



Unattached Teachers Pay Policy 2016/2017

Version Control

Document title

Unattached Teachers Pay Policy

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Purpose	The Unattached Teachers Pay Policy sets out Council policy on pay and conditions for Unattached Teachers, assisting the Council to attract and retain skilled employees and ensuring compliance with the requirements under the teachers’ pay and conditions document 2016.		

This procedure links to:

- School Teachers Pay and Conditions Document
- Employee performance review – Appraisals based on Teacher Standards

This list is not exhaustive.

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1.0 Introduction

1.1 Unattached Teachers' Pay Policy sets out the Councils 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 2017.

1.2 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.

2.0 Scope of the procedure

2.1 This Pay 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 This Pay Policy excludes Teachers' in Pupil Referral Units as they are covered by the Schools Model Pay Policy

3.0 Roles and responsibilities

3.1 ED/AD/HOS or Management Committee (for virtual school) will:

- ensure that appraisers, decision-makers and any appeal hearing officers receive appropriate training to ensure fair and open decision making;
- ensure that mid-year reviews are undertaken for all unattached teachers and all members of the leadership group;
- ensure that funds are available to support pay decisions, in accordance with this document and the services financial plan;
- 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.

3.2 Managers/qualified appraisers (who meet the criteria set out in School Teacher Standards) will:

- determine the duties and the pay range/scale point/allowances to be attached to unattached teaching posts in line with this Pay Policy;
- apply the requirements of the School Teachers' Pay and Conditions Document;
- develop clear arrangements for linking Employee Performance Review (EPR)/Appraisal to pay;

- ensure effective EPR/Appraisal arrangements are in place, and any appraisers have the knowledge and skills to apply procedures fairly;
- ensure that mid-term reviews are undertaken for all Unattached Teachers, including leadership groups;
- submit any relevant pay recommendations to the ED/AD/HOS for approval;
- ensure that unattached teachers are informed about decisions reached, and that records are kept of recommendations and decisions made.

3.3 Unattached Teachers will:

- 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;
- keep records of objectives and review them throughout the EPR/Appraisal process;
- share any evidence they consider relevant with their appraiser;
- ensure they have an annual review of their performance.

4.0 Pay determination and notification

4.1 Managers must pay no lower than the minimum rate and not exceed the maximum rate of the pay ranges for unattached teaching posts as determined by the School Teachers' Pay and Conditions Document.

The following is a link to the School Teachers Pay and conditions Document

[School Teachers Pay and Conditions Document \(2016\)](#)

- 4.2 Unattached Teachers pay scales are agreed locally, and reviewed annually having regards to the Teachers pay award and to meet market conditions. The Teachers pay scales are detailed in appendix 1.
- 4.3 The pay levels are reviewed to take account of any cost of living increase negotiated nationally and recommended by the School Teachers Review Board. The 2016/17 award has been confirmed as 1% uplift applied to the statutory minima and maxima of all pay ranges in the national pay framework, including allowances.
- 4.4 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.

4.5 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.

4.6 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, EDs, ADs or HOS that affects their pay, using the appeal procedure detailed within this document.

4.7 Unqualified Teachers pay range

4.7.1 Unqualified teachers must be paid such salary within the minimum and maximum of the unqualified teachers pay range.

4.8 Qualified Teachers pay range

4.8.1 The 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 EPR/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).

4.8.2 Unattached Teachers on main or upper pay range must be paid such salary within the minimum and maximum of the relevant pay range

4.9 Leading Practitioners pay range

4.9.1 Leading Practitioner is deemed as a teacher whose primary purpose is to model and lead improvement of teaching skills.

4.9.2 Leading Practitioners must be paid such salary within the minimum and maximum of the Leading Practitioner pay range.

4.9.3 Leading practitioners will have a 5 point range within the leading practitioner pay range. Walsall Council has determined this pay range as points 1-5 on the Leading Practitioner range, however, in exceptional circumstances where the duties of a particular post fall outside of the scope and there are clear

justifications, discretion is given to ED/AD to determine an alternative 5 point pay range within the leading practitioner pay range. A record must be kept detailing the rationale for the pay determination.

*At the time of writing the council do not currently employ any Unattached Teachers' on the Leading Practitioners pay range.

4.10 Leadership pay range

4.10.1 Leadership group on the leadership pay range must be paid such salary within the minimum and maximum of the leadership pay range.

4.10.2 Managers will determine the leadership group and pay range taking into account the full role including permanent responsibilities, challenges specific to the role and recruitment issues.

4.10.3 The leadership group will have a 5 point range within the leadership pay range. Walsall Council has determined this range as points 2-6 of the leadership pay range, however, in exceptional circumstances where the duties fall outside points 2-6 and there is clear justifications, discretion is given to ED/AD to determine an alternative 5 point pay range within the leadership pay range for that specific post. A record must be kept detailing the rationale for the pay determination.

4.11 Headteacher pay range

4.11.1 Head teachers on the leadership pay range must be paid such salary within the minimum and maximum of the leadership pay range.

4.11.2 The ED/AD will determine the headteacher group and pay range taking into account the full role of the teacher including permanent responsibilities, challenges specific to the role and recruitment issues.

4.11.3 Headteachers' will have a 7 point range within the leadership 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 ED/AD if such an appointment is made.

4.11.4 The ED/AD will only re-determine the pay range of a serving head teacher if the responsibilities of the post change significantly or where it is required to maintain consistency with pay arrangements for other members of the leadership group.

5.0 Salary safeguarding

5.1 Salary safeguarding applies to an unattached teacher where employment continues either as an unattached teacher or where the movement of the post is in an educational establishment maintained by the local authority.

- 5.2 Where a pay determination leads or may lead to the start of a period of safeguarding, the Council will comply with the relevant provisions set out in the School Teachers' Pay and Conditions Document.

6.0 Job descriptions

- 6.1 Job descriptions will be provided for all unattached teachers. Consultation over the content of the job description will take place when drawn up and at the time of any proposed review with a view of reaching an agreement.
- 6.2 Job descriptions may be reviewed as part of the EPR/Appraisal process annually and at any other time deemed appropriate.

7.0 Pay on appointment

7.1 Unqualified Teachers

- 7.1.1 For newly appointed unqualified teachers the manager will determine the starting salary point on the unqualified teachers pay range, based on any qualifications or experience the individual may have which they consider to be of value. The manager must ensure that there is appropriate scope within the range to allow for pay progression over time.

7.2 Qualified Teachers

- 7.2.1 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.
- 7.2.2 Where pay portability is not appropriate the manager will determine the starting salary point for a qualified teacher within scope of the main or upper 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 main or upper pay range. The manager must ensure that there is appropriate scope within the range to allow for pay progression over time.

7.3 Leading Practitioners

- 7.3.1 For newly appointed Leading Practitioners the ED/AD/HOS will determine the starting salary within scope of the leading practitioner 5 point pay range, see 4.9 above. In certain circumstances consideration may be made as to whether the requirements of the post and the extent to which preferred candidate meets those requirements are such that it would be appropriate to set the starting salary above the minimum point of the leading practitioner pay range. The manager must ensure that there is appropriate scope within the range to allow for pay progression over time.

7.4 Leadership Group

- 7.4.1 For newly appointed member of the leadership group the ED/AD/HOS will determine the starting salary within scope of the leadership practitioner 5 point pay range, see 4.10 above.
- 7.4.2 In certain circumstances consideration may be made as to whether the requirements of the post and the extent to which preferred candidate meets those requirements are such that it would be appropriate to set the starting salary above the minimum point of the leadership pay range. This discretion must ensure that there is appropriate scope within the range to allow for performance related progression over time.

7.5 Headteachers

- 7.5.1 For newly appointed Headteacher the ED/AD/HOS will determine the starting salary within scope of the leadership practitioner 7 point pay range, see 4.11 above.
- 7.5.2 In certain circumstances consideration may be made as to whether, given the requirements of the post and the extent to which preferred candidate meets those requirements, it would be appropriate to set the starting salary above the minimum point of the identified 7 point scope within the headteachers pay range. This discretion must ensure that there is appropriate scope within the range to allow for performance-related progression over time.

8.0 Pay progression based on performance

- 8.1 All unattached teachers can expect to receive regular, constructive feedback on their performance and are subject to an annual EPR/Appraisal. Commitment to high performance helps to focus on coaching and mentoring to raise quality of teaching and to benefit children and young people across the borough. It provides appropriate personal learning and development to ensure job satisfaction, a high level of expertise and progression of teachers in their chosen profession.
- 8.2 Teachers will gain pay progression following a successful formal EPR/Appraisal review, in line with the Appraisal Regulations 2012 (teachers) and the EPR/Appraisal process.
- 8.3 Decisions regarding pay progression will be made with reference to the teachers' EPR/Appraisal record and pay recommendations will be based on Teachers Standards and the assessment of their performance against agreed objectives in line with Teachers' Appraisal Policy.
- 8.4 Performance objectives will be related to individual performance, the services annual service plan and personal development.
- 8.5 In order to progress within the relevant pay range by one reference point annually, with the exception of those on upper pay range where sustained good

progress is required, see 8.11.7. The unattached teacher will need to demonstrate that they have made good progress towards their objectives.

- 8.6 Where an unattached teacher is absent due to maternity leave, parental leave, paternity leave or long term absence or disability the unattached teacher can sight previous period to support their appraisal.
- 8.7 Where an unattached teacher has demonstrated that they have achieved exceptional performance the manager may recommend an enhanced pay progression of 2 reference points, subject to ED/AD/HOS approval. Teaching over time will be rated as “outstanding” by the appraiser in line with the service defined standards.
- 8.8 Managers may withhold pay progression where performance in the previous academic year is deemed unsatisfactory through the EPR/Appraisal process, subject to ED/AD/HOS approval. This may be reinstated at a later date if performance is deemed satisfactory.
- 8.9 It is possible where there is unsatisfactory performance ‘no progression’ determination can be made without recourse to the capability/performance procedure.

8.10 Unqualified Teachers pay range

- 8.10.1 To move up the unqualified pay range one reference point, teachers will need to have evidenced that they have made good progress in meeting their objectives.
- 8.10.2 Pay progression determination will be clearly attributable to the performance of the unqualified teacher.
- 8.10.3 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.

8.11 Teachers on main pay range

- 8.11.1 To move up the main pay range one reference point, 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.
- 8.11.2 Judgments will only be made on evidence gathered which is related to the EPR/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 EPR/Appraisal process, eg behaviour management or lesson planning; and
- a positive contribution to the work of the service.

8.11.3 Pay progression determination will be clearly attributable to the performance of the Teacher.

8.12 Moving to upper pay range

8.12.1 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.

8.12.2 Applications will be considered taking into account two consecutive EPR's/Appraisal's. 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 or maternity may sight evidence from previous years in support of their application. Application process is detailed in appendix 2

8.12.3 Managers will assess such application in line with the criteria set.

8.12.4 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.

8.12.5 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.

8.12.6 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 improvement, which impacts on pupil progress and the effectiveness of staff and colleagues.

8.12.7 Sustained means covering a period which spans two consecutive annual EPR's/Appraisal's making good progress towards meeting their objectives.

8.13 Teachers on upper pay range

8.13.1 To move up the upper pay range one reference point, 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.

8.13.2 Judgments will only be made on evidence gathered which is related to the EPR/Appraisal process. 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
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8.13.3 Refer to 8.11.5, 8.11.6, and 8.11.7 for the definitions of highly competent, substantial and sustained.

8.13.4 Pay progression determination will be clearly attributable to the performance of the Teacher.

8.14 Leading Practitioners Pay Range

8.14.1 To move up the Leading Practitioner pay range one reference point, teachers will need;

- to have made good progress towards their objectives; and
- 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.

8.14.2 Pay progression determination will be clearly attributable to the performance of the Leading Practitioner.

8.15 Leadership group pay

8.15.1 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 EPR/Appraisal; and to any recommendation on pay progression recorded in the individual leadership group annual EPR/Appraisal report.

8.15.2 Pay progression determination will be clearly attributable to the performance of the individual within the leadership group.

8.16 Headteacher pay

8.16.1 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 EPR/Appraisal; and to any recommendation on pay progression recorded in the head's EPR/Appraisal report.

8.16.2 Pay progression determination will be clearly attributable to the performance of the headteacher.

9.0 Teaching and learning responsibility (TLR) payments

9.1 Managers may award a TLR payment 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.

9.2 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.

9.3 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.

9.4 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.

9.5 Walsall Council TLR 1 and 2 are

- The annual value of a TLR 1 must be no less than £7,622 and no greater than £12,989;
- The annual value of a TLR 2 must be no less than £2,640 and no greater than £6,450

9.6 Managers may award a fixed term TLR 3 payment of between £523 and £2,603 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.

9.7 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.

- 9.8 When determining a TLR1 the manager must be satisfied that the post is also required to have line management responsibility for a significant number of teachers.

10.0 Special Educational Needs (SEN) allowances

- 10.1 Management will award a SEN spot value allowance on a range of between £2,085 and £4,116 to any unattached teacher who meets the following criteria;

- requires a mandatory SEN qualification and involves teaching pupils with SEN;
- teaches pupils in one or more designated special class in a local authority unit or service;
- 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.
- SEN Allowances are unaffected by annual increments.

- 10.2 When deciding on the amount of the allowance to be paid, the manager will take into account the staffing structure of 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.

- 10.3 Manager will also establish differential values 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.

11.0 Unqualified teachers payable allowance

- 11.1 Manager may determine that an additional 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.

12.0 Recruitment and retention incentives

- 12.1 The ED 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.
- 12.2 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.
- 12.3 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.
- 12.4 Recruitment and retention incentives are subject to ED and Head of HR approval.

13.0 Salary sacrifice

- 13.1 Walsall council operates salary sacrifice childcare vouchers and cycle schemes which unattached teachers can participate in, in accordance with School Teachers Pay and Conditions Document.

14.0 Out of school hours learning activity

- 14.1 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.

15.0 Acting Allowance

- 15.1 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).

16.0 Honorariums

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

17.0 Appeal

- 17.1 A member of staff may appeal against any determination in relation to pay and any other decision taken by an ED/AD/HOS or manager that affects their pay, using the formal appeal procedure.

17.2 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.
- Any new evidence presented by the employee should be considered by the appraiser before the final pay decision has been made, and confirmed to the unattached teacher in writing detailing the evidence considered, the rationale for the determination and the right to appeal.

17.3 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 HOS/AD.
- The HOS/AD will arrange a hearing normally within 20 working days of the appeal submission. The hearing panel will be made up of a HOS/AD 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.

18.0 Pay multiples

18.1 Unattached teachers pay multiples are taken into account within the corporate pay multiples which are published in the Council's Pay Policy.