



1. INTRODUCTION

1.1 The Governing Body of the Academy will operate an Academy Pay Policy for the pay arrangements agreed for all the teaching and support staff which will:

- grade posts appropriately within the conditions of employment identified in the Academy's conditions of service for teachers and support staff of the Academy
- grade posts in accordance with any evaluation scheme adopted by the Academy for any group of staff and take into account pay relativities between posts within the Academy
- ensure that the annual assessment of all teachers, including members of the senior management group as defined by the Academy, and the annual performance review of the Executive Teams salary, is fairly and properly conducted as soon as possible.
- where a pay determination leads or may lead to the start of a period of safeguarding, the governing body will give the required written statement of notification as soon as possible and no later than one month after the date of the determination. This will include any remaining salary decisions covered by the Transfer of Undertaking (Protection of Employment) (TUPE) Regulations.
- ensure that discretion available under this policy is exercised in a fair and equitable manner having regard to equal opportunities.
- give recognition to assigned increased responsibility for Teaching and Learning Responsibilities, whether on a temporary or more permanent basis
- take into account, as far as is practicable, pay levels in other Academies, or schools/colleges in near proximity.

1.2 This policy statement will be available to the staff of the Academy.

2. DELEGATION OF DECISION MAKING

2.1 Executive Director

2.1.1 Except where otherwise stated, the Governing Body, having determined the policy as set out below, will delegate the day to day management of the policy to the Executive Director in consultation with the Chair of Governors. The Executive Director will report to the Governing Body those occasions when the delegated responsibility has been exercised in respect of the discretionary elements of this policy.

2.1.2 The Executive Director, in accordance with this policy, shall make decisions

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on the salary of all staff and report those decisions to the appropriate committee of Governors.

- 2.1.3 The Governing Body requires that the Executive Director in exercising the delegated responsibilities has appropriate regard to the budget approved by the Governing Body and the requirements of employment legislation, particularly The Race Relations Act 1976, The Sex Discrimination Act 1975, The Equal Pay Act 1970, The Disability Discrimination Act 1995, The Employment Rights Act 1996, The Employment Relations Act 1999 and The Employment Act 2002, as well as The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000, The Employment Act 2002 (Dispute Resolution) Regulations, and The Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002. The Governing Body expects the Executive Director to seek appropriate advice from persons engaged by the Governing Body to provide such advice.

2.2 **Governing Body Committee structure for salary decisions under this policy**

- 2.2.1 The Governing Body will delegate a committee of the governing body of the Academy to whom the Executive Director shall report salary decisions arising out of this policy. No member of the delegated committee will be a member of the appeal committee referred to below. No governor who is employed at the Academy may be a member of the delegated committee or the appeals committee referred to below.
- 2.2.2 The Governing Body will delegate to an appeal committee of governors, hereafter referred to as the '**Salary Appeals Committee**', any appeals by individual members of staff against decisions of the Executive Director arising out of this policy. The number of governors on the committee shall be at least 3. Any appeal will be dealt with before a final decision is reported to the Governing Body.

2.3 **Review of salary decisions**

- 2.3.1 If a member of staff wishes to have a review of the decision of the Executive Director regarding his/her salary determination s/he shall, within 10 working days of being given the written statement of the assessment, make a written request to the Executive Director, for a formal written statement of reasons for the decision which s/he wishes to have reviewed.
- 2.3.2 The written statement of reason will be provided to the employee within 10 further working days by the Executive Director. If, having considered the statement of reason the employee still wishes for a review of the decision s/he shall submit written grounds for seeking a review to the Executive Director within 10 working days of receipt of the written statement of reasons. The reason for a review will be one or more of the following:-

That the decision made by the Executive Director -

- incorrectly applied any provision of this policy;
- failed to take proper account of relevant evidence including any evaluation scheme adopted by the Academy;
- took account of irrelevant or inaccurate evidence;
- was biased; or
- otherwise unlawfully discriminated against the member of staff.

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2.3.3 The Executive Director will, normally within 10 working days of receipt of the written application for a review, make arrangements for the member of staff to make representations in person to him/her regarding the reasons for the written application. The member of staff may be accompanied at that meeting and the Executive Director may also have an adviser present to advise him/her. The decision of the Executive Director's review will be provided to the member of staff in writing as soon after the review as possible. The member of staff will be advised that s/he has the right of appeal against the review decision.

2.4 Appeals against salary decisions

2.4.1 If the member of staff decides to appeal against the reviewed salary determination then the member of staff shall notify the Clerk to the Governors in writing of the appeal and the reasons for it. The Clerk to the Governors will arrange, normally within 20 working days of the receipt of the written notice of appeal, giving at least 10 working days notice, a meeting of the appeals committee of the governing body. The member of staff will be entitled to attend. The decision of the appeal committee delegated to deal with appeals shall be final. Once any appeal has been resolved the final decisions regarding the assessment of salaries of staff shall be reported to the Governing Body.

2.5 Review of and appeals by the Executive Director regarding his/her salary

2.5.1 The Executive Director shall also have right to seek a review of his/her salary by the Governing Body and to appeal against any decision or review of his/her salary. The process will follow the format and principles described for other members of staff.

2.6 The Chair of Governors

2.6.1 The Chair of Governors will be available to the Executive Director for consultation on those matters of this policy delegated to the Executive Director.

2.6.2 The Chair of Governors will act as the review officer as defined in the Academy's performance management policy.

2.7 The Delegated Governors

2.7.1 The Governing Body will delegate two or three governors, none of whom shall be employees of the Academy, to carry out the role of agreeing or setting performance objectives for the Executive Director as set out in this policy and the Academy's performance management policy. The delegated governors may be advised by an external adviser appointed by the Governing Body. The agreed performance objectives and indicators/measures together with any resulting review of salary will be reported for information to a meeting of the delegated committee referred to above.

3. EXERCISE OF DISCRETION

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The current salary scale(s) for classroom teachers appointed to the Academy, together with a scale of allowances which the Executive Director may award for appropriate responsibilities is set out in Appendix 1 attached to this policy. A similar set of salaries is set out for support staff in Appendix 2 attached to this policy.

3.1 **Starting salary of new employees appointed to the Academy.**

3.1.1 The Executive Director may additionally award points on any scale for new employees for experience to either teachers or support staff, as appropriate, as follows:-

- Where the Executive Director considers a newly appointed employee has experience which is directly relevant to the post to which s/he has just been appointed then the Executive Director may additionally award points on the basis of one point for each complete year of the experience.
- Where the Executive Director regards the newly appointed employee has experience which is of value to the post to which s/he has just been appointed, then the Executive Director may additionally award points on the basis of one point for each complete 3 years of the experience.

3.1.2 The Executive Director will report to the Chair of Governors the direct relevance and/or the value of the experience for which s/he has additionally awarded a newly appointed employee together with the value of the award.

3.1.3 When a formal job offer is made the remuneration for that post will be included in the offer and confirmed in writing.

3.2 **Recruitment Incentives**

3.2.1 The Executive Director may decide to make payment of recruitment incentives or benefits where s/he considers it appropriate to recruit appropriate staff.

3.2.2 Where the Executive Director exercises such discretion s/he will report the decision to the Chair of Governors together with reasons and the level and length of the award.

3.3 **Allowances on the Academy's Pay scale**

3.3.1 The Executive Director will report to the Governing Body any review of the Academy staffing structure having:

- taken account of any financial limits determined by the Governing Body;
- identified the posts to which allowances will be allocated for appropriate responsibilities;
- identifies the level of allowance to be allocated to each post in the staffing structure;
- identifies posts to be paid as senior managers

3.4 **Salary Scales for Senior Managers**

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Sets of salaries for teaching and associate staff senior managers.

3.4.1 The Executive Director, in consultation with the Chair of Governors, will determine the salary point on which each senior manager will be paid in the current year, having regard to the qualifications, experience, responsibilities and performance of the senior manager.

3.5 Awards for performance of employees

3.5.1 At the time of the annual assessment of employees under the appropriate appraisal or performance management scheme in accordance with the relevant Academy policy, the Executive Director will determine whether any employee, including members of the senior management team, be rewarded for outstanding performance.

3.5.2 Any decision made by the Executive Director shall be in respect of the excellence of the employee’s performance during the previous year across all aspects of the employee’s duties, having regard to his/her performance review under the appropriate appraisal or performance management policy of the Academy and by reference to his/her overall contribution to the Academy. The Executive Director shall also have regard to the position of the employee on the appropriate Academy pay scale.

3.5.3 Where an employee has been absent through long term illness or on maternity leave the Executive Director will ensure that a performance review has been conducted. In the event that a review cannot be conducted until the employee returns to Academy a review will be conducted at such time following the employee’s return to Academy to enable a proper and reasonable assessment to be made. In the event that the Executive Director’s decision is to reward the employee for his /her performance the award may be back dated to the beginning of the academic year.

3.6 Performance award to the Executive Director

3.6.1 A similar decision regarding whether or not an award shall be made to the Executive Director for his/her performance shall be made by the chair of governors in consultation with the delegated governors referred to in paragraph 2.7 of this policy.

3.7 Post Threshold Teachers

3.7.1 Progression on Upper Pay Scale (UPS) will be based on two successful consecutive performance management reviews. Eligibility for threshold U1 is one year on M6. Movement from U1 to U2 can occur after 2 years as can movement from U2 to U3. Teachers need to meet national standards for threshold and in the case of U3 be able to demonstrate significant contribution to whole school initiatives.

3.7.2 Only in exceptional circumstances will post-threshold teachers be awarded a further point on the UPS more frequently than at two year intervals.

3.7.3 Where a teacher is a post-threshold teacher by virtue of paragraphs (b), (c) and (e – i) of the definition of post-threshold teachers in Part 1 of the School Teachers’ Pay and Conditions Document, the governing body may determine which point on the UPS to place them, rather than being required to place them onto U1.

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3.8 Threshold Assessment

- 3.8.1 Teachers who wish to do so should apply for threshold assessment to the Executive Director by 31 May of each year. They will have an associated evidence file to support their application based on the national standards.
- 3.8.2 The academy will inform teachers of their eligibility, along with both the mandatory deadline for applications and any local administrative deadline.

3.9 Teaching and Learning Responsibility Payments (TLR)

- 3.9.1 A TLR may be awarded to a teacher for undertaking sustained additional responsibility in the context of the academy’s staffing structure for the purpose of ensuring the continued delivery of high-quality teaching and learning for which he/she is made accountable. The award may be while the teacher remains in the same post or occupies another post in the temporary absence of the postholder.
- 3.9.2 Before awarding a TLR, the relevant body must be satisfied that the teacher’s duties include a significant responsibility that is not required of all classroom teachers, and that –
 - is focused on teaching and learning
 - requires the exercise of a teacher’s professional skills and judgement
 - requires the teacher to lead, manage and develop a subject or curriculum area, or to lead and manage pupil development across the curriculum
 - has an impact on the educational progress of pupils other than the teacher’s assigned classes or groups of pupils and
 - involves leading, developing and enhancing the teacher practice of other staff.
- 3.9.3 Before awarding a TLR 1, the relevant body must be satisfied that the significant responsibility includes in addition line management responsibility for a significant number of people.

4 Service not considered satisfactory

- 4.1 At the time of making the annual assessment of an employee’s salary, or separately if considered appropriate and/or necessary by the Executive Director, the Executive Director may make a decision regarding any employee whose performance has not been considered satisfactory. This decision could be to withhold any increment to which the employee would otherwise be entitled by reason of the employee’s conditions of service.
- 4.2 The Executive Director shall only make a decision regarding an employee if s/he has been subject to the formal capability procedures operating in the Academy. The employee must have been made aware by the Executive Director of his/her intention to make such a decision as part of the formal process conducted under the capability procedures. [The employee will, therefore, have had a right of appeal against such a decision under the capability procedures and there will be **no** further right of appeal under this policy].

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5 Annual assessments

5.1 On or before 1st September of each year, or as soon as possible thereafter, the Executive Director will carry out an annual assessment of salary for each employee, including members of the senior management team, employed in the Academy. Each employee will be informed of his/her salary from 1st September, at the start of the new academic year, including any award with regard to the annual performance review conducted in accordance with the Academy's appraisal or performance management policy. The Executive Director will inform each employee in writing of the proposed salary by 31st October at the latest.

6 Annual Review of Executive Director's Salary

6.1 At the beginning of each academic year, or at any such time as the Governing Body, in consultation with the Executive Director may decide, the delegated governors referred to in 2.7 will agree with the Executive Director, or, in the absence of agreement, set performance objectives together with performance indicators/measures appropriate to each objective. The performance objectives will reflect priorities identified in the Academy's business plan.

6.2 The Governing Body may appoint an external adviser to support the delegated governors in carrying out the annual performance review of the Executive Director. The performance review will be conducted in accordance with the Academy's Performance Management policy.

6.3 In the first half of the autumn term of each year, the Chair of Governors (having consulted the delegated governors, if s/he is not a delegated governor) shall make a decision about the salary of the Executive Director. The decision shall reflect the assessment of the Chair of Governors of the Executive Director's overall performance during the year, and those of the delegated governors based on the outcomes of the annual performance review. The Executive Director will be advised of any decision to increase or not to increase his/her salary who may make a written response to the decision.

6.4 The decision for the Executive Director will be made in a written statement to the appropriate delegated committee of the Governing Body, giving reasons for the recommendation and the level of salary that it is decided should be paid from 1st September, together with any written response from the Executive Director.

6.5 If the Executive Director wishes to seek a review of the decision of the Chair of Governors regarding his/her pay, s/he may do so in accordance with the procedure set out in this policy. The Executive Director will have right of appeal against the review in accordance with the procedure set out in this policy.

7 Acting Allowances for an acting Executive Director or acting Academy Director

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- 7.1 In the prolonged absence of the Executive Director or Academy Director the Governing Body may appoint a teacher to act up during the absence of the post holder. From the date that the Governing Body considers it necessary to make an acting appointment the Governing Body may pay a salary considered appropriate by the Governing Body. The conditions of employment for a Executive Director or Academy Director will also apply to any person in receipt of such an acting allowance.
- 7.2 If, during any absence of the Executive Director or Academy Director the acting appointment is made and maintained for a period then the Governing Body will consider within four weeks of the acting appointment whether or not the teacher shall be paid an acting allowance. If no allowance is paid the Governing Body may reconsider the position at any time.

8. Equal Pay Statement

- 8.1 New Charter Academy supports the principle of equal opportunities in employment and believes as part of that principle that all staff should receive equal pay for the same or broadly similar work.
- 8.2 The Academy believes that it is in the interests of the Academy that pay is awarded fairly and equitably and that in order to achieve equal opportunities for all staff, the pay system will be transparent, based on objective criteria and free from bias.
- 8.3 In order to put this commitment to equal pay into practice the governing body will –
- examine existing and future pay policies
 - carry out regular monitoring of the impact of practices
 - inform staff of how these practices work and how their pay is determined
 - provide access to training and guidance for senior staff and governors involved in decisions about pay and benefits.
- 8.4 The governing body intends through the above action to avoid unfair discrimination, to reward fairly the skills, experience and potential of all staff and thereby to increase the efficiency and harmony of the academy.

9. REVIEW of the POLICY

- 9.1 The Governing Body will review this policy annually or on any occasion when it is requested to do so by the Executive Director.
- 9.2 The Governing Body will consult with the staff and the representatives of recognised trade unions at the time of the annual or any other review of the policy.

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