



Department
for Education

Managing Teachers' and Leaders' Pay

**Advice for maintained schools, MATs,
academies and local authorities**

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Summary

About this advice

This guidance has been revised following engagement with relevant stakeholders. There is no obligation for schools to implement these changes from September 2024. A formal process will now be followed to make necessary amendments to the [School teachers' pay and conditions document](#), the final version of which is likely to be published in October 2024, back-dated to 1 September 2024. Any further amendments that might be required to this guidance as a result of that process will also be made following consultation.

This advice has been produced to help schools and governance boards (for the purposes of this guidance the term governance board should be considered to include reference to governing bodies) make fair and robust decisions on teachers' and leadership pay, allowances and terms and conditions. It should be read alongside the current version of the School Teachers' Pay and Conditions Document (STPCD).

This advice is also designed to support schools with

- meeting equalities responsibilities, so they do not discriminate against individuals or groups when making pay decisions;
- using evidence proportionately which is readily available from day to day practice in school to eliminate unnecessary bureaucracy when making pay decisions;
- developing good human resource (HR) practices;
- managing pay decision appeals;
- using allowances and other pay flexibilities within the STPCD; and
- implementing non-pay terms and conditions.

Expiry or review date

This advice will be kept under review and, if necessary, updated in the light of future amendments to the STPCD.

Who is this advice for?

This advice is relevant to all maintained schools and academies in England and is for:

- school leaders;
- school teachers;

- governance boards;
- multi academy trusts;
- local authorities; and
- trade unions.

Main points

- From the 2024/25 academic year, the requirement for objectives and the appraisal process to lead to performance-related pay outcomes for teachers and leaders will be removed. The statutory requirement to make a pay decision following the completion of the appraisal process remains.
- Pay decisions for the 2023/24 academic year, which will be taken in September/October 2024, will continue to be based on the requirements for performance related progression as set out in the September 2023 STPCD.
- Schools can choose whether or not to retain some or all elements of performance related pay, but a school's pay policy should minimise the impact on workload for individual teachers, line managers, school leaders and governing boards.
- Schools should review their pay policies annually, involving union representatives as appropriate, to clarify their approach to making pay decisions and consult on any changes as appropriate.
- Pay policies should clearly set out how pay progression will be awarded and, for those schools wishing to retain performance related pay, this should be clear in the policy, along with the criteria that will be used to assess performance.
- Schools who have chosen to remove the performance related pay requirement are under no obligation to increase an individual's pay where a teacher is in formal capability procedures. Schools who have retained performance related pay should only withhold pay progression in the event of poor performance as set out in their pay policy. Schools should ensure that teachers whose performance is unsatisfactory are supported appropriately.
- When reviewing pay policies, school leaders should consider the recommendations on performance management in the ['Making Data Work'](#) report, and may wish to refer to the Department's [school workforce planning](#) guidance, [flexible working in schools](#) guidance, the updated appraisal guidance and updated capability guidance.
- The process for making pay decisions must mitigate against discriminatory outcomes.
- It is up to each school to decide for itself how best to implement the arrangements and develop its pay and appraisal policies accordingly. No single approach will suit all schools.
- Schools should tailor their pay policies to meet their local recruitment and retention needs, within the parameters of pay flexibility set out in the STPCD.
- Schools may appoint teachers above the minimum of a pay range and use recruitment and retention payments to attract, recruit and retain the teachers

that they need. The criteria, level and duration of any payments of this nature should be set out in the school's pay policy.

- The pay ranges of headteachers or leadership teams in post should only be reviewed when there have been significant changes to responsibilities and/or size of the school and not just because the top of the current range has been reached.
- The principles underlying the core non-pay conditions remain applicable to all schools.

Setting the pay of teachers

Making pay decisions

Section 3, paragraph 4 of the STPCD sets out that schools and local authorities (in relation to unattached teachers) are required to have a pay policy in place, which sets out the basis on which they determine teachers' pay, and to establish procedures for determining appeals and which should be reviewed on an annual basis. The Department has updated and published separate guidance documents on both appraisal and capability which schools may choose to adapt and adopt.

All pay decisions must be made ensuring there is no discriminatory effect on any teacher or group of teachers with a protected characteristic under the Equality Act 2010. Schools should tailor their pay policies to meet their local recruitment and retention needs.

Schools are free to adopt their own approaches on pay provided these comply with the STPCD provisions. Neither the Department for Education (DfE) nor Ofsted (through its *School Inspection Handbook*) require schools to follow a particular approach, and Ofsted will continue to ensure that inspectors do not ask to see performance management targets based on assessment data during inspections.

The pay policy should set out how all pay decisions will be reached, with sufficient detail for an individual to understand the basis upon which pay decisions will be made in their particular school.

For instance, areas to consider in relation to the policy are:

- Be clear about the circumstances in which an increase may or may not be merited.
- Although performance related pay is no longer a requirement in schools, those schools who do wish to differentiate pay progression between good and exceptional performers can continue to do so. Schools should ensure that their pay policies are clear about the circumstances in which it would be appropriate to differentiate between different levels of acceptable performance, to demonstrate that the policy is both fair, supports equality of opportunity and does not discriminate. Schools should mitigate any workload issues that may arise from retaining performance related pay.
- The policy should also make clear how pay will be determined when teachers are absent for any reason, for example, on maternity or long-term sick leave.

A [model pay policy](#), which includes illustrations of differentiation, is provided in Annex B.

In determining their pay policy, schools may wish to consider that:

- The department supports the School Teachers' Review Body's (STRB) recommendation to re-introduce advisory pay range points into the STPCD for unqualified, main and upper pay range teachers, though schools do remain free to adopt whichever system of pay points, within the statutory pay ranges, as they see fit;
- the Government's expectation is that good classroom teachers should expect to reach the maximum of the main pay range within five years;
- whilst there is no longer any statutory requirement to match teachers' previous salaries (pay portability) when they are applying for a post in a different school, schools are free to do so if they choose. This includes the freedom to pay teachers more from the start of their new employment in a school;
- Schools are also free to recognise in salaries the international experience that teachers returning from overseas may have;
- where appropriate, teachers are properly remunerated when they carry out duties which warrant the awarding of a Teaching and Learning Responsibility (TLR) payment, or payment of a SEN allowance or payment on the leadership or leading practitioner pay ranges.

Advice on determining the salary of early career teachers at the end of their induction period

Whilst there is no longer any statutory requirement in the STPCD for the relevant body to award early career teachers (ECTs) pay progression on the completion of induction, it is free to do so if it chooses. The relevant body must also ensure that ECTs are not negatively affected by the extension of the induction period from one to two years. This change does not prevent a school from awarding pay progression to ECTs at the end of the first year.

Advice on access to the upper pay range

It is the responsibility of individual teachers to decide whether or not they wish to apply to be paid on the upper pay range (UPR).

Any decision made on progression to the UPR applies only to employment in that same school or (in the case of unattached teachers) the same local authority. The STPCD sets out when teachers must be paid on the UPR, and when the school can pay a teacher on the UPR if they wish.

Teachers who are simultaneously employed to teach at two or more schools may submit separate applications to both (or all) headteachers if they wish to apply to be paid on the

UPR in both (or all) schools. Each headteacher and governance board will make its own assessment. Decisions by one school will not be binding on other schools.

In order to be eligible to be assessed, teachers must have Qualified Teacher Status (QTS). There are no barriers to movement onto the UPR that are connected with length of service and no requirement to be at the top of the main pay range.

For an application to be successful, the governance board must be satisfied that:

- the teacher is highly competent in all elements of the relevant standards; and
- the teacher's achievements and contribution to an educational setting or settings are substantial and sustained.

These criteria are set out in the STPCD.

Schools are free to set out in their pay policies their interpretation of the STPCD criteria for teachers to progress from the main pay range (MPR) to the upper pay range (UPR). Neither the Department nor Ofsted specify what these should be.

The school's pay policy should set out the process for assessing applications and make clear how the relevant body will interpret the criteria above. In particular the pay policy should make clear how the relevant body will interpret "highly competent", "substantial" and "sustained". Teachers should not simply be assumed or deemed to be meeting the criteria in the absence of any evidence to the contrary. The model pay policy in this document suggests some areas which schools may like to consider when interpreting the criteria. The job description and responsibilities attached to the UPR post should be clear to the teacher.

Schools should avoid confusing or conflating the criteria and factors for the award of TLR payments with the criteria for movement to the UPR, both within the context of additional responsibilities, objective-setting and when making pay decisions.

Progression to the upper pay range

Applications and assessment

Issue: What deadline to set for receipt of applications.
Ask yourself Do you want there to be a single cut-off date for all applications? If so, what? How will you communicate the deadline(s) to teachers, allowing, for example, sufficient time for teachers with different working patterns to apply?

<p>Do you want to align the application process with the appraisal cycle?</p> <p>How will you make sure all teachers are treated fairly?</p>
<p>Prompt</p> <p>Have you made sure all teachers have access to the information they need to make an application? Do line managers know what approach to take if asked about applications?</p>
<p>Issue: To whom the teacher should give the application.</p>
<p>Ask yourself</p> <p>Do you want all applications to be made to the headteacher or other senior manager?</p>
<p>Issue: Evidence the application should contain.</p> <p>All applications should include the results of reviews or appraisals under the 2011 or 2012 regulations (or, where that information is not applicable or available, a statement and summary of evidence to demonstrate that the applicant has met the assessment criteria).</p>
<p>Ask yourself</p> <p>When considering the criteria in the STPCD, have you defined what ‘highly competent’ and ‘substantial and sustained’ look like in practice? How will you ensure that – taken as a whole – the evidence demonstrates the teachers meet the criteria and that they will continue to do so?</p> <p>Have you made sure all teachers are treated fairly, for example, teachers who have different working patterns or those with particular protected characteristics under equality legislation?</p> <p>Over what time period should evidence be collected?</p>
<p>Prompt</p> <p>Consider how you have accommodated teachers who had breaks in service under the previous threshold arrangements.</p>
<p>Issue: The format of the application.</p>
<p>Ask yourself</p> <p>Is it necessary to devise a standard form or letter, or will this add unnecessary workload for staff?</p>

Will teachers simply be able to provide copies of their appraisal reports as evidence for assessment against the criteria?

Issue: Formal assessment of the application.

Ask yourself

Should the headteacher moderate all initial recommendations and formally recommend to the governance board? If not, how else will you ensure consistency?

How do you ensure that all assessments are made fairly and transparently, taking into account individual circumstances? How do you ensure there are appropriate levels of independence during the assessment process?

Prompt

Consider how threshold applications were previously managed in your school and apply learning from that experience.

Process and procedures

Issue: Length of time to make the assessment and inform the applicant of the result.

Ask yourself

How will you communicate the outcome? Who will provide the feedback? Will you tell all applicants the outcome at the same time? How long is it reasonable for applicants to wait for the result of their application?

Issue: How quickly successful applicants will move to the upper pay range

Ask yourself

Will you have a single date when all successful applicants move to the upper pay range?

How will you take into account teachers with different working patterns?

Issue: Placing successful candidates on the upper pay range.

Ask yourself

Will you place all successful applicants on the minimum of the range or will outstanding applicants be able to start further up the range?

Advice on appointments to leading practitioner roles above the upper pay range

Schools can create posts whose primary purpose is the modelling and leading improvement of teaching skills and that are paid above the maximum of the upper pay range.

The pay range for leading practitioners is a wide one. Schools need to determine an individual post range for each post within the minimum and maximum of the overall range which is set out in the STPCD.

When determining the individual salary range, schools should take into account the challenge and demands of an individual post and be mindful of internal pay relativities. If a school creates more than one such post, the individual post ranges should be determined separately for each post and need not be identical. Salaries are for specific posts and will not be portable between different schools or different posts within the same school.

Teachers on the pay range for leading practitioners should exhibit exemplary teaching skills, lead the improvement of teaching skills in their school and carry out the professional responsibilities of a teacher other than a headteacher, including those responsibilities delegated by the headteacher. Time should be allocated for teachers to discharge additional responsibilities.

Teachers on the pay range for leading practitioners should take a leadership role in developing, implementing and evaluating policies and practice in their workplace that contribute to school improvement. This might include:

- coaching, mentoring and induction of teachers, including trainees and ECTs undertaking a National Professional Qualification (NPQ)
- disseminating materials and advising on practice, research and continuing professional development provision
- assessment and impact evaluation, including through demonstration lessons and classroom observation
- supporting the school or groups of schools in provision of high quality schemes of work to reduce workload, as recommended in the independent report on [eliminating unnecessary workload related to planning and resources](#)
- supporting and developing plans to help teachers who are experiencing performance difficulties.

They may also be required to take on this role in other schools, subject to their contractual arrangements, or in relation to teachers from other schools.

There are no national criteria for appointment to these posts, except that the teachers must have QTS, however, successful candidates will normally be expected to have a sustained track record of successful performance as a teacher on the UPR, have demonstrated excellence in teaching and have contributed to leading the improvement of teaching skills.

Schools will normally be expected to advertise any vacancies and appoint candidates in the same way that they do for other vacancies.

Appointment of teachers as leading practitioners

Issue	Ask yourself
Whether or not to create a post or posts of this sort	<p>Do you need a post within the school that has the primary purpose of modelling and leading improvement of teaching skills?</p> <p>How does the post fit within your current structure?</p> <p>Does such a post represent good value for money?</p> <p>What impact do you expect the post to have on the quality of teaching and on pupil outcomes? For example, would they have a role in increasing use of high quality curriculum resources across the schools they work?</p>
Duties/job description	<p>Exactly what do you expect the post-holder to do? How much of their time will be spent teaching their own classes? How much of that time will be spent working directly with colleagues? How will you allocate time for additional responsibilities?</p> <p>Will the post-holder work across the school or within a particular department/phase?</p> <p>Will there be any element of outreach? If so, will you charge other schools?</p>
Person specification	<p>What skills and experience will the post-holder need?</p>
Salary	<p>How much will you need to pay in order to attract and retain the right candidate?</p> <p>How wide should the individual post range for the post be?</p> <p>If you are creating more than one post, will all posts be paid on the same individual post range? If not, how will you ensure that the demands of different posts justify different ranges?</p>

Communications relating to pay determinations

Schools must notify teachers of the outcome of pay decisions as soon as possible after the pay determination date in their pay policy and no later than one month after the pay decision has been made. Teachers should also be notified of any subsequent change in pay during the school year as a result of a change in their job (promotion etc.).

Schools are required to give each teacher written details of their pay every year. This helps to ensure that governors and school leaders meet their obligations both to undertake pay assessments for all teachers and to inform those teachers whose pay has changed about their new pay rate. The information required for each teacher would set out the following:

- any payments and financial benefits awarded to the teacher and the period for which they are awarded
- any safeguarded sums to which the teacher is entitled
- in the case of a leadership group or leading practitioner teacher, the basis on which remuneration has been determined and the criteria
- the nature of any fixed-term contract (including a fixed-term appointment to the leadership group or as a leading practitioner)
- where the school's pay policy is located.

The school must provide every teacher with a monthly payslip, giving full information about all earnings (such as gross pay and allowances) and deductions (such as tax, National Insurance contributions and pension contributions) and total net pay to date. If the relevant body uses an electronic payslip system, it should, where practicable, ensure that staff can download and print a copy of their payslip if required or provide a copy at no additional costs where they cannot self serve. The relevant body is also responsible for ensuring that the issuing of pay remittance advice has due regard to the school's statutory responsibilities under the Data Protection Act.

Managing appeals against pay determination

Teachers have the right to raise formal appeals against pay determinations if, for example, they believe that the person or committee by whom the decision was made:

- (a) incorrectly applied the school's pay policy
- (b) incorrectly applied any provision of the STPCD
- (c) failed to have proper regard to statutory guidance
- (d) failed to take proper account of relevant evidence
- (e) took account of irrelevant or inaccurate evidence
- (f) was biased or,
- (g) unlawfully discriminated against the teacher

Support for school leaders and governors

It is important that school leaders and governors are well supported in managing pay and appeals processes. Governance boards should seek human resource (HR) advice from their local authority, their contracted HR provider or other sources to guide them in exercising their judgement and should ensure that there are minuted, auditable decisions on pay and appeals processes. HR advice should be available if needed during any formal hearings, or as soon afterwards as is reasonably practicable, and before any decision is confirmed. The HR provider should be familiar with the duties placed on schools by the Equality Act 2010, the ACAS Code of Practice - Disciplinary and Grievance Procedures and relevant case law concerning pay grievances and equal pay claims. Schools should regularly review their choice of HR provider to ensure that it is competent in these areas.

Schools should ensure that an appeals procedure is in place before any pay determinations are made. The adoption of an appeals procedure after a pay appeal has already been lodged could leave schools open to legal challenge. An appeals policy should have clear timescales which are reasonable in all circumstances, make allowances for school holidays, yet allow appeals to be expedited in good time.

Example of a pay appeals procedure

What follows is intended as a guide as there is no statutory process for schools to follow in terms of hearing pay appeals. A key aspect of the process is the opportunity for a teacher to discuss a pay recommendation prior to it being confirmed by the governance board. This stage in the process will help to ensure that pay decisions and pay policies are seen as transparent and fair. The opportunity to discuss a pay decision before it is made may also mitigate the need for the more formal stages two and three.

Stage one – informal discussion with the appraiser or headteacher prior to confirmation of pay recommendation

A teacher who is dissatisfied with a pay recommendation has the opportunity to discuss the recommendation with the appraiser or headteacher before the recommendation is actioned and confirmation of the pay decision is made by the school.

Stage two – a formal representation to the person or governors' committee making the pay determination

If, having had an informal discussion with the person making the pay recommendation, the teacher believes that an incorrect recommendation has been made, he/she may make representation to the person (or governors' committee) making the decision. To begin the process the teacher should submit a formal written statement to the person (or governors' committee) making the determination, setting down in writing the grounds of their disagreement with the pay recommendation.

The teacher is given the opportunity to make representations, including presenting evidence, calling witnesses, and the opportunity to ask questions at a formal meeting with the person (or governors' committee) who will make the pay determination. Following this meeting the person (or governors' committee) will make a pay determination that will be communicated to the teacher in writing.

Stage three – a formal appeal hearing with an appeals panel of governors

Should the teacher not agree with the pay determination, the teacher may appeal the decision and have an appeal hearing before an appeals panel of governors.

In the hearing before governors, both the teacher and the management representative will have the opportunity to present their evidence and call witnesses; the parties will also be able to question each other. The panel is permitted to ask exploratory questions.

Having heard the appeal, the panel must reach a decision, which it must relay to the teacher in writing, including their rationale for reaching the decision. The appeal panel's decision is final and, as set out in Section 3 of the STPCD, there is no recourse to the general staff grievance procedure

Appeals hearings panels

It is recommended that the panel which hears pay appeals should comprise three governors who were not involved in previous discussions regarding the teacher's pay determination. Governors on appeals panels should be familiar with the school's pay and appraisal policies. To ensure that appeals are properly considered, governance boards should consider any training needs that their members have, including duties placed on the school by the Equality Act 2010 and the ACAS Code of Practice (Disciplinary and Grievance Procedures).

Teachers making representation at stage two and making an appeal at stage three may be accompanied by a colleague or representative from a professional organisation or trade union.

Pay appeals should be formally clerked and a note of proceedings should be produced.

Possible pay panel hearing procedure

A suggested procedure for the conduct of formal hearings:

Introductions

- Chair introduces everyone and explains what their role is, then outlines the order of the hearing.

Clerk takes notes of the hearing.

The employee case

- Employee or their representative presents employee case providing any evidence to support their case, including from witnesses (if any).
- Management representative has the opportunity to question the employee.
- Chair asks questions and subsequently opens the discussion to the panel.

The management case

- Management representative presents management case, providing any evidence to support their case, including any witnesses.
- Employee or their representative has the opportunity to question the management representative.
- Chair asks questions and subsequently opens the discussion to the panel.

Summarising and end of hearing

- Employee or their representative sums up the employee case.
- Management representative sums up the management case.
- If appropriate, the Chair can sum up the key points on both sides. Chair will then end the hearing, advising the employee that they will receive the panel's decision in writing within a given timescale.

Decision-making

- Panel meet to reach their decision.

Clerk notes main points of panel discussion and their decision.

- Panel obtains HR advice, if required, to inform their decision-making.

Communication of decision

- Employee is notified of decision. Decision and reason for the decision confirmed in writing.

Setting the pay of school leaders

Role of the governance board

The governance board's role in relation to leadership pay is to:

- consider whether or not to increase the salary of members of the leadership group as a result of changed responsibilities
- set the appropriate levels of pay for the different roles
- consider and adopt pay and appraisal policies, including the criteria for pay progression
- assure themselves that pay decisions can be objectively justified
- approve salaries in line with the school's pay policy and responsibilities assigned to each post

New appointments – the three-stage process

You should adopt the following three-stage process when setting the pay for new appointments to headship or the wider leadership team.

The pay of those in post should only need to be reviewed when there have been significant changes to responsibilities. The definition of a 'significant change' will vary according to the circumstances and context of an individual school. For instance, what may be a relatively small change for a large school, such as taking on one or two School Direct trainees for the first time, may represent a relatively significant change for a small school. The key is the extent to which the change creates new levels of accountability and responsibility for the leadership group member. It will be for the governance board to determine, in the light of a school's particular circumstances and context, the extent to which any change should be regarded as 'significant'.

The three-stage process offers governance boards substantial flexibility to set pay at the level needed to attract headteachers and other members of the leadership team by systematically considering the circumstances of the role before advertising the post.

The 3 stages are:

- Stage 1 – Defining the role and determining the headteacher group
- Stage 2 – Setting the indicative pay range
- Stage 3 – Deciding the starting salary and individual pay range

You should ensure that all decisions and the reasons for them are well documented at every stage. All pay decisions must be made on objective criteria so that there is no

discriminatory effect on any teacher or group of teachers with a particular protected characteristic under the Equality Act 2010.

Stage 1 – Defining the role and determining the headteacher group

You should use this stage to define the job and identify the broad pay range as a provisional guide to determining an appropriate level of pay.

You will need to define and set out the specific role, responsibilities and accountabilities of the post as well as the skills and relevant competencies required.

For headteacher posts you should assign the school to a headteacher group which will determine the appropriate broad pay range. This should be done by calculating the total unit score for the school in accordance with the STPCD.

Prompt

Have you ensured that you have modified the total unit score to include, where appropriate, permanent responsibility for additional schools?

For other leadership group posts, you should consider how the role fits within the wider leadership structure of the school. The pay range for a deputy or assistant headteacher should only overlap the headteacher's pay range in exceptional circumstances.

Prompt

Does the role carry specific responsibilities and accountabilities which make it more challenging than other posts of a similar grade within the leadership group? Is the role very different from other leadership posts?

Stage 2 – Setting the indicative pay range

At this stage you will need to consider the complexity and challenge of the role in the particular context of the school and make a judgement on pay in the light of this.

You should note that current discretionary payments, such as allowances for recruitment and retention, permanent additional responsibilities (e.g. the provision of initial teacher training (ITT)), and long-term provision to other schools, should be captured at this stage.

For headteacher posts it is expected that normally you will conclude that the total unit score fully captures the complexity of the headteacher role and that the relevant broad pay range accommodates appropriate levels of reward. You may wish to consider whether the indicative pay range should start at the minimum of the headteacher group or whether you wish it to start at a higher level because of the level of challenge of the post.

There may, however, be circumstances in which there are additional factors that suggest the indicative pay range should be higher than would be provided by the basic calculation in stage 1. The following represent some examples of the additional factors that you may wish to consider, these are for guidance only and are not intended to provide an exhaustive list:

- the context and challenge arising from pupils' needs e.g. if there is a high level of deprivation in the community (Free School Meal (FSM) entitlement and/or English as an Additional Language (EAL) indicators may be relevant) or there are high numbers of looked after children or children with special needs or there is a high level of in-year pupil mobility, and this affects the challenge in relation to improving outcomes
- a high degree of complexity and challenge which goes significantly beyond that expected of any headteacher of similar-sized school(s) and is not already reflected in the total unit score used at stage 1;
- additional accountability not reflected in stage 1 e.g. leading a teaching school hub;
- factors that may impede the school's ability to attract a field of appropriately qualified and experienced leadership candidates, e.g. location; specialism; level of support from the wider leadership team.

If you consider that circumstances warrant it, you can set the indicative pay range with a maximum of up to 25% above the top of the relevant headteacher group range. Above that limit, external independent advice must be sought and, should the advice suggest that additional payment is appropriate, a business case must be made and agreed by the full governance board.

You should ensure that no double counting takes place, e.g. of things taken account of in stage 1, such as responsibility for an additional school already reflected in the total unit score; or from using overlapping indicators, such as FSM and the pupil premium.

You should not increase base pay nor pay an additional allowance for regular local collaboration which is part of the role of all headteachers.

For other leadership roles the process is broadly the same. You should consider how the other leadership roles should be set in accordance with the level set for the headteacher and ensure that there is sufficient scope for progression.

At the end of this stage you should decide where in the broad range to position the indicative pay range and set this out clearly when you advertise the job. You should make an overall judgement on the position and breadth of range, allowing appropriate scope for progression over time, clearly linked to school improvement priorities and outcomes.

There should be a clear audit trail for all decisions made and the reasoning behind them.

Prompt:

Does the total unit score provide an appropriate pay range for the job?

Are there any additional factors that need to be taken into account in determining the indicative pay range?

You may consider that it is appropriate to apply more weight to some factors than others, e.g. the level of social challenge; managing more than one school; difficulty in making a suitable appointment. For those factors which are not expected to persist, such as temporary responsibility for an additional school, these should be reflected through an allowance rather than consolidated into the indicative pay range.

Is the role so challenging that the pay range should extend above the maximum of the headteacher group for the school?

Have you considered whether there is any relevant benchmarking information available that would support your judgement on whether the pay range is justifiable?

You may wish to seek the services of an experienced external adviser to validate your decisions. Do you know where you can go for further assistance or support, e.g. HR advice, in exercising your judgements?

Does the pay range provide scope for progression over time?

What is the appropriate differential between the pay ranges for different leadership posts? You will want to be sure that you consider the equality implications of any decisions over differentials.

Is there an audit trail to show the basis on which decisions have been made and which clearly demonstrate that schools must be cognisant of the fact that in making decisions of this type, they are using public money and must do so in the spirit of, as well as to the letter of, the law, in the public interest, to high ethical standards and achieving value for money.

Stage 3 – Deciding the starting salary and individual pay range

The first two stages provide the means for determining the appropriate pay range. The third stage is essentially about deciding on the starting salary for the individual who is to be offered the post.

At this stage you will have a preferred candidate for the role and will wish to set the starting salary in the light of candidate-specific factors, such as the extent to which the candidate meets the specific requirements of the post.

It will be important for you to ensure that there is scope for progression over time.

Prompt:

Have you considered what you would be willing to offer as the upper limit of a starting salary?

Some examples of how the three-stage process might be used in practice are provided in Annex A.

Establishing a pay range above the school's headteacher group

The expectation is that in most cases the pay range will be within the limits of the headteacher group. However, in some cases, e.g. where there may be significant difficulty in making an appointment or there is a need to incentivise a head to take on responsibility for a very large school or to lead multiple large schools, it may be appropriate to consider extending the individual pay range.

The governance board can in such cases decide that the maximum of the pay range may be above the maximum of the headteacher group, up to an additional 25%.

It should be wholly exceptional for the maximum of the pay range to be more than an additional 25% higher than the maximum of the headteacher group. If it is considered that there are exceptional circumstances that warrant an extension beyond that limit, a business case would be required. You would need to seek external independent advice from an appropriate person or body who can consider whether it is justifiable to exceed the limit in a particular case. There must be a clear audit trail for any advice given and a full and accurate record of all decisions made and the reasoning behind them.

Pay progression for School Leaders

It is the responsibility of the governance board to consider how school leaders' pay progression is awarded. Although there is no longer a requirement for schools to use a performance related pay system for teachers or leaders, schools can continue to use performance related pay if they wish. Whatever system a school chooses, it should also ensure clarity and transparency around pay progression. Schools wishing to retain performance related pay should mitigate any workload impacts of retaining it.

Although there are no advisory pay range points in the STPCD, in order to give schools greater flexibility, governance boards are free to implement a system of pay points for school leaders.

Schools should review and update their pay policies on an annual basis to ensure that they remain fit for purpose; schools should set out clearly their approach to making decisions about pay progression for the leadership group. Governance boards will need to satisfy themselves that objective-setting is rigorous.

Fixed-term contracts

The expectation is that the vast majority of headteacher appointments will be on permanent contracts.

You may, however, wish to consider offering a fixed-term contract where you determine that the circumstances of the school require it, for example, to attract a good candidate where there is a high degree of professional risk associated with the task, such as turning around a school assessed to be vulnerable to a poor Ofsted judgement or a school that is judged as requiring significant improvement or special measures. You may wish to seek external independent HR advice to ensure that you fully understand the consequences of using a fixed-term contract.

In establishing such a contract, you will wish to consider how reward should be structured and whether achievement of objectives should be assessed over a shorter or longer timescale than would normally be the case. You will need to ensure that your school's pay policy has been revised to include details of how these contracts will be used and how rewards will be made.

The Equality Act 2010

Schools must not directly discriminate against anyone because of a relevant protected characteristic¹. Protected characteristics are set out in Section 4 of the Equality Act 2010 and are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy (including maternity leave)
- race
- religion or belief
- sex
- sexual orientation

For example, if a school chooses not to give a female teacher a pay rise because she is pregnant, that is unlawful. Indirect discrimination is also potentially unlawful where, for example, a school's pay policy, though applied equally to all, might disadvantage a particular group.

When formulating pay policies and making pay decisions, schools should take care to avoid discriminating against teachers on grounds of their protected characteristics. To avoid the risk of other potential legal claims schools should also give consideration so that teachers are not treated less favourably for the following reasons:

- asserting a statutory right (for example, the right to request flexible working);
- a union-related reason;
- participating in protected (i.e. official) industrial action;
- a health and safety reason;
- taking or requesting leave for family and domestic reasons;
- asserting a right under the Working Time Regulations;
- asserting rights under the Tax Credits Act 2002;
- because of the teacher's part-time status;
- because the teacher is on a fixed-term or temporary contract;
- because the teacher is absent on jury service.

¹ Protected characteristics are defined by the Equality Act 2010.

At the same time, schools should recognise the benefits of taking equalities considerations seriously. A pay system that contributes to raising educational standards will also recognise and reward teachers fairly and appropriately.

All public authorities – including schools – must comply with the Public Sector Equality Duty (PSED) introduced by the Equality Act². To discharge the duty schools must have due regard to the need to:

- (i) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by, or under, the Act³,
- (ii) advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it⁴,
- (iii) foster good relations between people who share a relevant protected characteristic and people who do not share it⁵.

The effect of the equality duty is that schools must have due regard to the needs at (i) to (iii) above in relation to the management of their pay policies. Public authorities are also required to prepare and publish equality objectives and publish information to demonstrate compliance with the general duty⁶. Complying with the PSED will also assist schools in avoiding direct or indirect discrimination.

What this means for teachers' pay

- In the context of teachers' pay this means that, whenever pay policies are amended or pay decisions made for individuals, decision-makers and appraisers in schools should assess whether there are implications for people with particular protected characteristics. In particular, equality should be considered in relation to:
- **Objective setting** – the nature and weighting of objectives agreed during a teacher's appraisal should be non-discriminatory. This consideration requires particular attention to be given to whether individual teachers may face barriers to the achievement of objectives that relate to a protected characteristic. This will have implications for the training of appraisers and for the moderation of the appraisal arrangements at the school;
- **The training of appraisers** – all managers should understand and implement the PSED;

² Section 149 of the Equality Act 2010.

³ Applies to all protected characteristics.

⁴ Applies to age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation

⁵ As per 6 above.

⁶ The Equality Act 2010 (Specific Duties) Regulations 2011

- **The training of appraisees** – all teachers should understand the school's policy and procedures to fulfil the PSED and be able to identify how this is being applied in their own case.
- **The moderation of the appraisal arrangements at the school** – these must ensure that the PSED is fully met and allow for modification of initial outcomes to ensure that discrimination does not occur;
- **Appeals** – both in terms of teachers accessing the appeals process and the outcome of pay appeals at the school.

It is good practice for schools to record what steps they undertake to avoid discrimination, before and at the time that they develop policy and take decisions, and monitor the effectiveness of those steps in eliminating discrimination - they should also keep these under review on a continuing basis. Equality monitoring is the most effective and efficient method of identifying potential inequality in workplace policies and procedures. The Equality and Human Rights Commission (EHRC) has published a considerable amount of information to help employers undertake equality monitoring (see links on page 43 of this document). Once potential inequalities have been identified, schools should take steps to amend arrangements in order to avoid discrimination. On-going equality analysis can assist schools in identifying any potential inequality and would help demonstrate that the school is attempting to eliminate discrimination and advance equality etc. A breakdown of pay decisions according to each protected characteristic (where applicable) would provide an initial snap-shot. Comparisons year-on-year would then show trends and may identify potential discriminatory practices or procedures.

It is also important that considerations about equality issues, either at a system level or for individual teachers, take account of the cumulative effect of decisions over time. For example, individual pay progression decisions in a particular year may in themselves be taken in accordance with the school's pay policy. When all of the pay decisions in a school are looked at over a number of years, it may however become apparent, for example, that a greater proportion of men received higher rates of pay progression or faster pay progression than women. This kind of pattern may be an indication of some form of inequality in the decision-making process and should come to light if the PSED is properly discharged. Indirect discrimination in pay decisions is more common than direct discrimination and is likely to be highlighted by annual equality monitoring of pay decisions.

Although, as set out above, it is important that schools embed equality throughout their management of the appraisal and pay determination process, there are some specific key areas where schools will want to take particular care in terms of ensuring that equality issues are properly considered and unlawful discrimination avoided.

(i) Pay portability

Whilst there is no longer any statutory requirement in the STPCD for the relevant body to match teachers' previous salaries when they are appointed to a post, it is free to do so if it chooses. This includes the freedom to pay teachers more than their previous salary from the start of their new employment in a school.

The relevant body must ensure that, when considering new appointments and appropriate levels of salary, the decisions taken do not discriminate against teachers because of a protected characteristic under the Equality Act 2010. Salary determinations made at school level should also be monitored to ensure that decisions in respect of starting salary/pay portability are not discriminatory.

In respect of career breaks, the relevant body must ensure that, although it is good practice for a teacher and a school to agree the terms on which the teacher will return from the break, the potential for indirect discrimination in any such agreement is fully assessed and, if necessary, prevented.

The relevant body must avoid discriminating against teachers returning to the profession following a career break whether they return to the same school or to another school. Blanket policies against pay portability are likely to disadvantage women teachers who have taken a break from teaching to give birth and/or to care for their children.

(ii) Teachers who are on maternity or long-term disability or sickness absence

Schools should ensure that their pay policies do not discriminate on grounds of absence due to pregnancy/maternity or disability. Schools should ensure that the pay progression criteria recognises the potential for indirect discrimination in relation to pay progression decisions, and that measures which disadvantage teachers on grounds of absence due to pregnancy/maternity or disability are potentially discriminatory and therefore unlawful. Where a teacher is away from school because of maternity leave, it is unlawful for the school to deny that teacher an appraisal and subsequent pay progression decision because of her maternity. When a teacher returns to work from maternity leave, the school must give her any pay increase that she would have received, following appraisal, had she not been on maternity leave.

Schools need to take a practical and flexible approach to conducting appraisals and making pay decisions for those absent on maternity leave, including where a teacher has been absent for part or all of the reporting year.

In those circumstances, schools should ensure that the absent teacher receives fair treatment while ensuring the integrity and robustness of the school's appraisal process for all teachers. When considering these options, schools should seek to ensure that they minimise bureaucracy for all involved. Schools should consider conducting appraisals prior to individuals departing on maternity leave, even if this is early in the appraisal year, and basing any appraisal on the evidence to date in that appraisal year. Account could

also be taken of evidence in previous appraisal periods if there is very little to go on in the current year. However, schools should not require teachers to use Keeping in Touch (KIT) days for the purposes of appraisal.

Schools should ensure that their pay and appraisal policies incorporate any adjustments which can reasonably be made to give a teacher who is absent for disability related reasons an equal opportunity to participate in appraisal and to access pay progression. While there is no equivalent of the “maternity equality clause” (i.e. the clause that deems a woman to have received a pay rise to which she would have been entitled had she not been on maternity leave) in the Equality Act 2010, schools should consider utilising the same range of options outlined above for teachers on long-term disability or sickness absence.

When a teacher returns to work following a disability related absence, the school must not refuse a pay increase that the teacher would have received, following appraisal, had he or she not been absent for a reason related to disability, if the reason for the refusal is the teacher’s disability or the refusal cannot be objectively justified.

(iii) Equal pay considerations

Even where individual schools have robust pay policies in place and make pay decisions for individual teachers that are compliant with the direct discrimination provisions in the Equality Act 2010, there is still the possibility for equal pay issues to arise. This may be where, for example, teachers seek to demonstrate that the pay policy in one school disadvantages teachers in that school compared to teachers in another employed by the same employer; and the former school had a greater proportion of either men or women affected by the respective pay policy. At this point, in order to successfully defend the claim, the employer of the teachers in both schools would need to be able to show objective justification for the difference in pay and that there was a material factor other than sex.

The principal means of preventing equal pay claims is for schools to ensure that individual pay decisions are fully compliant with the Equality Act 2010 as set out above, and that the duty to have due regard is discharged. Schools will need to satisfy themselves that pay decisions year-on-year are not indicating a pattern that might cause concern. This may be, for example, where a disproportionately higher number of men than women are receiving progression generally or higher rates of progression.

Schools should consider identifying:

- the pay profile of teachers by age, disability, race and sex;
- the reasons that teachers with different protected characteristics are rewarded differently if that is the case;
- whether teachers who share particular protected characteristics are being treated less favourably than other teachers.

The government is clear that the duties on schools and employers should not be overly burdensome and schools and local authorities will need to consider how to make best use of the data they already collect in relation to pay and how this may change as pay policies and schools' confidence in using and refining them mature over time.

Allowances and other payments

Allowances

Schools have the freedom to decide for themselves the relative weight of TLR posts and the appropriate levels of reward within the minima and maxima for each TLR set out in the STPCD . Posts of equal weight should be allocated equal value and there should be sufficient differentiation between responsibilities and accountabilities for allowances of different values to avoid equal pay issues. Schools should set out their approach and the rationale for it in their pay policy, including how they will take account of an uplift to the national pay framework in respect of any allowances in payment.

Prompt:

You will need to ensure that, as with all other aspects of your pay policy, any decisions are made on objective criteria so that there is no discriminatory effect on any teacher or group of teachers with a particular protected characteristic under the Equality Act 2010.

Schools may make payments or provide financial assistance or benefits to aid recruitment or retention. An advance of salary for a rental deposit is one of a number of tools that schools may wish to consider as an incentive for the recruitment of new teachers and the retention in their service of existing teachers. Other examples of assistance include transport season ticket loans for travel costs, a one-off payment such as a contribution to removal costs, or a time-limited allowance.

The expectation is that the approach to setting pay for newly appointed headteachers will make additional payments by means of allowances largely unnecessary. The exception to this will be for temporary or irregular responsibilities or other very specific reasons which it is not appropriate to incorporate into permanent pay, such as housing or relocation costs. Such payments should be clearly time-limited from the outset and cease when the responsibility ceases or circumstances change. Safeguarding does not apply to such payments. The total value of the salary and temporary payments made to a headteacher in any one year must not exceed 25% above the maximum of the headteacher group for their school.

The principles for payment of allowances for members of the wider leadership group should be consistent with those for head teachers.

Salary Safeguarding

The circumstances around when and how salary safeguarding arrangements come into effect, as set out in Part 5 of the STPCD, and when the safeguarded salary amounts are reduced or ended can be complex.

The following guidance provides some additional support for school employers and HR providers when dealing with common teacher salary safeguarding situations, but must be read in conjunction with Part 5 of the STPCD. Schools may also need to seek independent legal advice in some of the more complex circumstances.

Question - If a member of the leadership group moves into a classroom teacher post within the same school as the result of a reorganisation/restructuring, what pay will they be entitled to?

Answer - the relevant body must pay a teacher on the upper pay range (UPR) if the teacher:

- was employed as a member of the leadership group in that school.
- has continued to be employed at that school without a break in the continuity of their employment.
- was first appointed as such on or after 1 September 2000 and occupied such a post or posts for an aggregate period of one year or more.

The teacher would also be entitled to salary safeguarding for 3 years or until circumstances defined by the STPCD dictate - they would therefore be paid their new salary (the salary for the new role) plus a safeguarded sum, which will be the difference between their former leadership salary and their new salary.

Question - Where the closure or reorganisation of an educational establishment is agreed (as described in the STPCD under 'General circumstances in which safeguarding occurs'), how should a displaced member of the leadership group, paid on the leadership group range, be paid if they accept a suitable alternative teaching post at another school, outside of the leadership pay range in the same authority?

Answer - their salary would be set at the salary for the new post, including any agreed TLR allowance for the relevant post.

The governing board has the discretion to pay the individual on the main pay range (MPR) or the UPR, although the latter would normally be expected. It is for the relevant body to determine where exactly on the MPR or UPR they are to be paid.

The individual would be entitled to salary safeguarding for 3 years or until circumstances defined by the STPCD dictate - they would be paid their new salary (the salary for the

new role) plus a safeguarded sum, which will be the difference between their former leadership salary and their new salary.

Question - What safeguarding provision applies if the governing board decide, as a result of a review of its pay policy or staffing structure, that a teacher's duties no longer include the significant responsibility for which a TLR was awarded or that the duties of the post have changed and now merit a TLR of a lower monetary value.

Answer - the teacher would be entitled to safeguarding the value for 3 years, which would be the value of the old allowance where it is removed altogether or the difference between the value of the old and the new allowance where the value of the allowance is reduced.

Question - Can a governing board review the duties assigned to teachers in receipt of safeguarding?

Answer - yes, if a teacher is in receipt of safeguarding totalling more than £500, the governing board must review the teacher's assigned duties and allocate such additional duties as they reasonably consider to be appropriate and commensurate with the safeguarded sum during the time that the safeguarding is in payment. If a teacher unreasonably refuses to carry out such additional duties, payment of the safeguarded sum must cease. The governing board must notify the teacher in writing of their decision to cease paying the safeguarded sum at least one month before payment ceases.

The teacher cannot be required to continue to perform their previous role during the safeguarding period.

Question - When does safeguarding pay cease?

Answer - safeguarding provisions are complex, but there are a number of basic ways in which safeguarding may cease. This will be the earliest of the following:

- at the end of the three-year period
- at the end of the period for which the payment was originally made (for example, at the end of a one-year fixed-term contract)
- Where the teacher receives a salary increase or a new or higher-level allowance where the combined value of the new salary and/or the new allowance value equals or exceeds the combined value of the old salary and any safeguarded sum or sums.
- if a teacher moves onto a different pay range (e.g., Leadership Range from MPR or UPR, but this does not apply if a teacher moves from MPR to UPR).
- if the teacher's employment at the school ends (other than in cases where general safeguarding applies).

Question - when does safeguarded pay reduce?

Answer - where a safeguarded sum is payable to a teacher because of the loss of or a reduction to an allowance, and that teacher subsequently becomes entitled to an new allowance or an increased allowance during the safeguarding period; that safeguarded sum must be reduced by the amount of the new allowance or the increase for as long as the teacher is entitled to the new or increased allowance.

A safeguarded sum shall be reduced by the value of any subsequent TLR or SEN allowance awarded to the teacher for as long as the teacher is entitled to the TLR or SEN allowance.

Non-pay terms and conditions

Non-pay conditions for teachers are crucial to a school's performance and create the conditions to secure effective teaching and learning. The STPCD continues to provide that teachers should not be required routinely to participate in any administrative, clerical and organisational tasks which do not call for the exercise of a teacher's professional skills and judgement – a list of administrative tasks that teachers should not ordinarily be expected to do is set out in Section 3 of the STPCD. Similarly, the STPCD continues to include its long-standing provisions on protections for teachers, for example, those relating to cover and entitlement to planning, preparation and assessment (PPA) time and other entitlements, including on work/life balance and leadership and management time. Schools are responsible for ensuring full compliance with all the statutory provisions and should discuss with staff how they could help to further reduce workload and improve well-being.

Guaranteed planning and preparation time

The STPCD states:

Guaranteed planning and preparation time: All teachers who participate in the teaching of pupils are entitled to reasonable periods of Planning, Preparation and Assessment (PPA) time as part of the 1265 hours referred to in paragraph 51.5 or pro rata equivalent (as the case may be) to enable the discharge of the professional responsibilities of teaching and assessment. PPA time must be provided in units of not less than half an hour during the school's timetabled teaching week and must amount to not less than 10% of the teacher's timetabled teaching time. A teacher must not be required to carry out any other duties during the teacher's PPA time. Schools are also free to enable teachers to take their PPA time away from school premises, where it is convenient for both the individual teacher and the school to do so. Similarly teachers can also take their PPA time in one block of time where it is appropriate and convenient for the school to facilitate.

In addition the STPCD also makes provision for dedicated headship time and management time and it is important that effective use of these periods of time are positively facilitated and encouraged by governance boards and school leaders as mechanisms to improve the planning and management of workload. Positive impacts on wellbeing are reported where headship time or management time and indeed offsite working is adopted within a regular work pattern.

It will also be important to consider the messages, principles and recommendations from the independent report on eliminating unnecessary workload in relation to [planning and resources](#) published in March 2016. This states that planning should take place in purposeful and well defined blocks of time. Schools should also ensure that appraisal

activities should not take place within PPA time as this undermines both the appraisal process and the intentions behind the PPA policy.

Annex A

Using the three-stage process for headteacher pay – illustrative examples

1. A school with 200 pupils on roll has a vacancy for a head. Its last inspection 18 months previously judged it a good school with only minor issues to address. Under stage 1 it is assigned to headteacher group 2 – the broad pay range for the headteacher's post is £56,082 – £76,430. Under stage 2 the governance board considers that there are no additional factors that need to be taken into account and decides to set the indicative pay range at £56,100-£70,600. Having selected a candidate who met all the requirements of the job specification, the governance board decides to set the salary on appointment at £57,500.
2. A school with 200 pupils on roll has a vacancy for a head. It is a challenging school with a much higher than average proportion of pupils on Free School Meals (FSM) and it has recently been rated by Ofsted as requiring significant improvement. Under stage 1 it is assigned to headteacher group 2 – the broad pay range for the head's post is £56,082 – £76,430. Under stage 2 the governance board considers that, because of the particular challenges that the school is facing, it needs to recruit an experienced school leader who has the skills and competencies to take the school forward. It decides to set the indicative pay range towards the top of the broad range, i.e. £65,000-£75,100. Having selected a candidate who met all the requirements of the job specification, the governance board decides to set the salary on appointment at £66,200.
3. A school with 200 pupils on roll is in a federation with a similar school of the same size. One school is performing well, but the other has recently been placed in special measures. The vacancy is for a headteacher who will be accountable for the federation's schools' outcomes. Under stage 1 the combined unit total mean the post is assigned to headteacher group 3 – the broad pay range is £60,488 – £82,258. Under stage 2 the governance board considers that, due to the complexity of the role and the challenges involved in managing more than one school (one of which requires a real focus on improvement), it needs to recruit an experienced headteacher with a very particular skillset. It decides that, after appropriate and robust market testing that there will be difficulty in appointing, it may be necessary to consider extending the indicative pay range beyond the maximum of the group 3 pay range. It decides to set the indicative pay range at £72,200-£85,400. Having selected an appropriate candidate, the governance board decides to set the salary on appointment at £73,300.
4. A secondary school with 600 pupils on roll in a challenging area with a much higher than average proportion of pupils on FSM has a vacancy for a headteacher. Under stage 1 the head's post is assigned to headteacher group 5 – the broad pay range is £71,729 – £97,639. Under stage 2 the governance board considers that, due to the

challenge of the role and the fact that the school is a teaching school, it requires an experienced high-performing headteacher. It sets an indicative pay range at £74,200-£85,400. Following some difficulty in recruiting, it has selected a candidate with a very strong track record in headship and decides that it would be appropriate to revise the pay range for the post. It sets the salary on appointment at £80,200 with scope to progress to £95,300 over time, subject to performance.

5. A large secondary school with 2,000 pupils on roll is in a federation with another school with 1,000 pupils. Under stage 1 the post is assigned to headteacher group 8 – the broad pay range is £91,633 – £131,056. Under stage 2 the governance board considers that, due to the accountability for two schools with a very large total number of pupils, it would be appropriate to extend the indicative pay range beyond the maximum of group 8. Using its discretion to extend by up to 25%, it decides to set the indicative pay range at £125,000-£140,200. Having selected a candidate, the governance board decides to set the salary on appointment at £128,000.
6. The governors of three separate, small rural schools wish to appoint an executive headteacher. Under stage 1 the total unit score for the three schools assigns the post to headteacher group 1 – the broad pay range is £53,380 – £71,019. Under stage 2 an appointing committee representing the three governance boards considers that, because of the challenges of such a post involving three schools and three budgets, they need to recruit an experienced school leader and decide to extend the indicative pay range beyond the maximum of group 1. Using its discretion to extend by up to 25%, it decides to set the indicative pay range at £60,000-£75,200. Having selected a candidate, the salary on appointment is set at £62,000.

Annex B

Model pay policy

Introduction

The School Teachers' Pay and Conditions Document ("The Document") requires schools and local authorities to have a pay policy which sets out the basis on which they determine teachers' pay; the date by which they will determine the teachers' annual pay review; and the procedures for determining appeals. Schools and local authorities must stay within the legal framework set out in the Document and in other relevant legislation that affects all employers (for example, legislation on equality, employment protection and data protection). All procedures for determining pay should be consistent with the principles of public life - objectivity, openness and accountability. Pay policies should always be clear on the need to eliminate unnecessary bureaucracy when making pay decisions, including, for example, in making sure the use of evidence is proportionate.

Model policy for determining teachers' pay

The governance board of _____ School adopted this policy on _____ and reviewed it on _____

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 adopting this pay policy the aim is to:

[Insert your school's aims here]. For example:

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

Pay decisions at this school are made by the governance board.

(Insert any particular arrangements for your school. For example, decisions may be made by an individual (e.g. a governor or the head) or a pay committee of the governance board).

PAY REVIEWS

The governance board 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.

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 governance board will give the required notification as soon as possible and no later than one month after the date of the determination.

BASIC PAY DETERMINATION ON APPOINTMENT

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

In making such determinations, the governance board may take into account a range of factors, including:

(Insert as applicable – these options are for guidance only, are not intended to provide an exhaustive list, and may not apply to all appointments):

- the nature of the post
- the level of qualifications, skills and experience required
- market conditions
- the wider school context)
- There is no assumption that a teacher will be paid at the same rate as they were being paid in a previous school.

PAY PROGRESSION

In this school all teachers can expect to receive regular, constructive feedback on their performance and development and are subject to 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 school's appraisal policy.

The criteria this school will use when making decisions on pay progressions are :

(Insert as applicable, including any circumstances where pay progression will or will not be paid and, if retaining performance related pay, the precise arrangements for how objectives will be assessed and linked to pay progression)

[Where a school does not use performance related pay] - Following an individual teacher's annual appraisal and, subject to the provisions of the published pay policy, they should expect to receive pay progression within the maximum of their pay range unless they are subject to capability procedures.

[Where a school has chosen to retain performance related pay] - Following an individual teacher's annual appraisal and, subject to the provisions of the published pay policy, they should expect to receive annual pay progression within the maximum of their pay range, subject to successful performance as defined in the school's pay policy. Pay progression will not be withheld for reasons other than performance.

MOVEMENT TO THE UPPER PAY RANGE

Applications and Evidence

Any qualified teacher may apply to be paid on the upper pay range and any such application must be assessed in line with this policy. It is the responsibility of the teacher to decide whether they wish to apply to be paid on the upper pay range.

Applications may be made at least once a year.

(Insert information about application deadlines (e.g. start/end Academic year or terms – or an alternative deadline), applying particular attention to ensuring every teacher is treated fairly).

If a teacher is simultaneously employed at another school(s), they may submit separate applications if they wish to apply to be paid on the upper pay range in that school or schools. This school will not be bound by any pay decision made by another school.

All applications include the results of reviews or appraisals under the 2011 or 2012 regulations, (or, where that information is not applicable or available, a statement and summary of evidence to demonstrate that the applicant has met the assessment criteria). Applications should contain evidence from (insert the period of time that evidence should cover, ensuring that teachers who have had breaks in service are treated equitably. Include also information about how and to whom (e.g. line manager/ subject leader/ head of school/ head teacher) applications should be made and, if written applications are required, whether the school will provide a standard form).

The Assessment

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

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

For the purposes of this pay policy:

- 'highly competent' means [insert agreed definition];

(e.g. practice which is not only good but also good enough to provide coaching and mentoring to other teachers, give advice to them and demonstrate to them effective teaching practice and how to make a wider contribution to the work of the school, in order to help them meet the relevant standards and develop their teaching practice)

- 'substantial' means [insert agreed definition]

(e.g. 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); and

- 'sustained' means [insert agreed definition]

(e.g. maintained continuously over a long period e.g. X number of school year(s)).

The application will be assessed (insert details of how the school will ensure that applications are assessed robustly, transparently and equitably, including who makes the initial assessment (e.g. line manager/subject leader/head of school/head teacher) and the role of the governance board in making the final determination).

Processes and procedures

The assessment will be made within/by (insert number of days (e.g. 10/15/20 working days) before the applicant will receive a response to their application, or if there is a single deadline for applications, whether there will be a single date for applicants to be informed of the outcome).

If successful, applicants will move to the upper pay range from (insert timing of move to upper pay range (e.g. start of term/academic year), including whether there will be a single date for all moves to the upper pay range to take place). (Insert who will decide (e.g. head teacher/governance board /Pay Committee) where on the upper pay range a successful teacher is placed, and, if teachers can start further up the range, insert how their position on the upper pay range will be decided in a fair and consistent way (e.g. based on considerations including:

- the nature of the post and the responsibilities it entails

- the level of qualifications, skills and experience of the teacher).)

If unsuccessful, feedback will be provided by (insert who will provide the feedback (e.g. line manager/subject leader/head teacher/ head of school), how it will be given, what it will include and when it will be provided (e.g. within 10/15/20/X working days of decision)).

Any appeal against a decision not to move the teacher to the upper pay range will be heard under the school's general appeals arrangements.

PART-TIME TEACHERS

Teachers employed on an ongoing basis at the school but who work less than a full working week are deemed to be part-time. The governance board 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.

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.

MONITORING THE IMPACT OF THE POLICY

The governance board will monitor the outcomes and impact of this policy on a regular basis (insert the frequency, e.g. yearly/biennially), including trends in progression across specific groups of teachers to assess its effect and the school's continued compliance with equalities legislation.

Further sources of information

Useful resources and external organisations

Appraisal

An optional model policy for appraisal arrangements in England:

- [Teacher appraisal and capability: a model policy for schools](#)

Standards

The Teachers' Standards can be found in Annex 1 of the STPCD. More information is available at

- [Teachers' standards in England](#)

Equalities Issues

Links to advice on the Equalities Act 2010:

- [The Equality and Human Rights Commission \(EHRC\)](#)
- [The Equality Act 2010: advice for schools](#)

Ofsted expectations

Ofsted's expectations on quality of teaching - see paragraphs 151-160 of the [School Inspection Handbook from July 2022](#)

Ofsted's expectations on the effectiveness of leadership and management - see paragraphs 137-150 of the School Inspection [Handbook from July 2022](#)

Workforce planning

Guidance to support school leaders in deploying their staff effectively and efficiently:

- [School workforce planning](#)
- [Flexible working in schools](#)
- [School staffing and employment](#)

Reducing teacher workload

- [Workload Reduction Toolkit](#)
- [Ways to reduce workload in your school\(s\)](#), which includes tips in relation to help reduce workload in relation to performance management

- ['Making Data Work' report from the Workload Advisory Group](#)
- [Report from Marking Policy Review Group on eliminating unnecessary workload](#)
- [Report from Planning and Resources Review Group on eliminating unnecessary workload](#)
- [Report from Data Management Review Group on eliminating unnecessary workload](#)

School resource management

- [Guidance to support excellent resource management](#)
- [Buying for schools guidance](#)



Department
for Education

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