



Policy Number

22c

Pay Policy

Ebor Academy Trust works closely with Trade Union Partners to develop and implement a fair and effective suite of people policies. Please seek advice from your trade union representative if you require support with this policy. If you are not a member of a trade union, please visit the Union tab or HR Self-service. Ebor Academy Trust welcomes Trade Unions to support staff throughout the processes associated with this policy.

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1 Aims

This policy aims to:

- Clearly explain how we will determine teachers' pay and how decisions will be made without linking performance to pay progression.
- To explain how pay decisions will be made for leadership and support staff
- Provide clarity on pay and progression
- Give guidance for all staff on working outside of Ebor Academy Trust

Teachers

2 Legislation and guidance

As an Academy Trust, we are free to determine our own approach to deciding teachers' pay. However, Ebor Academy Trust has opted to follow the School Teachers' Pay and Conditions Document (STPCD) for its teachers. Ebor Academy Trust will adhere to the National Conditions of Service for Teachers in England and Wales (Burgundy Book).

As such, this policy complies with the [STPCD](#). It is also based on the [model pay policy](#) created by the Department for Education (DfE).

When implementing our pay policy for teachers, we will abide by:

- The [Employment Relations Act 1999](#), which establishes a number of statutory work rights
- The [Part-time Workers \(Prevention of Less Favourable Treatment\) Regulations 2000](#) and the [Fixed-Term Employees \(Prevention of Less Favourable Treatment\) Regulations 2002](#), which require us to ensure part-time and fixed-term workers are treated fairly
- The [Equality Act 2010](#), which requires schools to have due regard to the need to eliminate discrimination and advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not share it
- The [Seven Principles of Public Life](#), which require those conducting the procedures to be objective, open and accountable
- [The Data Protection Act 2018](#), which sets out requirements on how we handle personal data
- Our procedures for assessing early career teachers' performance and progress comply with the DfE's statutory guidance on [Induction for Early Career Teachers \(England\)](#).

3 Definitions

- **Teacher** includes all staff qualified and appointed to teach at the school. This includes the leadership team and the headteacher, unless otherwise stated
- **Teaching and learning responsibility** is a payment awarded to a classroom 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

- **Main and upper pay ranges** are the ranges on which a classroom teacher's salary will be set
- **Unqualified teacher pay range** is the range on which an unqualified teacher's salary will be set

4 **Roles and responsibilities**

Final pay decisions are made by the People Pay and Performance Committee (PPP).

Decisions on Upper Pay Scale eligibility and progression are based on the recommendation of the Head Teacher following the UPS application from the member of staff. The final decision on UPS eligibility and progression will be made by the Director of Education.

Appeals and complaints in relation to pay shall be made via the Ebor standard appeal process and will be considered by the PPP committee (see Appendix 1).

5 **How we will decide pay on appointment**

The Head will determine the pay range for a vacancy before advertising it. On appointment, it will determine the starting salary **within that range** to be offered to the successful candidate.

To determine the salary, the governing board will take into account a range of factors, including:

- The nature of the post
- The level of qualifications, skills and experience required
- Market conditions
- The wider school context
- Previous service within the sector and previous position on the teacher pay scale
- Early Years Teachers (EYTS) EYTs with QTS will be paid on the qualified teachers scale. EYTs without QTS will be paid on the Unqualified Teachers' Pay Scale.

There is no assumption that a teacher will be paid at the same rate as they were being paid in a previous school; however their service and experience will be considered. Pay portability i.e. Recognition and consideration of current pay will take place on a case-by-case basis up to the maximum stated in the job advertisement. Exceptionally and with Finance Director approval, appointments may be made above the maximum so long as there are no other known, eligible candidates who may have claim to the position.

5.1 **Unqualified teachers**

- The following categories of unqualified teachers are allowed by law: - a) persons giving instruction in any art, skill, subject or group of subjects (including any form of vocational training) who have special qualifications and/or experience; b) overseas trained teachers; c) student teachers, teacher trainees who have yet to pass the skills test and those undertaking employment based teacher training leading to QTS; or d) assistant teachers at a nursery academy or teachers of a nursery class, who were employed as teachers under the Education (Teachers) Regulations 1982 before 1 September 1989.
- Unqualified teachers may not receive Teaching and Learning Responsibility Payments or SEN Allowances but may receive points for other relevant experience as per qualified teachers.

- The Headteacher, consultation with the Director of Education will recommend which pay point a newly appointed unqualified teacher will enter the Unqualified Teachers Pay Scale, having regard to any previous experience, or any qualifications which they possess. Once awarded, pay points for unqualified teachers are permanent for employment within the Trust.
- If deemed appropriate, an allowance of discretionary amount may be paid to an unqualified teacher in the context of the staffing structure and pay policy, if it is considered that the unqualified teacher has either taken on a sustained additional responsibility which is both focused on teaching and learning and requires the exercise of a teacher's professional skills and judgment, or has qualifications or experience which bring added value to the role being undertaken.
- Where an unqualified teacher becomes qualified the Headteacher will re-determine salary in accordance with the arrangements relating to qualified teachers. The salary paid must be at least equivalent to that paid prior to qualification, while the teacher remains employed at the same academy.
- The Trust will support eligible teachers to reach qualified teacher status through timescaled development planning and structured career pathways

6 How we will decide on pay progression

Our Trust does not link pay progression to teacher performance. Teachers should expect to receive annual pay progression within their pay range, and we will only withhold pay progression if the teacher is subject to formal capability proceedings. If proceedings are underway but undecided then pay progression may be halted until the outcome is reached. Back payment will be made if the process concludes with no further action.

6.1 Annual salary review

The Trust will ensure that:

- Each teacher's salary is reviewed annually between 1 September and no later than 31 October each year however this may extend due to external influences beyond the Trust's control
- Payment may be made retrospectively (backdated). Delays in national pay negotiations may impact the actual payment date.

6.2 Early career teachers

Early career teachers (ECTs) are not subject to annual appraisal and pay review cycles during their induction period.

Decisions on ECTs' pay will be made by means of the [statutory induction process for ECTs](#). The appropriate awarding body is responsible for deciding whether the ECT has met the induction standard on the basis of the headteacher's recommendation.

ECTs may be awarded pay progression at the end of the first year of their induction period. However, annual progression is not automatic or guaranteed if they have not met the required standards or if their ECT programme is not synchronised to the pay cycle. In the latter case, progression may be part-year and will be actioned on a case-by-case basis.

6.3 Short notice/supply teachers

Teachers who are 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 will be calculated pro-rata on the basis of the hours worked

7 Moving to the upper pay range

7.1 Making applications

Qualified teachers can apply to be paid on the upper pay range, and any application will be assessed in line with this policy. It is up to each teacher to decide whether they wish to apply to be paid on the upper pay range.

- Applications can be made once in a year and the application form is available on Self Service HR. Teachers should submit their application in writing to their Head Teacher.
- Applications for UPS must include evidence from the teacher's career which demonstrates suitability.
- Teachers who are simultaneously employed at other school(s) should submit separate applications if applying to be paid on the upper pay range in that school or schools. We will not be bound by pay decisions made by another school.
- All applications will be reviewed by the Head Teacher and then considered for approval by the Director of Education.
- We will treat all applications fairly and impartially.

The latest guidance on Upper Pay Scale applications will be posted on HR Self Service at the start of the academic year.

7.2 Assessment

In order to be eligible to be paid on the upper pay range, the Trust must be satisfied that:

- The teacher is highly competent in all elements of the Teachers Standards and
- The teacher's achievements and contributions are substantial and sustained and they are able to demonstrate the additional value that they have added to the progression of education in their school

For the purpose of this policy:

- **'Highly competent'** means:
Teachers are expected to contribute, both orally and in writing as appropriate, to curriculum development by sharing their professional expertise with colleagues and advising on effective practice. This does not mean that they can be expected to take on the responsibility of, and accountability for, a subject area or to manage other teachers without appropriate additional payment.
- **'Substantial'** means:
The teacher's contributions are of real importance, validity or value to the school; play a critical role in the life of the school; provide a role model for teaching and learning; make a distinctive contribution to the raising of pupil standards; take advantage of appropriate opportunities for professional development and use the outcomes effectively to improve pupils' learning

- **‘Sustained’** means:
The teacher’s contributions have been maintained over at least 2 years of teaching experience. They have to have reached at least M5 to be considered.

Applications will be assessed based on the UPS guidelines which are available from HR Self Service.

7.3 The decision

The assessment will be made and the applicant notified by the end of December.

The decision will be made by the Head Teacher and approved by the Director of Education who will also determine where the teacher will be placed on the upper pay range. Considerations will include the nature of the post, the responsibilities it entails, and the qualifications, experience and skills of the teacher.

If successful, applicants will move to the upper pay range from January with payment backdated to the previous September.

If unsuccessful, feedback will be provided by line managers in a 1-to-1 meeting with the Head Teacher. The line manager will set out why the application was unsuccessful and provide advice on how the teacher can improve when making another application in the future.

Decisions will also be communicated in writing. Any appeals against a decision not to move a teacher to the upper pay range are covered by Ebor standard appeal process (Appendix 1).

8 Allowances

8.1 Honorarium payments and Acting Up Allowances.

Where it is agreed with the appropriate manager (Director of Education, Director of People & Culture or Chief Executive Officer), an individual may receive an honorarium payment for undertaking work above and beyond the duties of their substantive post. The amount should be discussed with the HR Payroll Lead and checked for equity, across the Trust, and for reasonableness for the level of duties involved, before being agreed.

Where it is agreed by an Executive Lead that a member of the support staff is to cover the duties of a more senior colleague for a period, the individual will receive an “acting up” allowance. The allowance will be based on the rate of pay for the more senior role, taking account of the proportion of the duties that are being covered. Teaching staff in this situation will be remunerated through a temporary Teaching and Learning Responsibility point. Any such payment needs to be agreed in advance with the Finance Business Partner and should be discussed with the HR Business Partner, to ensure consistent application of policy across all Trust schools

8.2 Teaching and Learning Responsibility Points (TLRs)

- TLRs may be awarded for undertaking a sustained responsibility in the context of the school’s staffing structure that is needed to ensure continued delivery of teaching and learning. The Director of Education must be satisfied that the teacher’s duties include a significant responsibility that is not required of all classroom teachers, and that it:
 - 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
- involves leading, developing and enhancing the teaching practice of other staff.

TLR 1 and 2

A TLR 1 will be awarded if the Director of Education agrees that the significant responsibility referred to in Section 8.2 includes, in addition, line management responsibility for a significant number of people is part of the role. Where the Director of Education has approved a TLR post, in conformity with the criteria stated in the School Teachers' Pay and Conditions Document, the post holder will receive an appropriate TLR payment (from the implementation date) for as long as the teacher remains in the same post with the same sustained responsibilities. If the responsibilities are significantly altered, the TLR may be adjusted or discontinued. If changes are due to a restructure, staff must be given reasonable notice of the removal of a TLR payment unless it is by mutual agreement and the staff has confirmed acceptance in writing. If the teacher moves to a different school, or if the responsibilities are revised for reasons other than restructuring, the TLR payment will be adjusted or will cease.

TLR 3

TLR 3 is temporary or fixed-term and may be awarded for the following purposes: - a) Clearly time-limited school improvement projects b) One-off externally driven responsibilities. The individual undertaking these responsibilities is expected to undertake them in full and therefore receive the full payment. No salary Safeguarding will apply to a TLR3 post.

8.3 Special Educational Needs

Each school will review its arrangements for special educational needs provision and ensure that those with specific responsibility for co-ordination of SEN are appropriately remunerated (as defined in Section 21 of the School Teachers Pay & Conditions Document 2024) The level of any additional payment will depend upon the other duties of the teacher, the qualifications held and any others in the school who may share responsibility. If changes are due to a restructure, staff must be given reasonable notice (usually 2 Years) of the removal of an SEN payment unless it is by mutual agreement and the staff has confirmed acceptance in writing. If the teacher moves to a different school, or if the responsibilities are revised for reasons other than restructure, the SEN Allowance payment will be adjusted or will cease.

8.4 Recruitment and Retention Incentives and Benefits

Such incentive allowances may be awarded by the Trustees (People, Pay and Performance Committee - PPP) only to aid the recruitment and/or retention of teachers. The PPP will determine whether an annual allowance will be paid with monthly salary or as a lump sum at the end of a fixed period.

The People, Pay and Performance Committee will make the expected duration of any such incentives and benefits clear at the outset and the review date after which they may be withdrawn.

Part Time Teachers

Where an allowance is paid to a part-time teacher, the full-time allowance will be payable on a pro-rata basis.

9 Leadership Pay

This section of policy relates only to leaders on teachers' pay, terms and conditions. Non-teacher leadership staff are covered by Sections 14, 15 and 18 of this policy.

9.1 Leadership Appointments

Once the role has been defined by the school in consultation with the Director of Education, the HR payroll lead will advise on the appropriate level of pay for the post. It is important that all roles are graded consistently across the Trust, therefore the overall decision for the salary range for a leadership post lies with the Chief Executive Officer. All salaries in appointments to leadership roles must be agreed with the Director of Education before making an offer to a candidate.

9.2 Headteacher Appointments and Progression

When appointing a new Headteacher/ Head of School, the Executive Headteacher will review the school's individual salary range for the Headteacher's salary, based on its group size and agree the outcome with the CEO.

The Executive Headteacher/ CEO will determine a pay point within the pay range for the Headteacher. Having considered the pay of other leadership group and upper pay scale teachers in the school. Only in exceptional circumstances will the Headteacher pay range overlap with any other leadership pay range.

A new Headteacher will normally be appointed to the first point on the Headteacher pay range. Exceptionally they may be appointed to a higher point if appropriate. Headroom for pay progression should be considered.

Progression within the Headteacher's pay range will be effective from 1st September each year although it may be determined at a later date and backdated. Progression will usually be to the next point on the scale unless there is a formal disciplinary or performance improvement process in place. The final decision on pay progression lies with the PPP Committee.

Where a Headteacher is appointed to be responsible for more than one academy, the following arrangements will apply:

- Permanent appointment: the remuneration in such cases should be based on the calculation of the total number of pupil units across all schools, which will give a group size for the scope of the role.
- Temporary arrangement: a fixed term variation of contract must be issued. Where appropriate, the Headteacher may be awarded an additional payment to reflect the scope of the role.

9.3 Deputy and Assistant Headteacher Appointments and Progression

The Director of Education, in consultation with the Head and Executive head will determine and recommend a pay range consisting of a number of consecutive points from the Leadership pay scale, for each Deputy and Assistant Headteacher.

A new Deputy or Assistant Headteacher will normally be appointed to the first point on their pay range but may be appointed to a higher point on their pay range if circumstances make this appropriate. Headroom for pay progression should be considered.

Progression within the pay range will be effective from 1st September each year although it may be determined at a later date and backdated. Progression will usually be to the next point on the scale unless there is a formal performance improvement process in place. The final decision on pay progression lies with the PPP Committee.

9.4 Executive Headteachers/ Director of Education

An Executive Headteacher/leader with the Ebor Academy Trust is either:

- the substantive Headteacher of more than one school
- remains the substantive Headteacher of their current school whilst becoming the strategic leader of one or more other schools
- has no substantive headship in any school but remains the strategic leader of a number of schools.

The People, Pay and Performance Committee will determine the pay-range of each role commensurate with the role and responsibility of the individual. Progression arrangements will be the same as outlined in Section 9.2 of this policy.

10 Salary safeguarding arrangements

Ebor Academy Trust will operate salary safeguarding arrangements in line with the provisions of the 2019 School Teachers' Pay and Conditions Document. Pay protection for teachers in restructuring situations will be for a period of 3 years (including cost of living increase) unless agreed otherwise.

Support Staff and Leadership (non-teacher)

11 Ebor Support Staff

Ebor Academy Trust will adhere to the National Agreement on Pay and Conditions for Service (Green Book). We use the National Joint Council (NJC) pay scales for support staff. Staff who join the Trust in supporting roles will be appointed to a post covered by the Ebor pay scale for support staff. Each post will have a designated job description and pay band.

Pay portability i.e. Recognition and consideration of current pay will take place on a case-by-case basis up to the maximum stated in the job advertisement. Exceptionally and with Finance Director approval, appointments may be made above the maximum so long as there are no other known, eligible candidates who may have claim to the position.

12 Role Evaluation

The Trust uses a standard scheme of support staff role evaluation provided by our partner organisations NYES and CIPD. Where significant changes in the level of work and / or responsibilities can be evidenced, the Trust will commission an evaluation. New roles will be evaluated unless there is a clear alignment to existing roles. The PPP committee decision on any job evaluation matters is final.

13 Cost of Living Pay Award

NJC pay awards are implemented from April of each year or as soon as is reasonably possible due to the complexity of the negotiation process and the timelines of the bodies involved. Ebor Academy Trust will, where possible make early payment at the anticipated revised rate (and with back-pay where applicable) in order to provide the best outcomes for staff. This does not constitute a pre-

judgement of the pay award and is subject to adjustment in future pay periods should the final outcome be changed during national negotiation.

14 Support Staff Pay Increments

For support staff who have not yet reached the top of the grade applicable to their post, incremental progression will be granted in all cases unless the individual staff member is subject to the formal stages of the Trust's Capability Policy. Incremental progression is usually made with effect from 1st April each year.

This applies to all support staff except for those identified in Section 17 of this policy and staff who have less than 6 months' service at 1st April of the pay year or are on notice of leaving the Trust.

15 Working in a Different Role

Members of staff temporarily undertaking the duties of more senior posts for four working weeks or more will be paid an additional sum. This will be equivalent to the difference between their normal salary and the salary or a point on the salary range of the more senior post for as long as the temporary acting-up arrangements apply, backdated to the start of the period of cover. If the period of time is less than 4 weeks, staff will claim the additional amounts via Employee Self-service.

Where staff complete additional hours in a role which is a lower pay scale than their substantive role, the additional hours are claimed at the rate appropriate for the role. If the additional hours are in a role which attracts a higher rate of pay, they will be paid at the higher rate for the additional hours worked.

16 Salary Sacrifice Schemes

The Trust will allow all eligible staff to participate in salary sacrifice schemes which it makes available. An assessment will be made to ensure that engagement in such a scheme will not impact on take home pay to the point that it is lower than the statutory minimum wage. In instances where the minimum wage level increases and subsequently staff in an existing scheme will fall below the minimum wage, the salary sacrifice arrangements must cease. Staff affected will be required to resolve any financial penalties or costs incurred as a result of leaving the scheme early.

17 Leadership Staff (Executive)

Staff in leadership positions working to support staff contracts / terms and conditions will be appointed on the Executive pay scale at the appropriate scale point determined by labour market conditions. If necessary a spot-rate may be used to ensure that the right calibre of person is appointed. Pay progression will be based on increments within the pay scale and the NJC rate of increase for support staff. Leadership Pay awards will be made in December pay and backdated to September. This sits outside of NJC arrangements and was agreed in 2023.

This applies to all leadership staff except for those who have less than 6 months' service at 1st April of the pay year or are on notice of leaving the Trust.

ALL STAFF

18 Work External to the School / Trust

Any employment additional to an individual's contract with Ebor Academy Trust must be declared at the earliest opportunity in writing to the Head Teacher or Head of Function (CST) and to the HR

systems lead. This will enable the Trust to monitor compliance with Ebor Academy Trust Pay Policy, The Working Time Regulations, IR35 regulations, as well as identify any possible conflicts of interest.

It is anticipated that Ebor Academy Trust shall be the primary employer and will take precedence over additional employment in all cases unless a specific exception has been made in writing by the Director of People & Culture. Permission to engage in secondary employment is not required however failure to disclose may be regarded as a breach of trust between employer and employee and will be referred to the Trust's Disciplinary Policy.

18.1 Working on Behalf of the Trust

Arrangements for payment for external work (on behalf of and representing Ebor Academy Trust) arising from an individual's employment with the Trust, including personal remuneration, must be clearly stated and formally incorporated into a protocol by the Board of Trustees (or the Trust Pay Committee) and decisions duly minuted. The disposition of any payment, including personal remuneration, for external services must be agreed in advance in accordance with the determinations of the Board of Trustees. The terms of such an agreement must be set out in a memorandum signed by the CEO and the Headteacher and any other members of staff involved.

Any income derived from external sources in respect of work of a member of Trust staff (on behalf of and representing Ebor Academy Trust) should accrue to the school. The LGB should decide whether it would be appropriate for individual members of staff to receive additional remuneration for these activities, and if so, determine the appropriate amount.

The Headteacher in consultation with the Director of Education should ensure that any expenses incurred by the individual as a result of taking on additional work (on behalf of and representing Ebor Academy Trust) are reimbursed, unless they are accounted for elsewhere.

18.2 Secondary Employment External to the Trust

Where staff undertake secondary employment (e.g. an additional job which is separate to employment with the Trust) it is their responsibility to ensure that they make a full declaration to the Trust and to any other authorities or bodies which may have an interest in the secondary employment, activities and / or associations. The employee is responsible for ensuring that tax and other affairs (including working time regulations) are legally and procedurally compliant.

18.3 Professional Status and Indemnity

Professional indemnities arising from employment at Ebor Academy Trust (should they be in place) are not transferrable to secondary employment and the use of the Trust branding, property or reputation is not permitted in the context of secondary employment or income generation unless specific written permission from the CEO is obtained by the employee.

19 Appealing a Decision on Pay Progression

Where staff believe that a decision made over their pay is unfair, they have the right to appeal using the standard Ebor appeals process. The appeal should demonstrate one or more of the following: incorrect application of policy, contravention of the teacher's terms and conditions over pay, inequality or bias.

This policy is part of the Ebor People Policy Suite
Please refer to Self Service HR for the latest version of this and other Ebor People Policies

Appendix 1

Ebor Standard Appeal Process

[CLICK THIS LINK TO DOWNLOAD THE EBOR STANDARD APPEAL PROCESS](#)