



## Pay Policy 2022 – 2023

<b>Approval Body:</b>	MST Board
<b>Approval Date:</b>	September 2022
<b>Implementation Date:</b>	September 2022
<b>Review Date:</b>	September 2022
<b>Policy Version:</b>	5

## Version Control

Version	Reviewed	Changes since last version
2	September and December 2020	<p>All rates have been updated in the Pay Policy.</p> <p>Inclusion of new appendix (appendix 8) – the memo from 2018 regarding executive pay has been added back in and has been updated.</p> <p>Update has been added from TH policy about maternity process to add clarification.</p>
3	September 2021	<p>Section 7 – Change to Upper Pay Scale progression, from 2 years to 1 year.</p> <p>Inclusion of a new section.</p> <p><b>Section 15.1 ‘Teaching Intervention and Saturday Teaching Rate (out of school hours and Saturdays)’</b></p> <p>NOTE: There will be a further update made to the Pay Policy in the Autumn Term Finance Committee to update the Unqualified Teachers Pay Scale (once this has been published in the STPCD (2021)). The final version of the School Teachers Pay &amp; Conditions Document 2021 is expected to be laid in Parliament on 24 September 2021 to become a legal document on 15 October and be backdated with effect from 1 September 2021.</p>
4	December 2021	<p>The UQ teachers scale has been updated with the £250 consolidated pay award for inner London included.</p> <p>Comment on section in the policy.</p>
5	September 2022	<p>NOTE: No changes have been made to pay scales in the policy – as this is still in consultation at a national level. We are currently in a period of consultation on the Secretary of State’s response to the STRB Report, which closes on 23 September 2022. Following that date, the School Teachers’ Pay and Conditions Document (STPCD), including the 2022/23 teachers’ pay points, will be</p>

<p>6</p>	<p><b>October 2022</b></p>	<p>published by the Department for Education (DfE). Following this there will be a further review to the MST Pay Policy to make the updated throughout.</p> <p>Some minor points of clarity have been added throughout the policy.</p> <p>12.1 – New section added to reflect the Headteacher pay modelling approach at MST.</p> <p>Appendix 8 – This whole section has been updated.</p> <p>Appendix 7 – This whole section has been updated. Have added the Headteacher pay determination process and also the diagram.</p> <p>Have added clarity on pay range or SLT posts – and a statement about secondary/ UTC and Primary schools.</p> <p>STPCD published on 13/10/22 – with effect from September 2022.</p> <p>Have updated all advisory points based on the STPCD and in line with LBTH Pay Policy</p> <p>Have included full leadership scale.</p> <p>Have uplifted all MST set TLR rates by 5%</p>
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*This document follows the format of the DfE's model policy and is entirely consistent and compliant with the revised statutory provisions for teachers' pay which came into effect 1 September 2013. Mulberry Schools Trust has consulted extensively in reviewing this policy.*

*The pay scales in this model policy will be amended annually to reflect the outcome of the STRB processes in relation to recommended pay increases (see section 6 of this policy).*

## **1. INTRODUCTION**

This policy sets out the framework for making decisions on teachers' pay. It has been developed to comply with current legislation and the requirements of the School Teachers' Pay and Conditions Document (STPCD) and has been consulted on with staff and/or the recognised trade unions.

*In keeping with its ethos the Trust will always recognise and value the work of its staff. This is demonstrated through the excellent employment relations enjoyed with both staff and the trade unions. It is the intention of the Trustees and Senior Leadership team to ensure that decisions regarding pay progression are made fairly and will take into account any mitigating factors that may affect an employee's ability to progress.*

In adopting this pay policy, the aim is therefore to:

- *maximise the quality of teaching and learning at the school*
- *support the recruitment and retention of a high quality teacher workforce*
- *enable the schools in the Trust to recognise and reward teachers appropriately for their contribution*
- *help to ensure that decisions on pay are managed in a fair, just and transparent way.*

Pay decisions at this school are agreed by the Pay Policy Committee. The CEO/Headteacher has full delegated responsibility to make pay decisions in line with the agreed policy. The responsibilities of the Pay Policy Committee and Mulberry Schools Trust are attached as **Appendix 1**.

This document is to be read in conjunction with the following:

- i. The School Teachers' Pay and Conditions Document (STPCD 2022). A copy of the latest version may be found on-line:  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1110990/2022\\_STPCD.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1110990/2022_STPCD.pdf)
- ii. The National Pay and Conditions of Service applicable to Local Government Employees (The Green Book)
- iii. The National Conditions of Service for School Teachers (The Burgundy Book)
- iv. The relevant local collective agreements and conditions of service, including the pay formula for Term Time Only support staff.

## 2. LONDON LIVING WAGE

The Trust supports the policy to pay employees an hourly rate no lower than the London Living Wage as defined by the Mayor of London.

All Contractors are encouraged to commit to paying the London Living Wage to staff they employ to provide services to the Schools within the Trust.

## 3. SUPPORT STAFF

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 7 of the associated guidance. The Pay Committee will determine the pay grade of support staff on appointment in accordance with the scale of grades, currently applicable in relation to employment with the LA, which the Pay Committee consider appropriate for the post. The Trust utilises the Greater London Provincial Council job evaluation scheme, the process is set out in **Appendix 2** of this policy.

Support staff pay scales are paid in accordance with National Joint Council Pay ranges. The NJC pay scale is negotiated on for 01 April each year. Any pay awards made on this pay range will be backdated to 01 April of that year.

The job evaluation scheme for support staff should be used as a grading reference when duties change or the Trust reviews salaries for support staff. Account will be taken of the normal pay ranges determined by the LA when assessing grading levels.

Mulberry Schools Trust will have clear arrangements on the payment of honoraria to support staff, including the situations in which they are paid, how they are calculated and their duration and when they are reviewed.

## **TEACHING STAFF**

### **4. RESPONSIBILITIES**

The CEO/Headteacher will:

- develop clear arrangements for linking appraisal to pay progression and consult with staff and school union representatives on the appraisal and pay policies;
- submit any updated appraisal and pay policies to the Trust for approval;
- ensure that effective appraisal arrangements are in place and that any appraisers have the knowledge and skills to apply procedures fairly;
- submit pay recommendations to the Pay committee ensuring it has sufficient information upon which to make pay decisions;
- ensure that teachers are informed about decisions reached; and that records are kept of recommendations and decisions made.

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;
- ensure they have an annual review of their performance.

### **5. PAY REVIEWS**

The Trust will ensure that each teacher's salary is reviewed annually, with effect from 1 September and no later than 31 October each year, and that all teachers are given a written statement setting out their salary and any other financial benefits to which they are entitled each year.

Reviews may take place at other times of the year to reflect any changes in circumstances or job description that lead to a change in the basis for calculating an individual's pay. A written statement will be given after any review and where applicable will give information about the basis on which it was made.

Where a pay determination leads or may lead to the start of a period of safeguarding, the CEO/Headteacher will give the required notification as soon as possible and no later than one month after the date of the determination.

## 6. BASIC PAY DETERMINATION ON APPOINTMENT

The CEO/Headteacher will determine the pay range for a vacancy prior to advertising it. On appointment she will determine the starting salary within that range to be offered to the successful candidate.

The CEO/Headteacher will ensure that there are not restrictions on the pay range advertised for a starting salary or pay progression prospects available for classroom teacher posts, other than the minimum of the Main Pay Scale and the maximum of the Upper Pay Scale. Teaching posts can be advertised for an initial appointment to be made on the Main Pay Scale. Once in post, an application can be submitted for progression to the Upper Pay Scale when she/he reaches point M5/M6 as set out in Section 8 of this policy.

The school is committed to the principle of pay portability and will apply this principle in practice when making all new appointments. On appointment, Classroom Teachers moving from one School to another will be placed on the same or higher pay point to ensure their current salary is not reduced. Starting salary should reflect any pay progression a Teacher would have received on 1 September if they had remained in their previous post.

Teachers who return from a career break will be appointed on the pay scale at the same pay point they were on prior to their break. The School will take into account other relevant experience for those joining the teaching profession on the basis of 1 additional point for every 3 years.

### Classroom Teacher Posts

The Pay Policy Committee has established the following pay scales for classroom teacher posts on the Main Pay Scale and Upper Pay Scale and for Unqualified Teachers.

#### Unqualified Teachers Pay Scale 2022-23

SPINE POINT	ANNUAL SALARY
1	24,254
2	26,473
3	28,692
4	30,647
5	32,863
6	35,081

*Note: the above are Inner London Pay Scales with effect from 1 September 2022.*

Main and Upper Teachers Pay Scale 2022-2023

SPINE POINT	ANNUAL SALARY
M1	34,502
M2	36,141
M3	37,857
M4	39,655
M5	41,892
M6	44,744
UPS1	49,320
UPS2	51,743
UPS3	53,482

## **7. PAY PROGRESSION BASED ON PERFORMANCE**

Teaching staff will be expected to meet challenging targets in line with the Trust's aspirations and the 'Teachers' Standards' to achieve pay progression. Critical parts of the assessment process are Formal Observations. Two formal Observations are carried out as part of the Appraisal Scheme each academic year. It is expected that both of these Observations will be graded either good or outstanding. In the event of an Observation being graded less than good, then in line with the Appraisal Policy a support plan is put in place to enable practitioners to demonstrate they have met the required standard.

It should also be noted that not meeting the criterion of two formal observations graded good or outstanding will not necessarily preclude a teacher from obtaining pay progression. This is because it is acknowledged that there may be extenuating circumstances beyond a teacher's control that mean they fail to achieve fully a target or objective set during the Appraisal process or meet the formal observation standard. These circumstances will be considered by the CEO/Headteacher and reported to the Pay Committee for their deliberation.

All teachers can expect to receive regular, constructive feedback on their performance and are subject to an annual appraisal that recognises their strengths, informs plans for their future development, and helps to enhance their professional practice. The arrangements for teacher appraisal are set out in the Trust's Appraisal Scheme.

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. Teachers' appraisal reports will contain pay recommendations. Teachers' appraisal reports will, where the appraiser is not the CEO/Headteacher, contain a pay recommendation to the CEO/Headteacher, which the CEO/Headteacher will take into account when making her recommendation to the Pay Committee.

To be fair and transparent, assessments of performance will be properly rooted in evidence, in line with the Appraisal Policy. In addition annual training for Appraisers, Quality Assurance arrangements and an Appeals process will ensure equity.

The evidence used will be only that available through the performance management/appraisal process and can include the self-review process.

Final decisions about whether or not to accept a pay recommendation will be made by the CEO/Headteacher and reported to the Pay committee, having regard to the appraisal report and taking into account advice from the Senior Leadership Team. The CEO/Headteacher will ensure that appropriate funding is allocated for pay progression at all levels.

Teachers on the Main Pay Scale, Upper Pay Scale, Leading Practitioners and Unqualified Classroom Teachers will be awarded pay progression from 1 September following each successful annual performance management/appraisal review.

Teaching staff reviews will be deemed to be unsuccessful if there have been significant concerns about standards of performance that have led to either the Informal or Formal Capability Procedure being invoked. The teacher concerned will be informed of the non-award of progression. In such instances the teacher will remain on their current payscale and not be subject to any pay regression.

Teachers who have an unsuccessful review will receive pay progression the following year if the required standards and improvements are made.

Teachers who are not present at the time of the annual appraisal, for example, due to maternity or adoption leave or long-term sickness absence, will have their appraisal undertaken on their return to work based on evidence of their performance prior to their absence. If successful, progression will be backdated to 1 September to ensure they suffer no detriment. It should be noted that such absences could result in teachers being away from work for an entire academic year, however targets should have been set at some point prior to the absence and it will be these targets that will be assessed.

If absence is planned then as set out below, targets should be re-assessed in order to make them realistic and achievable, and assessed at the appraisal meeting following the return to work. If absence is unplanned, then the targets set should be assessed at the appraisal meeting following the return to work, based on evidence of their performance prior to the absence.

The DfE advice confirms that such teachers are entitled to consideration for pay progression in the same way as other teachers. Governing bodies should take decisions by reference to such information as is available. This might include information from the most recent appraisal review or information from any part of the period when the teacher was present.

Teachers who, for reasons of maternity or other leave miss significant periods during the cycle, should have their targets reassessed in order to make them more realistic and achievable, while still rigorous, bringing them in line with the school's appraisal cycle.

Classroom teachers in their induction year will be awarded pay progression on the successful completion of induction. The CEO/Headteacher, Deputy Headteacher(s) and Assistant Headteacher(s) will be awarded additional scale points in accordance with the provisions of the STPCD i.e. they must demonstrate sustained high quality performance in respect to school leadership and management and pupil progress.

## **8. MOVEMENT TO THE UPPER PAY SCALE:**

## Applications and Evidence

Teachers will be eligible to apply for progression to the Upper Pay Scale having reached M6 on the Main Pay Scale. Teachers on Scale Points 5 and 6 of the Main Pay Scale at the start of each school year will be informed as part of the appraisal process of their eligibility to apply for assessment.

Any qualified teacher may apply to be paid on the Upper Pay Scale and **any such application must be assessed in line with this policy**. It is the responsibility of the teacher to decide whether or not they wish to apply to be paid on the Upper Pay Scale.

Where teachers wish to be assessed, they should notify their appraiser in writing using the application form (**Appendix 3**) which should be submitted by the teacher to their appraiser at the performance management/appraisal planning meeting. The teacher's application will be

appended to their performance management/appraisal planning statement. Exceptions to this process will be made in particular circumstances, e.g. those teachers who are on maternity leave or who are currently on sick leave.

One application may be submitted annually.

The evidence to be used will be only that available through the performance management/appraisal process and can include the self-review process.

## The Assessment

An application from a qualified teacher will be successful where the Trust is satisfied that:

- (a) the teacher is highly competent in all elements of the relevant standards;  
and
- (b) the teacher's achievements and contribution to the school are substantial and sustained.

For the purposes of this Pay Policy, the Trust will be satisfied that the teacher has met the expectations for progression to the Upper Pay Scale where an assessment confirms she/he meets the Upper Pay Scale criteria (**see Appendix 4**), using evidence from the two most recent performance management/appraisal reviews.

Teachers who indicate they intend to submit an application for assessment will be supported in making sure that they have the opportunity to demonstrate their ability to meet the criteria during the relevant Appraisal cycles.

Where an application is unsuccessful the teacher will be given feedback, support and



professional development opportunities to help them address any criteria they are not considered to have met, so that they can make a successful application in the future.

A teacher's appointment to the Upper Pay Scale will continue while they remain within the Trust unless she/he is promoted onto the Leading Practitioner or Leadership scales.

### **Processes and procedures**

The outcome of applications will usually be given in writing by 30<sup>th</sup> November each year. Successful applications will result in the teacher progressing to the first point of the Upper Pay Scale backdated from 1 September. If unsuccessful, feedback will be provided by the CEO/Headteacher as soon as possible and at least within 5 working days of the decision; and will cover the reasons for the decision and the appeals arrangements available to the teacher. Any appeal against a decision not to move the teacher to the upper pay range will be heard under the procedure set out in **Appendix 6** of this policy.

## 9. LEADING PRACTITIONER POSTS

The STPCD allows for leading practitioner posts to be established for teachers whose primary purpose is the modelling and leading improvement of teaching skills, where those duties fall outside the criteria for the TLR payment structure.

The Trust will take account of paragraph 16 of the STPCD when determining the role of leading practitioners in this school. 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 that contribute to school improvement;
- • the improvement of teaching schools within the Trust *[and within the wider schools community]* which impact significantly on pupil progress;
- • improving the effectiveness of staff and colleagues, particularly in relation to specific areas such as *academic writing, number, subject specific pedagogy, arts and creativity, leadership etc*

The Governing Body established Leading Practitioner posts from 1 September 2013 and assessed all teachers previously employed in the school as Advanced Skills Teachers (AST) or Excellent Teachers (ET) against the criteria established for them. The School's criteria for Leading Practitioner posts are set out in Appendix 5.

### Pay on appointment

The Pay Committee will determine an individual post range of between £50,415 – £72,480 for each leading practitioner post in accordance with paragraph 16 of the Document. Each Leading Practitioner will be paid on a five point pay range determined individually for each post.

### Leading Practitioner Pay Scales 2022-2023

SPINE POINT	ANNUAL SALARY
1	52,936
2	54,052
3	55,195
4	56,360
5	57,557
6	58,786
7	60,145

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8	61,335
9	62,652
10	64,048
11	65,486
12	66,807
13	68,269
14	69,760
15	71,280
16	72,958
17	74,443
18	76,104

## **10. PART-TIME TEACHERS**

Teachers employed on an on-going basis at the Trust but who work less than a full working week are deemed to be part-time. The Trust will give them a written statement detailing their working time obligations and the standard mechanism used to determine their pay, subject to the provisions of the statutory pay and working time arrangements and by comparison with the school's timetabled teaching week for a full-time teacher in an equivalent post. Any additional hours worked by agreement from time to time will be paid at the same rate.

## **11. SHORT NOTICE/SUPPLY TEACHERS**

Teachers employed on a day-to-day or other short notice basis will be paid on a daily basis calculated on the assumption that a full working year consists of 195 days; periods of employment for less than a day being calculated pro-rata.

## **12. LEADERSHIP GROUP PAY**

### **12.1 Provisions for determining pay**

From 1 September 2014, the 43 point leadership pay spine was removed from the STPCD and replaced by a "leadership pay range." (The current statutory pay range for Inner London is £50,167 - £125,098).

Individual pay ranges for Headteachers / Principals, Deputies and Assistant Head Teachers are determined by the Trust and can be of whatever length they deem appropriate. In the STPCD, it states they may or may not include fixed scale points.

The provisions relating to the determination of individual pay ranges are as follows:

- Schools will continue to be placed into one of eight school groups according to the age and number of their pupils and based on the school's census-based total unit score. (Paragraphs 5 to 9 of the STPCD document detail the process to be followed.)
- The individual pay range for the head teacher will be set within the overall leadership pay range and within one of eight broad pay ranges for each of the eight school groups. The individual pay range for deputy and assistant head teachers may be located anywhere within the overall leadership pay range.
- Pay ranges set by the Trust will reflect the scope of the work of schools within the Trust, which includes work supporting other schools. It also reflects the competitive market for principals and Headteachers as well as the short supply of outstanding Headteachers at present.



Individual pay ranges for Headteachers/ Principals and Executive Headteachers/ Principals are determined by the Trust and can be of whatever length they deem appropriate. In the School Teachers Pay and Conditions Document (STPCD), it states they may or may not include fixed scale points. At the Mulberry Schools Trust, trustees have decided to retain seven point pay ranges for Headteachers/ Principals and Executive Headteachers/ Principals. The process for pay determination is detailed in Appendix 7.

## 12.2 Pay Progression for leadership group members

The Trust's pay committee will need to decide annually whether or not to increase the salary of a leadership group member who has completed a year of employment since the previous determination. Members of the Leadership Group will receive pay progression as determined by the school's appraisal policy and where there is evidence of "*sustained and high quality of performance in respect of school leadership and management and pupil progress having regard to the results of the most recent appraisal.*" As well as successfully fulfilling their appraisal objectives, as with classroom teachers where members of the Leadership Group teach lessons, they will be required to have at least two formal lesson observations judged to be good or outstanding in accordance with the school's appraisal policy.

- Individual pay ranges for the head teacher and for deputy and assistant head teachers may be of whatever length the Trust deems appropriate and may or may not include fixed scale points. Nationally, the previous provisions requiring seven and five point pay scales respectively have been removed from the STCPD. **At the Mulberry Schools Trust, trustees have decided to retain five and seven point pay ranges for senior leaders and headteachers / principals respectively and they are clearly determined and set out in Appendix 7.**
- When determining an individual pay range, Trustees need to take into account "all of the permanent responsibilities of the role, any challenges specific to the role and all other relevant considerations." The Trust will also need to allow appropriate scope within the individual pay range for performance based pay progression.
- The Trust can set the head teacher's pay range up to 25 per cent above the maximum of the pay range for that school group and, in exceptional circumstances and where supported by a business case and subject to external independent advice, beyond that figure.
- Discretionary payments to head teachers will continue to be permitted for "clearly temporary [additional] responsibilities or duties" which have not been previously taken into account when setting the individual pay range. These payments are limited to 25 per cent of pay other than in "wholly exceptional circumstances" (excluding payments for residential duties or for relocation purposes). Where the head teacher is already in receipt of discretionary payments which do not meet the new criteria they should continue to receive them until their individual pay range is reassessed (i.e. they move post or their role changes significantly).
- Nationally, the previous provisions prohibiting an overlap between the pay ranges for head teachers and other leadership teachers have been removed. **However, at the Mulberry Schools Trust, pay ranges for Assistant Headteachers (with the exception of seconded Assistant Headteachers), Deputy Headteachers and the Headteacher are clearly defined to maintain differentials in responsibility and do not overlap.** The Trust will determine appropriate pay differentials between leadership posts and with classroom teacher posts.

The Local Governing Body will ensure that Appraisers of those in Leadership Posts are informed promptly of any concerns about performance at an early stage and follow the principles set out in Section 7 above for providing support to achieve an improvement.

### **12.3 Acting allowances for Leadership Group members**

Where Deputy Head Teachers or Assistant Head Teachers are required to act as Headteachers or Deputy Head Teachers for a period in excess of four weeks, they will receive allowances in order that their pay is equal to that of the substantive post holder.

Payment of acting allowances should be backdated to the day they assumed these duties. No pressure, direct or indirect, should be placed on Assistant Head Teachers to act up where the decision to agree to act up is voluntary on their part.

### **12.4 Other allowances for members of the leadership group**

Leadership teachers may be paid two other kinds of allowance:

- recruitment / retention incentives; and,
- additional payments for additional responsibilities relating to involvement in supporting other schools or to enable other major development work such as school expansion, as determined by the Trust

The Trust will only make recruitment / retention payments to Leadership Teachers for reimbursement of housing or relocation costs. (Other recruitment / retention considerations should be reflected in the individual pay range).

Additional payments will only be made in respect to temporary or time limited activity (any permanent responsibilities should also be taken into account when setting the individual pay range).

## **13. PAY INCREASES ARISING FROM CHANGES TO THE STPCD**

The Trust will award the outcome of the School Teachers' Review Body (STRB) pay review process to all pay points and allowances for all teachers.

## **14. DISCRETIONARY ALLOWANCES AND PAYMENTS**

### **14.1 Teaching & Learning Responsibility Payments (TLRs)**

The Trust pays TLR 1 and 2 payments to teachers as indicated in the attached staffing structure, in accordance with the STPCD ranges as updated from time to time and the following levels and values will apply:

**TLR 1:**

TLR1A £8,706  
TLR1B £11,717  
TLR1D £14,730

**TLR 2:**

TLR2A £3,017  
TLR2B £5,023

The criteria for the award of TLR 1 and 2 payments are as follows:

Before awarding any TLR 1 or 2 payment, the Trust must be satisfied that the teacher's duties include a significant responsibility that is not required of all classroom teachers and that:

- a) is focused on teaching and learning;
- b) requires the exercise of a teacher's 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 the educational progress of pupils other than the teacher's assigned classes or groups of pupils; and
- e) involves leading, developing and enhancing the teaching practice of other staff.

In addition, before awarding a TLR1 payment, the Trust must be satisfied that the 'significant responsibility' referred to above includes line management responsibility for a significant number of people.

Teachers will not be required to undertake permanent additional responsibilities without payment of an appropriate permanent TLR1 or TLR2 payment.

**TLR3 payments**

Before making any TLR3 payment, the Trust must be satisfied that the responsibilities meet a, b and d of the above criteria; that they are being awarded for clearly time limited school improvement projects or externally driven responsibilities; and that the responsibilities are not a permanent or structural requirement which should instead be rewarded by means of a permanent TLR payment. Although a teacher cannot hold a TLR1 and a TLR2 concurrently, a teacher in receipt of either a TLR1 or TLR2 may also hold a concurrent TLR3.

Where the Trust wishes to make TLR3 payments, the proposed responsibilities, level of payment (within the published range of £600 and £2,975) and the duration of payment will be set out clearly, communicated to staff and subject to consultation with Trade Unions. The Governing Body will ensure that the use of TLR3 applies only to clearly time- limited school improvement projects or one-off externally driven responsibilities and where there is a genuine development or operational need. TLR3 payments will not be used to replace or otherwise limit teachers' pay progression on the Main, Upper or Leading Practitioner Pay Ranges.

#### **14.2 Special educational needs (SEN) allowances**

The Governing Body will award SEN allowances in accordance with the criteria and provisions set out in the 2022 STPCD.

#### **14.3 Acting allowances**

Where any teacher is required to act as Headteacher, Deputy Headteacher or Assistant Headteacher for a period in excess of four weeks, s/he will receive an additional allowance in order that the total pay received is equal to that of the substantive post holder.

Payments will be backdated to the day on which the teacher assumed those duties.

### **15. OTHER PAYMENTS**

#### **15.1 Teaching Intervention and Saturday Teaching Rate (out of school hours and Saturdays)**

The Trust has a single rate for intervention teaching and Saturday teaching.

Intervention teaching and Saturday teaching work and work in the holidays (out of usual hours) will be paid at a rate of £50 per hour. This rate is inclusive of preparation and planning time.

The Trust has a cap of a maximum of 3 hours that can be worked for 'Intervention teaching and Saturday teaching' work at the £50 hourly rate.

#### **15.2 Continuing professional development outside directed time; Initial teacher training activities; and Out-of-School learning activities**

The Trust may make additional payments to all teachers (including the Headteacher) who agree to undertake such activities. Additional payments will be calculated at a daily or hourly rate with reference to each teacher's actual pay spine position or, where appropriate and following consideration by the Pay Committee, at a higher level reflecting the responsibility and size of commitment.

The Trust recognises that such activities are entirely voluntary and that some teachers' commitments will make it difficult for them to undertake such activities. Where teachers cannot attend CPD organised outside the school day, the school will endeavour to offer suitable alternative training arrangements within directed time in line with its commitment to equal opportunities. Twilight sessions are considered to form part of directed time.

### **15.3 Recruitment and retention incentives and benefits**

Where the Trust wishes to make recruitment and retention payments to teachers, the level, duration and criteria for such payments will be set out clearly in an accompanying document with a clear rationale that is agreed by members of the pay committee for each post. Such payments will be reviewed every three years.

#### **15.4 Weekend Residential duties**

The Trust may make payments in respect of weekend residential duties at the rate of £250 per day for Saturday and Sunday (or pro rata for half days). No payment will be made in respect of travelling time preceding or following the residential.

#### **15.5 Honoraria**

The Trust will not pay any honoraria to any member of the teaching staff for carrying out their professional duties as a teacher, recognising that there is no provision within the 2022 STPCD for the payment of bonuses or honoraria in any circumstances.

### **16. SAFEGUARDING**

The Trust will operate salary safeguarding arrangements in line with the provisions of the 2022 STPCD. As stipulated in the STPCD, salary safeguarding will end no later than the third anniversary of the relevant date.

### **17. APPEALS**

The arrangements for considering appeals on pay determination are set out in **Appendix 6** of this policy.

### **18. MONITORING THE IMPACT OF THE POLICY**

The Trust will monitor the outcomes and impact of this policy on an annual basis, including trends in progression across specific groups of teachers to assess its effect and continued compliance with equalities legislation. Monitoring information will be shared and discussed with Trade Union Representatives.

## **APPENDIX ONE**

### **REMIT FOR THE PAY COMMITTEE OF THE TRUST**

The Pay Committee will be established by the Trust Board and will comprise three trustees.

#### **Establishment of the policy**

The Pay Committee is responsible for:

- establishing pay policy, in consultation with the CEO/Headteacher, staff and trade union representatives, and submitting it to the Trust for approval
- scrutinise and approve recommendations for performance-related pay progression for teachers from LGBs

The Trust Board is responsible for:

- formal approval of the policy.

#### **Monitoring and review of the policy**

The Pay Committee is responsible for:

- reviewing the policy annually, in consultation with the CEO/Headteacher, staff and trade union representatives; and submitting it to the Trust Board for approval.

The Finance Committee is responsible for:

- considering an annual report, including statistical information, on decisions taken in accordance with the terms of the policy;

#### **Application of the policy**

The CEO/Headteacher is responsible for:

- ensuring that pay recommendations for the Deputy and Assistant Head teacher(s), classroom teachers and support staff are made and submitted to the Pay Committee in accordance with the terms of the policy;
- advising the Pay Committee on its decisions; and
- ensuring that staff are informed of the outcome of decisions of the Pay Committee and of the right of appeal.

The Pay Committee is responsible for:

- taking decisions regarding the pay of the Deputy and Assistant Headteacher(s), classroom teachers and support staff following consideration of the recommendations of pay reviewers and the advice of the CEO/Head teacher;
- taking decisions regarding the pay of the CEO/Headteacher following consideration of the recommendations of the trustees responsible for the CEO/Headteacher's performance review;
- submitting reports of these decisions to the Trust Board; and
- ensuring that the CEO/Headteacher is informed of the outcome of the decision of the Pay Committee and of the right of appeal.

The Finance Committee of the Trust Board is responsible for:

- taking decisions on appeals against the decisions of the Pay Committee in accordance with the terms of the appeals procedure of the policy
- hearing appeals and resolving disputes that have not been resolved at the first level by LGBs

Local Governing Bodies will set up an appeal committee comprising three governors whose role is to undertake first-level resolution of pay queries.

APPENDIX TWO



**APPENDIX THREE**

**UPPER PAY SCALE APPLICATION FORM**

**Teacher's Details:**

Name: \_\_\_\_\_

Post: \_\_\_\_\_

**PM/Appraisal Details:**

Years covered by planning/review statements

Schools covered by planning/review statements

**Declaration:**

I confirm that at the date of this request for assessment to cross the threshold I meet the eligibility criteria and I submit performance management/appraisal planning and review statements covering the relevant period.

**Applicant's signature** \_\_\_\_\_

**Date** \_\_\_\_\_

## APPENDIX FOUR

### UPPER PAY SCALE PROGRESSION CRITERIA (1)

#### Professional attributes

- 1.1 Contribute significantly, where appropriate, to implementing workplace policies and practice and to promoting collective responsibility for their implementation.

#### (2) Professional knowledge and understanding

- 2.1 Have an extensive knowledge and understanding of how to use and adapt a range of teaching, learning and behaviour management strategies, including how to personalise learning to provide opportunities for all learners to achieve their potential.
- 2.2 Have an extensive knowledge and well-informed understanding of the assessment requirements and arrangements for the subjects/curriculum areas they teach, including those related to public examinations and qualifications.
- 2.3 Have up-to-date knowledge and understanding of the different types of qualifications and specifications and their suitability for meeting learners' needs.
- 2.4 Have a more developed knowledge and understanding of their subjects/curriculum areas and related pedagogy including how learning progresses within them.
- 2.5 Have sufficient depth of knowledge and experience to be able to give advice on the development and wellbeing of children and young people.

#### (3) Professional skills

- 3.1 Be flexible, creative and adept at designing learning sequences within lessons and across lessons that are effective and consistently well-matched to learning objectives and the needs of learners and which integrate recent developments, including those relating to subject/curriculum knowledge.
- 3.2 Have teaching skills which lead to learners achieving well relative to their prior attainment, making progress as good as, or better than, similar learners nationally.
- 3.3 Promote collaboration and work effectively as a team member.
- 3.4 Contribute to the professional development of colleagues through coaching and mentoring, demonstrating effective practice, and providing advice and feedback.

## **APPENDIX FIVE – CRITERIA FOR LEADING PRACTITIONERS –**

Leading Practitioners are key members of Mulberry’s “College of Education” and are line managed by the First Deputy Headteacher with responsibility for Teaching and Learning and CPD.

Leading Practitioners attend the School Leaders Forum (SLF) alongside other senior and middle Leaders.

Each Leading Practitioner has four strands to their work:

1. Whole School Project: The team work together to strategically lead on and deliver a whole school priority selected from the whole school improvement plan.
2. Faculty Improvement: In consultation with the Head of Faculty, Leading Practitioners strategically lead on at least one area of faculty, subject-specific improvement specifically aimed at improving the quality of teaching and learning and student achievement.
3. Individual Caseloads: Leading Practitioners will also contribute to CPD, coaching, mentoring and individual support as determined by the emerging priorities of the school.
4. Subject Mentor /Appraiser: Leading Practitioners will be accountable for the successful induction of Newly Qualified Teachers and/or the Appraisal of colleagues relatively new to the profession proportionate to the seniority of this role

In all cases, LPs act as consultants and therefore the colleagues they are commissioned to work with by the senior leadership team are their ‘clients’ to whom they offer a bespoke consultancy service.

The term ‘client’ refers to any colleague an LP works with. This could be a member of the senior leadership team whom has delegated a piece of work to them, a Head of Faculty, an individual teacher or a combination of colleagues whom will benefit from their support.

## **APPENDIX SIX**

### **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 Reviewer (normally the line manager) and discussed with the teacher at the Review Meeting prior to being submitted to the Headteacher and then to the school's 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 Reviewer, they should be given the opportunity to do so before the final pay recommendation is drafted in the Review Statement. 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 Review Statement will be updated to reflect the discussion.

If a teacher believes that the final pay recommendation falls short of their expectations and they wish 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 ACAS Code of Practice.

### **Appeal Hearing Procedure**

It is the Trust's 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 / Head Teachers should put their appeal in writing to either the Head Teacher or (in the case of the headteacher / principal) to the CEO and Chair of the Local Governing Body or (in the case of the CEO) to the review officer who is the Vice Chair of the Board; their 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 formal 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 “the decision maker” (the headteacher / principal / associate headteacher) 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, they must do so 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 the teacher to notify them of the outcome of the review and of the teacher’s right of appeal to the Governing Body. If the teacher wishes to exercise their right of appeal, they 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.

If the appellant is a headteacher / principal, then the decision maker will be the Chair of the Pay Committee or (if the Chair of the LGB is the Chair of the Pay Committee) the Chair of the Trust Board. If the appellant is the CEO, then the decision maker will be the Review Officer who is the Vice Chair of the Board.

### **Appeal Procedure Steps: Formal Stage**

On receipt of the written appeal, the Clerk to the LGB / Trust Board will establish an Appeal Committee that should consist of three governors or trustees if the appellant is a principal / headteacher or CEO, none of whom are employees in the school or have been previously involved in the relevant pay determination process and convene a meeting of the Appeal Committee 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 as well as the Director of HR and the COO to advise.

The Chair of the Appeal Committee will invite the employee to set out their case. 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 then 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.

## APPENDIX SEVEN

### Senior Leadership Group Pay Ranges 2022 - 2023

At The Mulberry Schools Trust, the pay scale for each role is set in relation to a five point scale within the leadership pay range, except for the headteacher where the pay scale is seven points.

1	52,676
2	53,790
3	54,929
4	56,085
5	57,280
6	58,501
7	59,853
8	61,039
9	62,349
10	63,736
11	65,169
12	66,485
13	67,935
14	69,420
15	70,934
16	72,603
17	74,080
18	75,731
19	77,401
20	79,112
21	80,862
22	82,661
23	84,496
24	86,391
25	88,325
26	90,301
27	92,330
28	94,415
29	96,551

30	98,741
31	100,976
32	103,273
33	105,634
34	108,039
35	110,516
36	113,041
37	115,649
38	118,297
39	120,976
40	123,793
41	126,488
42	129,634
43	131,353
44	136,058
45	139,750
46	144,603
47	149,458
48	154,309
49	159,175
50	164,016
51	165,542

## **Headteacher/ Principal Pay Ranges**

Individual pay ranges for Headteachers/ Principals and Executive Headteachers/ Principals are determined by the Trust and can be of whatever length they deem appropriate. In the School Teachers Pay and Conditions Document (STPCD), it states they may or may not include fixed scale points. At the Mulberry Schools Trust, trustees have decided to retain seven point pay ranges for Headteachers/ Principals and Executive Headteachers/ Principals.

The school group is determined by calculations as set out in the STPCD (2022) for Headteacher pay. The calculation is based on pupil numbers across key stages and EHCP pupil numbers to determine the unit score. Each school group has a range that maps onto the leadership pay scale. Following the school group determination the seven point pay range within the school group range will be determined.

There is an additional special factors consideration process that assesses any specific circumstances that warrant higher than normal payment for the role, such as:

- The level of complexity and challenge of the role (e.g. based on the needs of pupils)
- Ability to attract suitable candidates
- Additional accountability not reflected when calculating the Headteacher group (e.g. leading a teaching school alliance)

A local and national market pay benchmarking exercise is conducted as part of the salary assessment. The pay benchmarking process is carried out when a role becomes vacant as part of the recruitment planning and design process to ensure there is always a current view of the local and national market being assessed.

The Headteacher pay determination process must take all permanent responsibilities of the role and challenges specific to the role into account. An assessment of the contextual special factors will determine the final pay range and any additional uplift.

## **Executive Headteachers/ Principals Pay Ranges**

A Headteacher/ Principal who takes on executive leadership responsibility for more than one school will have a pay uplift from the normal Headteacher pay group. This would typically be 25% although it is a different role, with increased accountabilities to a Headteacher position. Each role created will go through a pay determination process as outlined in this policy.

## **Secondary Schools and UTC Senior Leadership Pay Ranges**

Pay Ranges for Deputy Headteachers, Assistant Headteachers, Seconded Assistant

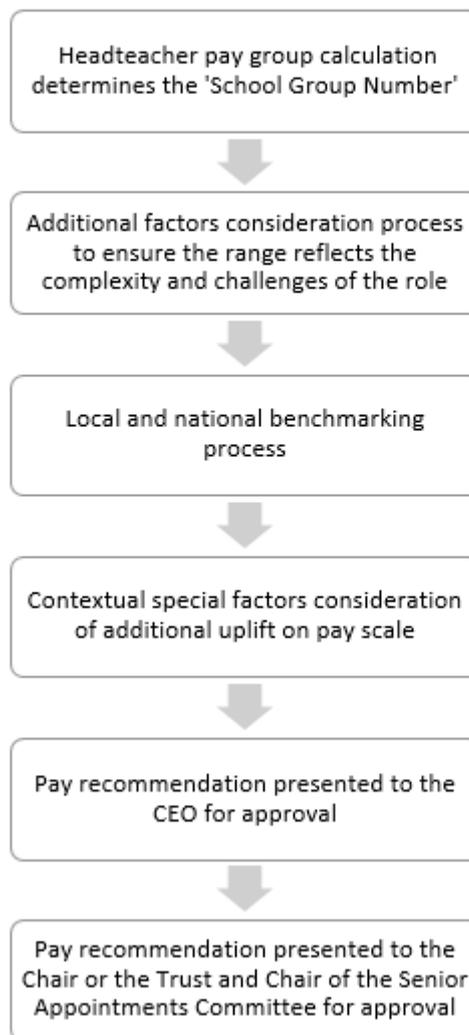


Headteachers and Associate Senior Leadership roles for secondary schools and the UTC will be reflective of the size of the school and will be determined by the Trust in line with this policy.

**Primary Schools Leadership Pay Ranges**

Pay Ranges for Deputy Headteachers, Assistant Headteachers and Seconded Assistant Headteachers for primary schools will be reflective of the size of the school and will be determined by the Trust in line with this policy.

## Headteacher/ Principal and Executive Headteacher/ Principal Pay Determination Process



### **Executive Services Team Pay Grades**

Mulberry Schools Trust with a variety of executive functions, including Chief Operating Officer, Company Secretary and Directors of HR, Information Systems, ICT, Finance and Communications and performance and standards. These roles work across the Trust covering a number of schools. Setting pay grades that reflect the complexity and importance of such roles that also sits within a competitive London employment market is important whilst recognising that education is a public service. Equally, pay grades for these roles requires attention to the teaching staff equivalence so that across the Trust we acknowledge the levels of complexity and professional experience amongst all staff. Some executive services roles are leaders on the school leadership pay range, others are members of support staff.

To this end, the Trust has adopted local pay scales equivalent to officers within the council whilst acknowledging that the levels of responsibility are intensified for individuals within smaller education services teams. Each role is benchmarked against national pay for similar roles using data from a variety of sources. The pay scales we are currently using for the Executive Services team are set out below.

It is the intention to keep executive services team members' pay under regular review to ensure that the size and relative weighting of the jobs is assessed as systematically as possible, as the Trust grows and develops. The considerations which apply to senior staff pay have been listed in Annex 1 to this guidance.

Pay is reviewed annually with a performance review in September of each year carried out by the line manager – or in the case of very senior positions with the line manager and a governor. If objectives are successfully completed, a pay uplift of 1 scale point is awarded. For outstanding performance, up to 2 scale points may be awarded.

Pay ranges for roles within the executive team include:

Tier one – CEO. Spot salary.

Tier two – These positions sit directly beneath the CEO and are line managed directly by the CEO. Pay is comparable to senior leadership positions. Service Head 1 and 2 positions for financial and governance positions.

Tier three- these positions are responsible for creating strategy and work directly within the central team on growth projects including estates, communications and HR. These roles may be on teachers' pay and conditions (eg director of school improvement) or on support staff service level band 2.

Tier four - These roles are not part of the central team but do have Trust wide leadership work across schools within their role. These roles are on support staff pay scales and each role salary is benchmarked and agreed with the pay committee.

The Service Heads Pay Scale is included below:

SPINE POINT	SALARY	
1	79,464	SH Band 2
2	82,248	
3	85,056	
4	87,714	
5	90,636	
6	93,411	
7	96,276	SH Band 1
8	99,141	
9	102,027	
10	104,898	
11	107,775	
12	110,655	
13	111,306	

### Annex 1 Benchmarking Executive Pay

The salaries for support staff are based on the local government pay structure of the London Borough of Tower Hamlets. A Job Evaluation Scheme is used to determine the pay grade of all staff up to LP08, this uses an assessment framework to ‘score’ a Job Description and Person Specification for a role. For more senior roles these need to be assessed against the senior manager, service heads and chief officer frameworks, however there is also a consideration towards market rates and other benchmarking factors for senior roles.

Some examples of factors which need to be considered for assessing the pay and grading for the senior officer pay grade are listed below:

- The number of schools across which a role is responsible - Executive team staff working across a number of school sites and senior leadership structures requires a broad range of strategic skills.
- Complexity and volume of workload – The nature of the central support structure in MST is small for an organisation of this size and so the workload attributed to executive support roles have both statutory responsibilities along with management and safeguarding responsibilities, this makes the most senior roles very broad in nature.
- Project Management – There is also a project management element to the Central support structure in respect to the approved applications for the Mixed Comprehensive and Nursery and Primary school. These are solely trust responsibilities which are also undertaken on an ongoing basis.
- Local variation to the Academies sector – The nature of the Academies sector is that they are promoted to be independent schools in nature and so there is a high degree of variation in concentration of academy schools and trusts geographically across the country. This means that job grade and pay is subject, to an extent, to local market variation as well as regional variations. Pay and retention of staffing is therefore also influenced by similar roles advertised by Academy's or MAT's who are geographically near, there is a degree of competition for the best staff.
- The associated duties and responsibilities in respect to provision of information to the Department for Education (DFE) and the Education Skills and Funding Agency (ESFA) - the various mandatory and statutory governance and reporting requirements for trusts to comply with is also a factor in determining senior officer pay.