

TEACHERS' PAY POLICY

1. Purpose

- 1.1 The Trust believes that a fair, transparent and consistent pay policy which recognises and rewards teachers as skilled professionals is a key element of school / academy Improvement Plans.
- 1.2 This policy aims to support recruitment, retention, ongoing development and motivation of teachers and provides a sound base for financial planning in an environment which supports equality and diversity.
- 1.3 This policy applies to all teaching staff employed by The Two Counties Trust, including unqualified teachers, teachers on the main scale and upper pay range, leading practitioners and members of the Senior Leadership Team who are paid in accordance with the School Teachers' Pay and Conditions Document (STPCD). It does not however apply to agency / supply teachers.

2. Introduction

- 2.1 This policy sets out the framework for making decisions on teachers' pay and is consistent with the current STPCD and compliant with current legislation. This policy and any other relevant documents on pay and conditions of service are made available to employees.

3. Aims of this policy

- 3.1 This policy aims to:
 - ensure that pay decisions are grounded in fact
 - ensure that pay decisions are equitable and fair
 - support the quality of teaching and learning
 - support recruitment, professional development and retention
 - reward teachers fairly
 - enable accountability, transparency, objectivity

4. Authority levels and decision making

- 4.1 Other than decisions relating to a cost of living award which are the responsibility of The Trust, pay decisions are considered by each Local Governing Body who will establish a Pay Committee with delegated powers as permitted by this policy to deal with pay recommendations in respect of:
 - TLRs
 - Performance related pay progression
 - Headteacher's pay (in collaboration with the Trust's CEO)
 - All other relevant matters relating to pay for those covered by this policy.
- 4.2 The remit of the Pay Committee is shown at Appendix 1
- 4.3 Given the remit of the Pay Committee, employees who are members of the Local Governing Body, other than the Headteacher, may not be members of the Committee.
- 4.4 The Headteacher is responsible for advising and guiding the Pay Committee including the implications of its decisions.
- 4.5 The Local Governing Body (who may delegate this function to the Pay Committee) will, in conjunction with the Trust, determine the size and composition of the Senior Leadership Team. This team have substantial strategic responsibilities for leadership and development including, but not limited to, the number and types of roles ranging from Deputy Headteacher, Head of School and Assistant Headteacher and to determine a pay range on the Leadership Scale for these posts.

5. Pay reviews considered by the Pay Committee

- 5.1 The Pay Committee will ensure that each teacher's salary is considered annually between 1 September and 31 October (except in the case of the Headteacher for which the date is 31st December).
- 5.2 Pay awards, where due, will be backdated to 1st September.
- 5.3 Each teacher will be notified of the outcome of their review no later than 30th November each year (31st January for Headteachers).
- 5.4 This notification will be in writing and will set out the salary and other financial information relevant to the individual teacher. The Trust notes that the provision of an annual salary statement to teachers is a statutory requirement, even if the teacher's salary has not changed, and will normally issue these by the end of the following January.
- 5.3 Although not common practice, if necessary, ad-hoc reviews of pay may take place at other times of the year to reflect changes, for example addition of significant duties which change the job description leading to a change in the way that pay is calculated. Where this is the case, the change will be confirmed in writing.
- 5.5 Where a pay determination leads to a start of a period of safeguarding, Headteachers, under the direction of the Pay Committee, will ensure that the teacher is given the required notification in writing as soon as possible and in any event no later than one month after the date of determination.
- 5.6 Where a teacher has been absent due to maternity, paternity, parental or adoption leave or absence for a period of long term ill health, their pay review may be deferred until they return to work, or in the case of family friendly leave, may be carried out before the period of leave commences. Account may be taken of previous performance reviews.
- 5.7 If a teacher is absent on maternity leave she may not be denied pay progression because of her maternity leave. On return to work from maternity leave she will be given any pay increase she would have received, following appraisal, had she not been on maternity leave.

6. Pay on appointment

- 6.1 The Trust will determine the pay range for Teachers and provides delegated authority to the Headteacher to determine the salary to be offered to the successful candidate within these parameters.
- 6.2 Pay will not be anything other than between the lower and upper limits of the relevant scale.
- 6.3 Pay decisions will reflect the principles set out in this policy and will take into consideration the nature of the post, level of qualifications, skills, experience and, as applicable, current pay.

7. Pay portability

- 7.1 The Trust commits to maintain a teacher's previous salary in accordance with the principle of pay portability within the STPCD pay range, and will seek confirmation from a new member of staff to enable this commitment to be honoured.

8. Pay progression

- 8.1 The School / Academy will construct the pay budget on the principle that all teachers will progress. This will ensure that sufficient budget is allocated to fund pay progression for all eligible teachers.

- 8.2 Upon gaining Qualified Teacher Status the teacher will be transferred to a salary on the Main Scale at a point which is either the same or higher than the current unqualified salary.
- 8.3 Decisions regarding pay progression will be made by the Pay Committee by reference to the teachers' moderated appraisal report (see Appraisal Policy for Teachers) and the recommendations contained within those documents, taking guidance from the Headteacher.
- 8.4 The Headteacher is responsible for ensuring that appraisal reports are moderated so that the approach taken across the School / Academy is both fair and consistent.
- 8.5 The Pay Committee will meet annually to determine whether or not to increase the salary of teachers who have completed a year of employment since the previous annual pay determination, based on an assessment of the teacher's performance during the previous year and any other criteria contained within this pay policy.
- 8.6 In the case of Newly Qualified Teachers (NQTs), pay decisions will be based on completion of the statutory induction process and progression will be awarded following successful completion of the NQT year.
- 8.7 For teachers who join the School / Academy part way through an academic year, and therefore part way through an appraisal cycle, the Headteacher will seek evidence where required from the previous employer to assist with decision making.
- 8.8 A decision may be made to award accelerated progression where performance has been demonstrated to be exceptional, i.e. far in excess of expectations where a teacher's performance has significantly exceeded objectives, they are highly competent and they are significantly improving the progress of students.
- 8.9 Where the objectives have not been met, a decision will normally be made not to award progression, whether or not the teacher is subject to formal proceedings. In order for an appraisal to be deemed unsuccessful concerns regarding performance will have been raised during the appraisal cycle and recorded in writing. Furthermore, the concerns will not have been sufficiently addressed by the teacher following support and feedback provided by the School / Academy by the conclusion of the cycle.

9. Pay ranges and progression

- 9.1 Progression through the Unqualified and Main Scales
- Pay progression is not automatic.
 - Teachers on these scales can expect to be considered annually for progression towards the top of their pay range following each successful appraisal review.
- 9.2 Upper Pay Range
- Pay progression is not automatic
 - Teachers on this range can expect to be considered for progression towards the top of their pay range on an annual basis.
 - Teachers on the Upper Pay Range are eligible for progression through the Upper Pay Range once they have completed two successful appraisal reviews since their previous pay progression, contingent on the teacher continuing to be highly competent and performance continuing to be substantial and sustained. The meanings of these terms can be found at Appendix 2

9.3 Leadership Range

9.3.1 Headteachers

- Pay progression is not automatic.
- To progress Headteachers must demonstrate sustained high quality performance, with particular regard to leadership, management and, pupil progress and will be subject to a review of performance against robust performance objectives.
- Progression, where approved, will normally be one point on the leadership range, however the Pay Committee may exercise discretion to award a further point for exceptional performance. Exceptional performance is defined as that which significantly exceeds the expectations identified in the objectives or, in addition to successfully achieving performance objectives, the school is judged by external assessment to be significantly improved and / or delivering excellent provision.

9.3.2 Deputy Headteachers, Assistant Headteachers and Heads of Faculty:

- Pay progression is not automatic.
- To progress, these posts on the Leadership range must demonstrate sustained high quality performance, with particular regard to leadership, management and pupil progress and will be subject to a review of performance against robust performance objectives.
- Progression, where approved, will normally be one point on the leadership range, however the Pay Committee may exercise discretion to award a further point for exceptional performance. Exceptional performance is defined as that which significantly exceeds the expectations identified in the objectives in key areas of performance and where impact is validated.

10. Applications to move to the Upper Pay Range (UPR)

- 10.1 The Upper Pay Range is separate to the Main Scale and is intended to reward teachers who have successfully completed two performance reviews and who are highly competent & performance continues to be substantial & sustained (Appendix 2)
- 10.2 Movement on to the UPR is not automatic and it should not be seen as simply an extension of the Main Scale.
- 10.3 Any qualified teacher may apply to be paid on the UPR and all applications will be assessed in accordance with this policy. There are no barriers in the STPCD connected with service for a teacher to be eligible to apply to be paid on the UPR.
- 10.4 It is the teacher's responsibility to determine whether or not they wish to apply to be paid on the UPR and it is accepted that some teachers may not wish to apply to be paid on this range.
- 10.5 Where a teacher is intending to apply for UPR it is strongly recommended that they discuss this at an early stage with their Reviewer so that additional care can be taken to ensure that the appraisal process contains robust objectives which once completed successfully, will help the teacher to evidence the standards required for progression to the UPR.
- 10.6 An application may be made once per year.
- 10.7 Applications to be paid on the UPR must be submitted to the Headteacher between 1 September and 31st October.

- 10.8 Applications must meet the criteria and be in the required format (see appendix 2 and 3) with the required documents attached.
- 10.9 Where a teacher has been absent due to maternity, paternity, parental or adoption leave or absence for a period of long term ill health, teachers will only be required to submit supporting evidence covering the reduced period of time; which may mean that the teacher is only able to submit one appraisal report.
- 10.10 If a teacher is simultaneously employed at another school outside of The Two Counties Trust, they may submit separate applications, if they wish, to apply to be paid on the UPR in that school; however the Trust will not be bound by any pay decision made by another employer.
- 10.11 Applications will be assessed by the Headteacher with recommendations made to the Pay Committee.

11. Decisions on progression to the UPR

- 11.1 In determining whether and where to place a teacher on the UPR, the Pay Committee will take account of the two most recent appraisal reviews, the application and the advice of the Headteacher.
- 11.2 The teacher will be informed of the outcome of their application no later than 20 working days following the Pay Committee meeting.
- 11.3 If successful the teacher will move to the UPR from 1 September.
- 11.4 If unsuccessful, written feedback will be provided to the Teacher by the Headteacher no later than 20 working days following the decision. This will include reasons for the decision and specific reference to any areas for further development. If unsuccessful the teacher shall be informed about the appeals process within this policy.

12. Part time teachers

- 12.1 Teachers who work less than 1265 hours (195 days) are deemed to be part-time.
- 12.2 Pay and any allowances will be determined in accordance with the pro-rata principles set out in the STPCD.
- 12.3 Pay progression decisions for part time teachers will pay regard to the hours that the teacher works.

13. Teaching and Learning Responsibility Payments (TLRs)

- 13.1 Local Governing Bodies should determine the requirement for and values of TLRs. The value for which a TLR 1 or TLR 2 is awarded should be clearly set out in the job profile.
- 13.2 TLRs will be awarded to a teacher whose post requires them to undertake sustained additional responsibility in the context of the staffing structure for the purpose of ensuring the continued delivery of high quality teaching and learning for which they are accountable.
- 13.3 The criteria for a TLR payment will be made on a fair and objective basis in accordance with the needs of the school / academy.
- 13.4 TLRs should not be used for either recruitment or retention purposes.
- 13.5 Schools / Academies are able to set their own arrangements for TLRs in order to meet local needs, which will be in accordance with the STPCD.

14. TLR 1 and TLR 2

- 14.1 The ranges of TLRs 1 and 2 are in accordance with the current STPCD.
- 14.2 TLR 1 and TLR 2 may be used for posts with significant additional responsibility which is not required of all teachers and where responsibilities:
- focus on teaching and learning;
 - require the teacher to exercise professional skills and judgement;
 - require the teacher to lead, manage and develop a subject or curriculum area; or to lead and manage student development across the curriculum;
 - have an impact on the educational progress of students other than the teacher's assigned classes or groups of pupils;
 - involves leading, developing and enhancing the teaching practice of other staff;
 - (for TLR1 only) points a-e above includes line management responsibility for a significant number of people.
- 14.3 For part time or job share teachers TLR 1 & 2 will be paid on a pro rata basis according to the hours worked.
- 14.4 TLRs may be made on a fixed term basis, with no safeguarding, where a teacher occupies a post attracting an allowance for genuine fixed term reasons. If a teacher is awarded a fixed-term TLR, they will be informed that it is fixed term and will end on a specific date or with a specific event, for example the substantive post holder returning from maternity leave.
- 14.5 Where a teacher changes role a determination will be made if a different TLR or no TLR applies and inform the teacher accordingly as set out in this policy. Only 1 TLR (1 or 2) may be held at any one time.

15. TLR3

- 15.1 Before making a TLR 3 payment, the Headteacher must be satisfied that the responsibilities to be undertaken meet at least two of the criteria listed in section 14.2.
- 15.2 TLR3s are awarded for time limited school / academy improvement projects or externally driven responsibilities where there is a genuine need.
- 15.3 TLR 3 responsibilities are not a permanent requirement and last for a fixed period.
- 15.4 Where appropriate, TLR 3 opportunities may be advertised before being awarded where the skills may reside across a range of people in the school / academy.
- 15.5 The responsibilities, level of payment for a TLR3 (within the limits defined by the STPCD), and duration of the payment will be clearly defined at the outset by the Headteacher.
- 15.6 In accordance with the STPCD, TLR3 payments are not subject to the normal pro rata arrangements for part time staff and a teacher assuming the remit will undertake the full responsibilities and will therefore receive the full payment.
- 15.7 TLR3s can only be made to qualified teachers and may be made to those who already hold a TLR 1 or TLR 2 where it is clear that the additional responsibilities fall outside the scope of existing TLRs, paying due regard to the impact of the additional workload on the teacher's health and wellbeing.
- 15.8 As a matter of principle TLR3 will not be used to replace or limit progression.
- 15.9 Salary Safeguarding does not apply to TLR3.

16. Acting Allowances

- 16.1 Where a teacher is required to act as a Headteacher, Deputy Head, Assistant Head or other post of responsibility for a period in excess of 4 weeks, they may be eligible to receive an additional allowance backdated to the date on which the duties were assumed.
- 16.2 The Local Governing Body, who may delegate this responsibility to the Pay Committee, will determine whether or not an allowance is to be paid, and if so, the appropriate point on the pay range which will not be lower than the minimum point of the pay range for the role being covered.
- 16.3 The Pay Committee will also consider any subsequent effects of a teacher acting up and whether backfilling arrangements need to be put in place including determination of allowances or a TLR 3 for a defined period.
- 16.4 Where acting allowances are made, the value of the allowance and dates the allowance is applicable from and to will be confirmed to the teacher.
- 16.5 Salary Safeguarding does not apply to Acting Allowances.

17. Other payments

- 17.1 There may be other exceptional circumstances where, upon the recommendation of the Headteacher, other payments may be approved. Such decisions will be documented.

18. Provision of services by the Headteacher

- 18.1 The Trust may make payment to a Headteacher who provides a service relating to raising educational standards in one or more academies within the Trust.

19. Recruitment and Retention

- 19.1 Recruitment and Retention incentives can be used where the Headteacher believes it is necessary to:
- attract suitable candidates for hard to fill / skills shortage roles
 - retain the skills and expertise of teachers, particularly in hard to fill / skills shortage roles or specialist areas
- 19.2 Recruitment and Retention incentives are not payable for carrying out specific responsibilities or to supplement pay for other reasons.
- 19.3 The Pay Committee is free to determine the value of any award, subject to affordability within the school / academy budget and having taken into account salaries of existing staff and known changes in the future.
- 19.4 The initial maximum duration of a Recruitment and Retention incentive is 2 years, however it is subject to annual review and it may be extended. The duration of the payment, the amount, and whether this is a one off or monthly payment, will be determined according to the relevant circumstances of each case.
- 19.5 Where a Recruitment and Retention Incentive is to be paid, the teacher will receive written confirmation stating:
- if the payment is for recruitment or retention
 - why the payment is being made
 - how and when it will be paid
 - the value
 - the start and end date (unless a one off payment)

- the review date, after which it may be withdrawn
- any terms that apply

19.6 The Pay Committee will conduct a formal review of Recruitment and Retention Incentives annually.

19.7 Headteachers are not eligible for recruitment or retention incentives and the range of considerations in the STPCD should be taken into account when determining the pay range for the post.

20. Honoraria

20.1 There is no provision within the STPCD for the payment of honoraria in respect of teachers carrying out their professional duties as a teacher.

21. Salary Safeguarding

21.1 Where arrangements apply, The Trust will operate the salary safeguarding arrangements in line with the STPCD, which will apply up to a maximum of three years.

22. Appeals

22.1 The arrangements for appeals on pay determination are set out at appendix 4

23. Monitoring

23.1 A report of the pay decisions reached by each Pay Committee will be provided to each Local Governing Body and the CEO of The Trust on an annual basis. This will include an equality analysis showing progression and decisions taken.

23.2 In keeping with good practice, these reports will be provided, on request, to the trade unions.

24. General Data Protection Regulation

24.1 All parties recognise their responsibility to ensure that salary information is treated confidentially and with sensitivity.

24.2 All data within this policy will be processed in line with the requirements and protections set out in the General Data Protection Regulation.

Document management

Review cycle:	Annual
Next review due:	August 2019
Policy owner	Head of Human Resources
Approving body:	Board of Trustees
Equality Analysis completed:	17.8.17

Appendix 1**REMIT OF THE PAY COMMITTEE**

The Pay Committee will comprise at least three governors other than the Headteacher, elected at a meeting of the full Local Governing Body at which a minimum of 50% of those Governors holding office at that time were present. The CEO may attend this committee.

All governors, excluding those employed at the School / Academy other than the Headteacher, will be eligible for membership of the Pay Committee.

In relation to decision-making around individuals' pay, there should be a minimum of three governors present.

The Local Governing Body is responsible for:

- ensuring this pay policy is implemented within the School / Academy;
- Establishing the Pay Committee

The Headteacher is responsible for:

- ensuring that pay recommendations for all staff covered by the terms of this policy are made and submitted to the Pay Committee in accordance with the terms of the policy;
- advising the Pay Committee on its decisions;
- ensuring that staff are informed of the outcome of decisions of the Pay Committee, and of the right of appeal where appropriate.

The Pay Committee is responsible for:

- implementing this policy within the school / academy;
- taking decisions regarding the pay of the Assistant and Deputy Heads and classroom teachers following consideration of the recommendations of Reviewers and the advice of the Headteacher;
- taking decisions regarding the pay of the Headteacher following consideration from the parties who are responsible for the Headteacher's performance review, including the CEO of the Trust;
- ensuring that the Headteacher is informed of the outcome of the decision of the Pay Committee and of the right of appeal where appropriate
- submitting reports of decisions to the Local Governing Body and the Trust
- reviewing the implementation of this policy annually, in consultation with the Headteacher, and submitting a review and annual report of decisions taken and an equality analysis in the prescribed manner in accordance with the terms of this policy to the Local Governing Body and the Trust.

The Pay Appeals Committee is responsible for:

- taking decisions on appeals against the decisions of the Pay Committee in accordance with the terms of the appeals procedure contained within this policy.

UPPER PAY RANGE PROGRESSION CRITERIA

Movement to or through the Upper Pay Range is not automatic and the Headteacher must be satisfied that the teacher is working at the UPR level as set out below on an ongoing basis and that their expertise has continued to grow over the relevant period. Teachers are expected to meet all of the relevant standards and be consistently good to outstanding teachers.

Movement to and through the Upper Pay Range is subject to achievement and contribution to the School / Academy through the relevant review period, successful completion of two performance reviews (since the last pay progression in the case of progression through UPR) and contingent on the teacher continuing to be highly competent and performance continuing to be substantial and sustained.

For The Two Counties Trust these terms have the following meanings:

- “Highly competent”: The teacher’s performance is assessed as having excellent depth and breadth of knowledge, skill and understanding of the Teachers’ Standards in the particular role they are fulfilling and the context in which they are working.
- “Substantial”: The teacher’s achievements and contribution to the School / Academy are significant, not just in raising standards of teaching and learning in their own classroom, or with their own groups of students, but also in making a significant wider contribution to School / Academy improvement by effectively improving students’ learning and progress..
- “Sustained”: The teacher must have consecutive successful appraisal reports as set out above demonstrating successful performance against robust objectives set at an appropriate level. Teachers will be expected to have demonstrated that their teaching expertise has grown over the relevant period.

Teachers on the UPR provide a role model for teaching and learning, take advantage of appropriate opportunities for professional development and use outcomes effectively to improve students’ learning. They portray the following characteristics:

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.

**REQUEST FOR ASSESSMENT TO BE PAID ON THE UPPER PAY RANGE
CONFIDENTIAL**

Eligibility

In order to be assessed for the Upper Pay Range you will need to:

- Hold Qualified Teacher Status on the date of your request;
- Be statutorily employed under the STPCD.
- Meet the criteria

Applications

Please attach copies of the paperwork which form the basis of this application to be paid on the Upper Pay Range.

Print, sign and date the form, keeping a copy and pass it to your Headteacher between 1 September and 31 October.

Part 1: Teacher details

To be completed by the teacher:

Surname:	
First name:	
DfE number:	
Years covered by Planning & Review Statements:	
Schools or Academies covered by Planning & Review Statements:	

Declaration

I confirm that at the date of this request I meet the eligibility criteria and I submit appraisal reports and/or appraisal statements (attached) covering the relevant period prior to this request for assessment against the Upper Pay Range.

Signed

Date

UPPER PAY RANGE ASSESSMENT

Part 2. To be completed by the Headteacher

Name of teacher: _____

Criteria to be met:

- the teacher has met the expectations for progression to the UPR, including the criteria set out in Appendix 3 and:
- the teacher is working at the UPR level on an ongoing basis and is highly competent in all elements of the relevant standards; and
- the teacher's achievements and contribution to the School / Academy are substantial and sustained; and
- there is evidence to support contribution to the wider School / Academy; and
- two years of successful appraisal reviews

Recommendation to the Pay Committee:

**The criteria are met / not met (delete as appropriate),
Rationale:**

Areas for development (if applicable)

Signed

Date

Unsuccessful applicants to be paid on the UPR have a right of appeal

APPEALS PROCEDURE

The Trust is committed to ensuring that appeals against pay decisions are appropriately considered.

As the Planning & Review process is closely related to decision making around pay, the same appeals process applies to both.

Step One: Informal resolution

A reviewee who is dissatisfied with a performance rating / pay recommendation will have the opportunity to discuss the recommendation with the reviewer and/or Headteacher before a recommendation is made to the Pay Committee. The opportunity to discuss a pay decision before it is made may also help to mitigate the need for a more formal appeal.

Step Two: Formal representation

If it is not possible to resolve matters informally and the reviewee believes that an incorrect pay recommendation has been made, they may make a formal representation to the Pay Committee. If they wish to do this, the reviewee should submit a formal written statement to the Pay Committee setting out the grounds for their non-agreement with the pay recommendation and including any evidence that they wish the Pay Committee to consider prior to making their determination.

Step Three: Formal appeal

Once a pay determination has been made and communicated, the reviewee has the right to raise an appeal against any determination in relation to their pay or Planning & Review statement by the Pay Committee. This right of appeal exists whether or not the reviewee chooses to make formal representations (step two).

Note: in the context of the Planning & Review report, the appeal should be heard by an individual more senior than the reviewer.

The following list, which is not exhaustive, includes the usual reasons for seeking a review of a pay determination: That the person or committee by whom the decision was made:

- incorrectly applied any provision of the STPCD or this policy;
- failed to pay proper regard to statutory guidance;
- failed to take proper account of relevant evidence;
- took account of irrelevant or inaccurate evidence;
- was biased;
- otherwise unlawfully discriminated against the teacher.

Order of proceedings

1. The teacher receives the written Planning & Review report / written confirmation of the pay determination and where applicable the basis on which the decision was made.
2. The teacher should set down in writing the grounds for the appeal and send it to the person (or committee) who made the determination, within ten working days of the notification of the decision being appealed.
3. For appeals against pay determinations, the appeal should be heard by a panel of three governors who were not involved in the original determination, normally within 20 working days of the receipt of the written appeal notification. Where the appeal relates to the content of a Planning & Review statement it will be heard by a more senior manager than the one making the original determination, or a panel of three governors if applicable.
4. The teacher will be given the opportunity to make representations in person, to call witnesses and to ask questions. The decision of the appeal panel will be provided in writing, and where the appeal is rejected will include a note of the evidence considered and the reasons for the decision.

5. The appeal panel's decision is final and there is no recourse to the grievance procedure.

Notes:

- For any formal meeting the teacher is entitled to be accompanied by a trade union representative or work colleague.
- Each step and action of this process must be taken without unreasonable delay.
- The timing and location of formal meetings must be reasonable.
- Formal meetings must allow both parties to explain their cases.

Suggested procedure for conduct of formal meetings

This is intended as broad guidance only and should be adapted depending on the circumstances.

- Introductions (Chair)
- Purpose of the meeting (Chair)
- Employee states their case (employee and / or their representative)
- Questions for the employee from the panel (Panel)
- Management states their case (management representative)
- Questions for management from the panel (panel)
- Further points from either party (Chair)
- Chair sums up and confirms that the panel's decision will be provided in writing in accordance with this policy (Chair)
- Chair adjourns for the panel to deliberate and confirms the decision (Chair)
- Employee notified in writing (Chair)