22 and Personnel Committee on 25/10/22. If approved the pay award will be backdated to 1 September 2022 in line with Teachers' Terms and Conditions.			
7	How may the proposal affect each protected characteristic or group? The effect may be positive, negative, neutral or not known. Give reasons and if action is needed.			
	Characteristic	Affect	Reason	Action needed Yes / No
	Age	Neutral	The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination. (There are no unattached teachers under 25 or over 65)	No
	Disability	Negative	The policy sets out the approach to pay in regards to	Yes

		<p>teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination.</p> <p>Potential impact on employees who require reasonable adjustments for communication and for those who do not understand the policy e.g. employees with learning disabilities.</p>	
Gender reassignment	Neutral	The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination.	No
Marriage and civil partnership	Neutral	The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination.	No
Pregnancy and maternity	Negative	<p>The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination.</p> <p>Potential impact for people who are on maternity or paternity leave and are not updated about the policy.</p>	Yes
Race	Neutral	<p>The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination.</p> <p>Potential impact on employees where English is not their first language may require additional communication</p>	Yes
Religion or belief	Neutral	The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination.	No
Sex	Positive	<p>The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination.</p> <p>Women make up the majority of</p>	No

			those impacted and the basis of the policy is related to fairness and improving pay conditions.	
	Sexual orientation	Neutral	The policy sets out the approach to pay in regards to teachers pay, therefore it sets out clear guidelines to reduce the risk of discrimination.	No
8	Does your proposal link with other proposals to have a cumulative effect on particular equality groups? If yes, give details.			No
9	Which justifiable action does the evidence, engagement and consultation feedback suggest you take?			
	A	No major change required		
	B	Adjustments needed to remove barriers or to better promote equality		
	C	Continue despite possible adverse impact		
	D	Stop and rethink your proposal		

Action and monitoring plan				
Action Date	Action	Responsibility	Outcome Date	Outcome
Day of Launch	The policy to be explained/made available to employees, including those on maternity /parental leave.	Employee's line manager should make themselves available to explain the policy to ensure understanding and offer support to allow individuals to achieve the requirements	As and when required	
Day of Launch	The procedure will be explained/made available in other languages on request for employees whose first language is not English.	Appropriate liaison as required with the councils Interpretation, Translation, Transcription and Easy Read service (ITTE)	As and when requested	
Day of Launch	Alternative formats (audio and Easy Read) for disabled employees of the new policy will be	Liaison as required with the appropriate council procured services via the	As and when requested	

	made available on request.	Community, Equality and Cohesion team.		
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Update to EqIA	
Date	Detail
01/09/2023	Procedure to be reviewed annually

Contact us

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Personnel Committee - 25 October 2022

Employee Benefits & Shared Cost AVC's

1. Purpose of the Report

- 1.1 To gain Personnel Committee approval for the introduction of a new employee benefits platform that includes the implementation of a salary sacrifice car lease scheme and a Shared Cost Additional Voluntary Contribution (Shared Cost AVC) pension arrangement for Local Government Pension Scheme (LGPS) members. The principles of which were endorsed by CMT at their meeting of 13 October 2022 subject to approval of a detailed implementation plan.

2. Recommendations

- 2.1 Personnel Committee is recommended to approve the introduction of an employee benefits package supplied via partnering with an external provider to deliver a fully managed service covering a range of employee benefits and salary sacrifice options including a car lease scheme and Shared Cost AVCs. Section 3.8 below provides further information.
- 2.2 Personnel Committee is recommended to approve the implementation of a Shared Cost AVC pension arrangement for LGPS members.
- 2.3 Personnel Committee is recommended to approve that earnings related payments, such as overtime, pay increases, contractual allowances, occupational maternity pay, occupational sickness pay and redundancy are calculated on the notional salary before applying the salary sacrifice reduction for Shared Cost AVCs. Section 3.8.5 below provides further information.
- 2.4 Personnel Committee is recommended to approve the inclusion of a new discretion in the Council's LGPS Discretionary Pension Policy Statement to permit LGPS staff to participate in a Shared Cost AVC scheme. Section 3.8.6 below provides further information.
- 2.5 Personnel Committee is recommended to approve the implementation of a Shared Cost AVC scheme for members of the Teachers and NHS Pension Scheme, subject to the necessary changes being made to the regulations to allow these staff to participate. Shared Cost AVCs cannot be implemented at this time for teachers and NHS staff, but approval now will provide us with the necessary authority to introduce a scheme, subject to the legislative changes being made.
- 2.6 Personnel Committee is recommended to approve the implementation of a benefits platform that incorporates both lease cars and Shared Cost AVCs as salary sacrifice benefits and also recommends that any further decisions regarding the detail of the employee benefits platform be delegated to the Executive Director of Resources and Transformation,

including the appointment of a provider, subject to council procurement rules and CMT approval.

3. Background Information

Aim

- 3.1 As a Council we currently face a number of workforce and labour market challenges, which are contextualised and compounded by our external environment, increased hybrid ways of working brought about in part by the pandemic, a geographically dispersed labour market, widespread national skills shortages and labour supply shortages, increasing national competition amongst employers and a labour market with changing needs and expectations. All of which are adding to our recruitment and retention challenges. This is acknowledged and accepted across the Council and we have made a number of commitments to address these challenges and improve our position as an 'Employer of Choice' over the coming months and years. This commitment is embedded in our Council Plan and supported by our Proud Promises, as well as being a primary focus of the Enabling Culture and Communications (ECC) workstream across the Council. In addition key elements of the Councils Workforce and OD Strategies also aim to improve recruitment, retention and reward. Making the most of our employee benefit offer is a pivotal tool that will allow us to capitalise on our employee offer, marketing it, utilising it and supporting not just recruitment and retention but also employee recognition and reward.
- 3.2 With the current cost of living challenges facing our employees there isn't a better time to offer 'our people' additional support to help them through the financial challenges they may be facing. A benefits platform that offers a comprehensive mix of financial incentives, whether this be through salary sacrifice savings or instant discounts across a range of high-street/online retailers (including the ability to spread the cost of large purchases) may provide much needed support at this current time.
- 3.3. Partnering with an external provider to offer a complete and comprehensive bespoke platform means that we can showcase all of our employee benefits in one easy to use portal. This will allow us to identify and demonstrate to existing employees the full range of benefits they get working for our local authority (in addition to just their pay, through developing a personalised total reward statement), as well as showcasing and marketing our attractive employment offer to prospective candidates and the wider labour market as a whole.
- 3.4 A bespoke platform can be customised to council requirements, will illustrate our total employment offer and could be tailored to include our Proud Promises, our PLATE values and help to promote our supportive and inclusive culture demonstrating the importance of our people and their whole health and wellbeing. There are also platform options that include the ability to communicate directly with employees via a messaging service in order to promote the total benefits offer as well as added wellbeing and reward and recognition initiatives depending on the external provider and elements included in the package.

- 3.5 An employee benefits offer that allows us to utilise salary sacrifice for lease cars and in particular hybrid or electronic vehicles (EV) also helps us to deliver against action 4.1 of the Council's current Climate Change Action Plan, which includes specifically the introduction of EV salary sacrifice. Dependent on provider, such a platform and offer can be extensively promoted and marketed, alongside other carbon footprint benefits such as a cycle to work salary sacrifice scheme and bike shop purchases offered through monthly payroll deductions.

Know

- 3.6 There are a number of employee benefits providers in the market and having done external research over a number of months, we know a number of the larger providers will be able to offer a range of benefits in one customisable platform including Shared Cost AVC's and lease vehicles. Some of these providers offer their benefits platform (and associated marketing and communications) free of charge particularly to public sector organisations and are available to access through our existing procurement framework arrangements.
- 3.7 Depending on the provider and the agreed package, a total employee benefits platform could include any of the following employee benefits (some of which also result in employer National Insurance contribution savings as well as additional Income Tax and employee NI savings);
- Lifestyle Savings – Huge range of instant discounts for a wide variety of well-known high street and online retailers, covering -
 - Supermarkets
 - Food & Drink Offers
 - Days out for all the family
 - Cinema, Theatre & TV
 - Cashback Cards
 - Home, Garden and Pets
 - Mobile, Broadband and utilities
 - Sustainable Living
 - Local Benefits
 - Salary Sacrifice and payroll deductions (providing the ability to spread the cost of large items over a set period of time)
 - Home Electronics
 - Cycle to Work
 - Bike Shop
 - Affordable Loans
 - Travel and Leisure
 - Gym Membership
 - Car leasing
 - AVC Wise
 - Online access to employee health and wellbeing support, such as -
 - Access to a range of wellbeing topics such as stress, anxiety, and domestic abuse
 - Ask Bill – free and impartial money advice from Ask Bill - including tips on how to reduce utility bills, manage money and deal with debt issues

3.8 Shared Cost AVC schemes have been widely adopted across the LGPS in the United Kingdom with over 100 councils already delivering this key staff benefit.

3.8.1 LGPS members are currently permitted to contribute to a standard Additional Voluntary Contribution scheme (AVC) and receive Income Tax relief on their contributions through their payslip. AVCs are a long-term pension savings plan that runs alongside the main LGPS scheme that allows a member to build up a capital sum. On retirement, they can access the benefits through a range of options including the ability to receive the capital sum 100% tax free in most cases.

3.8.2 AVC contributions are paid across to a partnering responsible financial organisation who manage the plan and investments. The LGPS Administering Authority (West Midlands Pension Fund) are responsible for selecting the external provider (currently Prudential), and this arrangement would not change with the introduction of a salary sacrifice Shared Cost AVC scheme.

3.8.3 The LGPS and HMRC regulations provide the necessary authority for employers to introduce a Shared Cost AVC scheme. The advantages of implementing this new Shared Cost AVC arrangement over the current standard AVC scheme is that in addition to the Income Tax relief that staff currently received, they will also receive National Insurance contribution relief too. The Council will also make savings, through a reduction in the employer National Insurance contributions. Section 4.3 (example 1) below provides estimated savings.

3.8.4 To ensure that the Shared Cost AVC arrangement is compliant with the LGPS/HMRC regulations, the scheme must be set up as a 'shared cost' scheme which requires both the employee and employer to contribute to the Shared Cost AVC. Although this suggests that the Council will pay a financial contribution towards the Shared Cost AVC plan, this is not the case. How it works in practice is that the employee accepts a contractual reduction in remuneration (a salary sacrifice), equivalent to the amount they would like to pay into the scheme, and the employer pays this amount into the Shared Cost AVC plan on their behalf. To meet the 'shared cost' arrangement the employee is then required to pay a nominal £1 each month into the Shared Cost AVC through a payslip deduction. Section 4.3 (example 2) below provides an example of the comparative savings of the current AVC scheme and new Shared Cost AVC scheme.

3.8.5 Recommendation 2.3 above, covers the treatment of earnings-related payments for staff who opt for Shared Cost AVCs. It is critical that the Shared Cost AVC scheme does not affect future earnings because of the salary sacrifice reduction, as this would be counter-productive to implementing a scheme. To ensure that the scheme is effective on actual earnings such as overtime, pay

increases, contractual allowances, occupational maternity pay, occupational sickness pay, and redundancy must continue to be calculated on the notional salary **before** the salary sacrifice is applied. If we calculate contractual pay on the salary after the salary sacrifice, this will result in a reduction in pay on earnings related payments. Without this approach there will be little incentive for staff to commence Shared Cost AVCs and we will not deliver either an improved pension outcome for staff and/or employer savings. This approach is consistent with all other public sector employers who have introduced Shared Cost AVCs.

3.8.6 Recommendation 2.4 above covers the requirement to make amendments to the council's LGPS Discretionary Pension Policy Statement, which is published annually as part of the Council's Pay Policy statement. This is purely an administrative procedure, and the proposed new discretion is shown in the table below.

Shared Cost Additional Voluntary Contributions		
Whether, how much and what circumstances to contribute to a Shared Cost AVC scheme	R17 (1) and R15 (1) (d)	Walsall Council will pay shared cost AVCs where an employee has elected to pay AVCs by salary sacrifice. The amount of these employer Shared Cost AVCs will not exceed the amount of salary sacrificed by the employee. This discretion is subject to the employee meeting the conditions for acceptance into the salary sacrifice Shared Cost AVC scheme and may be withdrawn or changed at any time.

3.8.7 It is important to note that Shared Cost AVCs will not affect the main LGPS scheme benefits provided that the employer specifies in the supporting documentation that the Shared Cost AVC contribution the employer makes to the Shared Cost AVC will be a pensionable emolument (in accordance with the LGPS regulations (Regulation 20(1)(b) of the 2013 Regulations). This will be included in the Shared Cost AVC scheme documentation.

3.8.8 The main advantages of implementing a Shared Cost AVC scheme are:

- Staff will have access to a new financial well-being benefit that provides significantly improved retirement benefit outcomes
- Staff who contribute to a Shared Cost AVC scheme will pay lower National Insurance contributions (NICs) and this saving will automatically be passed into the AVC. For most staff this will result in a saving of 13.25%
- Staff will continue to receive income tax relief on their Shared Cost AVC contributions
- The combined tax and NIC saving equates to a growth/yield rate of over 49% for basic rate taxpayers and over 76% for higher rate taxpayers through the payslip

- The introduction of a Shared Cost AVC will have no effect on the main LGPS benefits
- The council will make savings in employer NICs. Section 4.3 below provides further detail on potential savings
- Staff will have access to a wide range of pension webinars and the option of individual pension meetings.

It provides a fully customisable benefits platform that is delivered and managed as part of a free platform, council resource to support the set up and administer through the platform is limited.
It allows integration of all benefits in one place (including those we already offer – not supplied by the provider) and illustrate our total employee reward offer, our values and our culture, supporting recruitment and retention.
It provides an engaging platform for employees and allows the promotion and marketing of a variety of health and wellbeing initiatives.
An external provider will be responsible for the marketing and promotion of the service as well as managing direct messaging campaigns to staff so they are fully aware of what is available and on offer to them.
A managed provision will also provide the council with ongoing metrics regarding usage, websites hits and popularity of offers so that we gain insights into what benefits our employees want to see more of, what they are utilising and what is likely to motivate our workforce allowing us to better target future benefits offers/campaigns.
Why use a provider specifically for Shared Cost AVCs?
It provides a guarantee to the council that the scheme will be legislatively compliant with HMRC and LGPS Regulations.
It delivers an efficient automated processing platform with workflow to administer Shared Cost AVC applications and scheme amendments including NLW/MNW compliance checks.
It provides accurate calculators to help staff understand the benefits of saving towards their retirement.
It delivers a comprehensive range of pension webinars to enable staff to be better informed and educated about their LGPS pension and Shared Cost AVCs.
It provides the launch and ongoing communication collateral to make staff aware of the scheme.
It provides a full audit trail of all transactional activity including embedding electronic contractual change documentation to eliminate internal HR resource.
It provides several help options to support staff (telephone helplines, web chat, webinars, and one to one meetings).
It improves the processing of Shared Cost AVCs through a direct link to the AVC providers
It includes a continual review process to ensure that all supporting scheme documentation is up to date and relevant (FAQs, videos, Knowledge Hub guidance, retirement projection calculators etc.)
It will deliver additional savings to the council through better communication of the Shared Cost AVC scheme

3.9 Recommendation 2.1 above, advises that the council engages with an external provider to deliver a range of employee benefits including Shared Cost AVCs for several important reasons, shown in the table below.

3.10 Subject to Personnel Committee approval of the introduction of a benefits platform to include a lease car scheme and Shared Cost AVCs, council colleagues (including HR, finance, payroll, procurement, legal, communications) will devise an implementation plan (as changes will also be required to One Source Fusion functionality) and present an update back to CMT advising an implementation date (once available).

Our Council Plan priorities

- 3.11 The policy is directly aligned to the council's strategic priority of internal focus ensuring all council services are customer focussed, effective, efficient and equitable and helps support a positive employee health and wellbeing culture, as well as embedding further our 'employer of choice' proposition.

Response

- 3.12 Subject to approval and development of an implementation plan (refer to section 3.10) including identifying a suitable provider on an existing framework (where feasible) in order to support and speed up implementation and launch. The launch will be project managed alongside the provider, communications and the HR/Payroll implementation team and employee engagement and communication will be ongoing throughout as part of our culture and engagement transformation work.

Review

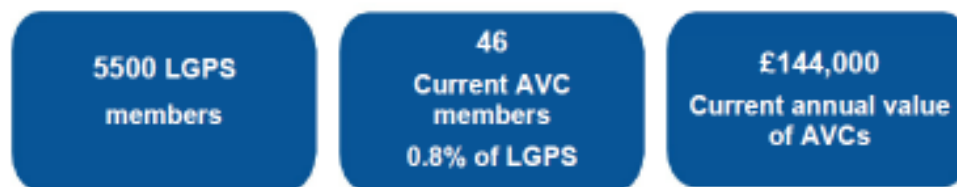
- 3.13 Any partnering arrangement will be reviewed on an ongoing basis and formally 6 months prior to the end of the expiry of any contractual agreement, for example, sign up to a benefits provider would usually be for an initial 2-3 years dependent on provider and the initial agreement.

4. Financial Implications

- 4.1 The benefits platforms are usually free of charge, as is any provider marketing and promotion. Based on research to date, there is normally no initial set up costs, other than limited payroll resource to administer the scheme – this would kept to a minimum and would be supported by the provider.
- 4.2 It is not proposed that the employer makes any contribution to any other elements of the benefits offer including the car lease scheme and other elements signed up (e.g. health insurance) – as these would be voluntary and at the employees cost (the only exception being Shared Cost AVCs – see 4.3 below for further information).
- 4.3 In terms of Shared Cost AVCs, there will be proposed employer NIC savings, however the level of these savings will be based entirely upon on the level of employee take-up. The procurement of an external provider, who has a track record of delivering Shared Cost AVC services to councils will provide the necessary safeguards that the scheme is compliant with employment and tax law. It also removes the risk of the council having to fund back-office resource to deliver a skilled complex service. The external providers who deliver this type of service normally charge fees based on the member Page 17 of 183. This is commonly around 4-5% of

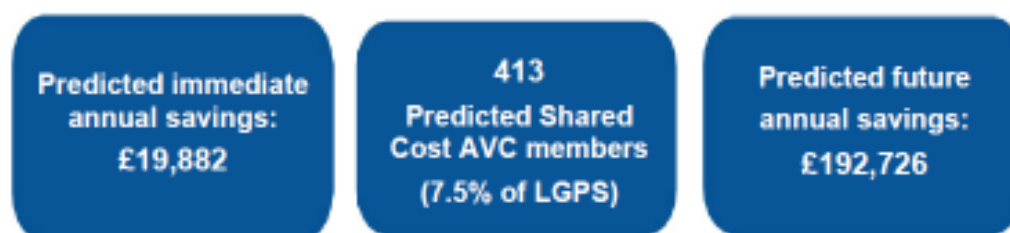
the employer NIC savings. There are normally no set up fees and post 'go live' there will be employer savings of around 11% on the total member AVC contributions.

Example 1 - Shared Cost AVC Employer Estimated NIC Savings based on current AVC uptake



If we assume 90% of the current AVC members (41) transfer to the salary sacrifice Shared Cost AVC arrangement, **Walsall Council** can expect to achieve immediate annual savings of around **£19,882**, based on 15.55% employer saving.

Example 2 - Shared Cost AVC Employer Estimated NIC Savings Model (based on year 3 of implementation) - assuming an increase in take up of 7.5% and applying £250 per month average Shared Cost AVC value (increase in take up estimated as a result of provider promotion and marketing activity)



5. Legal Considerations

5.1 There are a number of legal issues that require action prior to the implementation of a Shared Cost AVC scheme;

- The Shared Cost AVC scheme information pack and frequently asked questions must explain the scheme in sufficient depth to enable staff to understand the implications of becoming a Shared Cost AVC member.
- The employee will be required to sign a salary sacrifice agreement to vary the contract of employment to accept the contractual reduction in remuneration.
- The Shared Cost AVC scheme will need to be approved by HMRC.
- The council's discretionary pension's policy will need to be amended and published to provide the authority to enable staff to pay into Shared Cost AVCs as one of our discretions.
- The scheme documentation will need to state that the Shared Cost AVCs are to be treated as a pensionable emolument in accordance with the

LGPS regulations (Regulation 20(1)(b) of the 2013 Regulations), to ensure that a member's main scheme benefits are not reduced.

- 5.2 The report identifies and addresses the risks and makes the appropriate recommendations to avoid any potential loss to contributors regarding the LGPS and seeks to maximise tax efficiencies to be delivered to both the employee and employer. This comment is set against the additional reassurance that all current AVC holders will receive a full briefing on Shared Cost AVCs and that the scheme will be approved by HMRC before implementation.
- 5.3 Any procurement of any goods and/or services under the employee benefits scheme will be a contract directly between the benefits provider and the employee, Walsall Council as the employer will take no responsibility in any way.

6. Risk Management

- 6.1 An equality impact assessment is not required as this report does not result in any equality issues. The employee benefits offer will be available to all employees on a fully voluntary basis and will be accessible in a number of formats with support options for access available.

7. People

- 7.1 There is no direct impact on our citizens as a result of this policy. The policy is however, part of the employment and benefits framework that helps to ensure that residents of Walsall get the best possible services from council employees.

8. Consultation

- 8.1 The details of any resultant employee benefits package implemented will be shared with trade union colleagues in our information and consultation forum, ERF, as well as widely communicated and promoted across the council via a number of communication channels and in conjunction with the council's communications employee engagement specialist.

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