

Brook Learning Trust

Pay Policy



1.0 Introduction

At Brook Learning Trust we bring together our unique academies in our belief in the power of education to change lives and communities. It is our steadfast purpose to challenge and defy the barriers that constrain the educational progress of any child. We set high aims for aspiration and secure collective responsibility for all our children’s achievements. Our work is underpinned by the values of Integrity, Respect, Courage, Optimism, Excellence and Accountability.

2.0 Purpose

The School Teachers’ Pay and Conditions Document 2019 (“The Document”) sets out the statutory requirements by which local authority maintained schools must abide. Academies have the freedom to set their own terms and conditions but must give due consideration to legal framework set out in the Document and in other relevant legislation that affects all employers. This policy sets out the pay structure of Brook Learning Trust (“the Trust”), highlighting areas of adherence to, or departure from, the Document. It covers pay arrangements for teachers and support staff.

2.1 Policy effective date

This policy comes into effect on 1 September 2019 after consultation with staff and ratification by the Board of Trustees in October.

2.2 Decision framework

The following table sets out the decision making responsibilities for pay. Basic pay on appointment and any other ad-hoc awards, are approved by senior officers within the Trust for all but the most senior posts. Pay progression is approved by the Trust Pay Committee.

Table 1 – Delegation of Pay Decision Making

Decision	Group	Proposed by*	Approved by*
Basic Pay Determination on Appointment, including TLRs, Honoraria, and Recruitment & Retention Allowances. Other cash or non-cash awards	Academy staff	Academy Principal	CEO or Finance Director
	Academy Principals	CEO	Chair of Trust
Pay Progression based on Performance (including movement to the Upper Pay Range)	CEO	Chair of Trust	Board of Trustees
	Finance Director	CEO	Board of Trustees
	Other Trust staff	CEO	Trust Pay Committee
	Academy staff	Academy Principal	Trust Pay Committee
	Academy Principals	CEO	Trust Pay Committee
	Trust Executive Team and other Trust staff	CEO	Trust Pay Committee

*All decisions are proposed and approved within the overall framework for pay set out in this document below.

2.3 Trust Pay Committee

The Trust Pay Committee comprises the Trust Chair, two further Trustees with the Trust CEO and Finance Director acting as advisers to the committee. The Trust Pay Committee will be deemed to be quorate if half of its non-executive members, rounded up to the nearest one, are present.

The terms of reference for the Trust Pay Committee will be determined from time to time by the Trust Board. The current terms of reference are:

- Achieve the aims of the Trust Pay Policy in a fair and equitable manner
- To observe all statutory and contractual obligations of the Trust relating to pay
- To apply the criteria set by the Trust Pay Policy in making decisions concerning performance-based pay progression following the annual salary review cycle
- To ensure that Trust budgets take account of local and national remuneration criteria and expectations
- To minute clearly the reasons for all decisions and report these decisions to the next meeting of the Trust Board
- Decisions made by the Trust Pay Committee will be communicated to each member of staff in writing by the Principal (academy staff) or the Chief Executive Officer (Trust Staff) in accordance with the Trust Pay Policy
- To approve payments that fall within the available budget for pay, agreed by the Trust, and to refer back to the Trust via the Trust Finance Committee in the event that payments could exceed the allocated budget for pay.
- To work with the relevant member/s of the Trust Executive Team and/or Principal/s to ensure compliance with the Trust Appraising Teacher Performance Policy
- To act with integrity, objectivity and honesty in the best interests of the Trust and each of its academies
- To act in compliance with relevant statute.

3.0 Teachers' Pay

This section of the policy sets out the framework for making decisions on teachers' pay. It has been developed to comply with current legislation and makes reference to the School Teachers' Pay and Conditions Document 2019 ("The Document"), and has been consulted on with staff and recognised trade union representatives across the Trust.

3.1 September 2018 Cost of Living Pay Allowance

- (i) The Document provides for the following changes to teachers' pay:
 - a. A 2.75% uplift has been applied to the statutory minima and maxima of the main and unqualified pay ranges
 - b. A 2.75% uplift has been applied to the statutory minima and maxima of the upper pay range
 - c. A 2.75% uplift has been applied to the statutory minima of the leadership pay range, and
 - d. A 2.75% uplift has been applied to all other allowances such as TLRs and SEN allowances.
- (ii) Spinal points within the pay ranges are no longer published in The Document. The Trust continues to pay staff on spinal points within each pay range, and these points are published in Appendix 1 of this policy.
- (iii) The Trust will apply the percentage increases in (i) above to each spinal point within the main, unqualified, upper and leadership pay scales, and to the Teaching & Learning Responsibility (TLR) allowances, as set out later in this policy.
- (iv) No increase shall apply to that proportion of any teacher's salary which comprises a safeguarded sum. A safeguarded sum will be reduced to negate the impact any increase to the spinal point or TLR arising from the percentage increases applied in (i) above.

- (v) No increase shall apply to Recruitment & Retention and other discretionary allowances.

3.2 Basic Pay Determination on Appointment

Teachers

The Trust will determine the pay range for a vacancy prior to advertising it, including any associated TLR, in accordance with the table above (Table 1). On appointment it will determine the starting salary within that range to be offered to the successful candidate. In making such determinations, the Trust may take into account a range of factors, including:

- the nature of the post
- the level of qualifications, skills and experience required
- market conditions
- the wider Trust/constituent academy context.

There is no assumption that a teacher will be paid at the same rate as they were being paid in a previous school or academy.

Leadership

Academy Principals' pay and that of other members of the Leadership group within each constituent academy will be determined in the context of Part 2 of The Document, taking account of the size and age range of each academy, and any circumstances under which discretionary allowances may be applied, given the local context.

The Trust Pay Committee may review the salary scales for members of the Leadership group and the Executive Team as appropriate within the context of The Document, applying the requirements for safeguarding where necessary.

3.3 Teaching and Learning Responsibility Payments (TLRs)

Teaching and Learning Responsibility Payments (TLRs) will be awarded to posts in the agreed academy staffing structures for each academy, in accordance with the criterion, factors and other conditions as set out in Part 4, paragraph 20 of The Document.

The number and nature of TLRs will be determined by consideration of each academy's improvement plan and associated priorities whilst ensuring each academy keeps within its agreed budget. The values of each level of TLR are set out in Appendix 1

Where a TLR is awarded on a temporary basis, such as cover for maternity or sick leave or vacancies pending permanent appointment, the reason and length of that period will be clearly set out in a revised pay statement.

TLR3 payments may be used for time limited or one-off projects, and will not be subject to safeguarding.

3.4 Recruitment and Retention Incentives and Benefits

In exceptional circumstances, an additional remuneration may be offered to an employee as an incentive for their recruitment or retention. These sums are paid monthly alongside basic pay.

In exceptional circumstances, an ad-hoc allowance may be offered to an employee to support with, for example, travel costs, relocation, assistance with costs of care of dependants or other support where this may assist recruitment and/or retention of an employee. These sums would be paid on an ad-hoc basis.

This is a departure from The Document which the Trust has adopted for the benefit of staff using its academy freedoms.

Recruitment and retention allowances will be subject to annual review, or at the point of internal promotion, whichever is sooner. At the review, the allowance will be reduced to reflect the impact of any pay gain received by the employee resulting from promotion or pay award. Recruitment and retention allowances are not reduced to reflect the impact of the cost of living pay allowance.

3.5 Merit Awards

Where a teacher has demonstrated exceptional performance but cannot be rewarded financially following appraisal due to having already reached the maximum point of the upper pay range or the leadership pay range for their post, the Trust can make a discretionary award. A merit award may also be applied in a positive and flexible way where there has been exceptional performance by a teacher during the academic year. Merit awards will be paid as a one-off lump sum after approval from the CEO or FD. This is a departure from The Document which the Trust has adopted for the benefit of staff using its academy freedoms.

3.6 Other Teacher Allowances

Teachers who participate in learning activities outside of directed time (referred to as “out of hours teaching”), provided such activities are agreed by the Principal, will be remunerated at the rate of £25 per hour up to a maximum of £150 per day.

3.7 Part time teachers

Teachers employed on an on-going basis in any of the academies but who work less than a full working week are deemed to be part-time. The Trust will ensure the teacher is issued with a written statement detailing their working time obligations as calculated in accordance with the academy’s published directed time document.

3.8 Short Notice/Supply Teachers

Teachers who work on a day-to-day or other short notice basis will be paid on the basis of hours or days worked. Their annual salary will be determined in the same way as other teachers and divided by 195 to determine a daily rate, or 1265 to determine an hourly rate. Such teachers will be remunerated following the submission of an authorised supply claim form setting out the actual days or hours worked.

3.9 Pay Progression Based on Performance

Progression through the Trust’s pay scales will be dependent on teacher performance. The arrangements for teacher appraisal are set out in the Policy for Appraising Teacher Performance.

Appraisal documentation should be completed within the timeline communicated to Principals annually. This will allow for pay recommendations to reach the Trust Pay Committee during December of each year.

The process for decision making is as follows:

- Following the appraisal cycle, the Principal will submit the pay recommendations for all their staff to the CEO, ensuring that where teachers are eligible for pay progression, the recommendation is based on the assessment of the teacher’s performance against the agreed objectives. Such an assessment is based on the statutory criteria and guidance set out in the Document and the relevant teacher standards. Where a teacher has been absent for some or all of the assessment period, pay recommendations will be taken with reference to such information as is available. In the case of NQTs whose appraisal arrangements are different, pay recommendations will be made by means of the statutory induction process.
- Pay progression proposals are annual, subject to the maxima of each pay range.
- The CEO will review all pay proposals and may request sample appraisal paperwork to moderate or check for anomalies.

- The CEO will submit the Principal's recommendations for academy staff and her own recommendations for academy Principals and Trust staff to the Trust Pay Committee.
- The Trust Pay Committee will make decisions on pay progression at its meeting in December.
- The academy Principal and CEO will send written notification to all staff covered by their recommendations, of the pay decision made.
- Payments will be made to staff through payroll, backdated to 1st September.

Under certain circumstances, a member of staff may appeal against a pay decision. The appeals process is set out in Appendix 2.

Members of staff taking up a new appointment in terms 1-3 (of 6) in any academic year will be eligible for a pay review with effect from the following September. Staff taking up a new appointment in terms 4-6 will be due for pay progression one year from the following September.

3.10 Movement to the Upper Pay Range

Any qualified teacher may apply to be paid on the upper pay range and any such application will be assessed in line with this policy. All applications must be submitted using the Trust's Upper Pay range application form.

A teacher can only submit one application for progression to the upper pay range in any academic year, and this must be received by the Principal no later than 30th September each year.

All applications should include the results of the two most recent reviews, or reviews from the last two cycles, including any recommendations on pay. A teacher may enclose any additional evidence to support their application.

If a teacher joins the Trust in September on a previously agreed mainscale salary, an application to the Upper Pay Range will not be considered until the following September. This will be the case unless the teacher declared their intent to move through threshold at appointment and can provide evidence of two previously successful appraisals.

If a teacher is simultaneously employed at another academy/school or schools outside of the Trust they may submit separate applications if they wish to be paid on the Upper Pay Range in that employment. The Trust will not be bound by any pay decision made by another academy/school.

Teachers who have had a break in service or a significant period of absence from work may submit additional evidence from a previous period if this is relevant to the assessment.

Applications will be assessed by the Principal using the assessment criteria set out in Appendix 3. The Principal's recommendation will be presented to Trust Pay Committee and will follow the same process as all other pay progression decisions, as set out in 3.9 above.

3.11 Continued assessment of UPR teachers

Where a teacher who is paid on the UPR is not meeting the Post Threshold criteria outlined and assessed through academy Appraisal documentation, capability proceedings will begin. If that teacher is performing in a manner that would be expected of a Main Scale teacher, but is unable to sustain the level of performance required by a UPR teacher, then **by mutual agreement** the teacher can be placed back on an agreed point within the main scale as an alternative to capability proceedings. If a teacher on either scale is not performing to an acceptable standard, capability proceedings will ensue. This is a departure from The Document which the Trust has adopted for the benefit of staff using its academy freedoms.

3.12 Safeguarding

In circumstances where a teachers' salary is reduced through organisational restructure, including the removal of a TLR or the reduction in the value of a TLR then the school will safeguard the teacher's original salary. This will be on a cash sum basis for a period of up to three years in accordance with the terms of the Document, subject to the provisions of 3.1 (iv) of this policy. Normal notice shall be given in line with the Burgundy book. Safeguarding will not apply to TLR3 payments.

The Trust will notify the teacher of the details of any such safeguarding at the earliest opportunity and in any event within one month of the decision being made.

In these circumstances the Principal or CEO may assign the teacher to undertake such reasonable duties to the value of the cash sum safeguarded taking due account of the teacher's skills and experience. If the duties assigned are reasonable and the teacher declines to undertake them then the teacher will be issued with one month's notice to terminate the salary safeguarding.

3.13 Unpaid leave

Compassionate leave during term time may be granted under the circumstances set out in the Procedure for the Management of Absence and Special Leave. Occasionally, there may be circumstances under which a teacher is granted unpaid leave during term time for example to care for dependants. Unpaid leave will be deducted from salary in the month in which it is taken. The daily rate for deduction will be calculated by taking the annual salary and dividing by 195 days.

4.0 Support Staff Pay

This section of the policy sets out the framework for making decisions on support staff pay.

4.1 Basic determination of pay on appointment

Support staff will be paid in accordance with the Kent Scheme pay framework. KCC no longer publishes spinal points within the Kent Scheme pay range. The trust continues to use spinal points within the Kent Scheme pay range, adhering to the published maxima and minima for each pay band. The Trust's pay scales are set out in Appendix 1.

The Trust will determine the pay range for a vacancy prior to advertising it, recognising the value of job evaluation as a means of assessing the grade of a job in a fair and consistent way. This enables the school to fulfil its legislative and other employer obligations for equal pay for equal value.

4.2 Pay Progression

Progression up the Trust's pay scales will be dependent on performance. The arrangements for support staff appraisal are set out in the Policy for Appraising Support Staff.

Appraisal documentation should be completed within the timeline communicated to Principals annually. This will allow for pay recommendations to reach the Trust Pay Committee during May each year.

The process for decision making is as follows:

- Following the appraisal cycle, the Principal will submit the pay recommendations for all their staff to the CEO, ensuring that where support staff are eligible for pay progression, the recommendation is based on the assessment of the member of support staff's performance against the agreed objectives. Progression can take the form of a half point for partial progress, a full point for good progress and two points for exceptional progress. Where a member of support staff has been absent for some or all of the assessment period, pay recommendations will be taken with reference to such information as is available. Where a member of staff has reached the top of their scale, a one off payment may be awarded in recognition of performance, in line with the rates set out in Appendix 1.

- The CEO will review all pay proposals and may request sample appraisal paperwork to moderate or check for anomalies
- The CEO will submit the Principal's recommendations for academy staff and her own recommendations for Trust staff to the Trust Pay Committee.
- The Trust Pay Committee will make decisions on pay progression at its meeting in May.
- The academy Principal and CEO will send written notification to all staff covered by their recommendations, of the pay decision made.
- Payments will be made to staff through payroll, backdated to 1st April.

Under certain circumstances, a member of staff may appeal against a pay decision. The appeals process is set out in Appendix 2.

In line with the Kent Scheme conditions, members of staff taking up a new appointment between 1st April and 30 September will be eligible for a pay review with effect from the following April. Staff taking up a new appointment after 1st October, will be due for pay progression one year from the following April.

4.3 Merit and non-cash awards

The Trust may also make appropriate use of any merit award or other reward system, both cash and non-cash within the Kent Scheme to recognise the performance and contribution of support staff in a positive and flexible way. The Trust will ensure that any such decision is in accordance with the schemes' provisions.

4.4 Payments for Additional Hours

The Trust will make appropriate payments to Support Staff undertaking additional hours, for example attending INSET and Out of School Learning Activities in accordance with the Kent Scheme of terms and conditions

4.5 Safeguarding

For support staff the school will follow the relevant terms and conditions of employment for the safeguarding or protection of an employee's salary where it is reduced through organisational restructure.

5 Other Pay Related Terms and Conditions

In all other aspects of pay, such as maternity pay, paternity pay, sick pay etc, the Trust adheres to the following documentation:

- Teachers - The Conditions of Service for School Teachers in England and Wales (Burgundy Book);
- Support Staff - The Kent Scheme (Blue Book)

6 Review

The pay policy will be reviewed annually in consultation with all staff and Trade Unions. In any event, the policy will be reviewed each time a new School Teachers' Pay and Conditions Document comes into effect.

POLICY REVIEW AND RATIFICATION

Policy reviewed annually and ratified by the BLT Board in October

This review by Finance Director September 2019, support staff pay scales updated April 2020
& HR Manager in consultation with
staff and trade unions

Summary of amendments to this iteration:

3.1 cost of living allowances updated to Sep 2019 values

Appendix 1 – pay scales updated for 2019 values (teachers) and 2020 values (support staff)

Ratified by BLT Board October 2019

Next review September 2020

Appendix 1 – Teachers’ and Support Staff Pay Scales

Main Pay Range for Teachers 2019		
	Annual Salary	
	England and Wales (excluding the London Area) £	London Fringe Area £
Minimum	24,373	25,543
Maximum	35,971	37,152
M1	24,373	25,543
M2	26,298	27,468
M3	28,413	29,581
M4	30,599	31,775
M5	33,010	34,179
M6	35,971	37,152

Unqualified Teachers Pay Range 2019		
	Annual Salary	
	England and Wales (excluding the London Area) £	London Fringe Area £
Minimum	17,682	18,844
Maximum	27,965	29,123
UQR1	17,682	18,844
UQR2	19,739	20,898
UQR3	21,794	22,955
UQR4	23,851	25,011
UQR5	25,909	27,067
UQR6	27,965	29,123

Upper Pay Range 2019		
	Annual Salary	
	England and Wales (excluding the London Area) £	London Fringe Area £
Minimum	37,654	38,797
Maximum	40,490	41,635
U1	37,654	38,797
U2a	38,352	39,493
U2b	39,050	40,189
U3a	39,770	40,911
U3b	40,490	41,635

Teaching & Learning Responsibility Payments (TLRs) 2019	
	Annual Value £
TLR 3	555 - 2,757
TLR 2[1]	2,796
TLR 2[2]	4,655
TLR 2[3]	6,517
TLR 1[4]	8,069
TLR 1[5]	9,929

Leadership Pay Range 2019		
	Annual Salary	
	England and Wales (excluding the London Area) £	London Fringe Area £
Minimum	41,065	42,195
Maximum	114,060	115,188
L1	41,065	42,195
L2	42,093	43,226
L3	43,144	44,277
L4	44,218	45,356
L5	45,319	46,459
L6	46,457	47,592
L7	47,707	48,846
L8	48,808	49,940
L9	50,026	51,161
L10	51,311	52,445
L11	52,643	53,775
L12	53,856	54,993
L13	55,202	56,340
L14	56,579	57,714
L15	57,986	59,118
L16	59,528	60,664
L17	60,895	62,039
L18	62,426	63,562
L19	63,975	65,109
L20	65,561	66,701
L21	67,183	68,325
L22	68,851	69,989
L23	70,556	71,689
L24	72,306	73,446
L25	74,103	75,237
L26	75,936	77,075
L27	77,818	78,952
L28	79,748	80,880
L29	81,723	82,860
L30	83,757	84,886
L31	85,826	86,965
L32	87,960	89,098
L33	90,145	91,284
L34	92,373	93,511
L35	94,669	95,808
L36	97,013	98,148
L37	99,424	100,561
L38	101,885	103,021
L39	104,368	105,500
L40	106,972	108,112
L41	109,644	110,781
L42	112,392	113,530
L43	114,060	115,188

BLT Support Staff Pay Scales 2020							
Kent Range Band		Scale point	Annual Salary	Kent Range Band		Scale point	Annual Salary
KR2		1	n/a	KR10		37	36,643
	KR3	2	n/a	KR10		38	37,629
	KR3	3	18,039	KR10		39	38,626
KR4		4	18,129	KR10		40	39,613
KR4		5	18,284		KR11	41	39,812
KR4		6	18,535		KR11	42	40,618
KR4		7	18,933		KR11	43	41,610
KR4		8	19,239		KR11	44	42,554
	KR5	9	19,335		KR11	45	43,601
	KR5	10	19,574		KR11	46	44,593
	KR5	11	19,874		KR11	47	45,589
	KR5	12	20,152	KR12		48	45,817
	KR5	13	20,483	KR12		49	46,564
KR6		14	20,585	KR12		50	48,079
KR6		15	21,241	KR12		51	49,551
KR6		16	21,812	KR12		52	50,835
KR6		17	22,469	KR12		53	52,119
	KR7	18	22,581	KR12		54	53,395
	KR7	19	23,201		KR13	55	53,662
	KR7	20	23,952		KR13	56	54,697
	KR7	21	24,725		KR13	57	55,980
	KR7	22	25,564		KR13	58	57,261
KR8		23	25,692		KR13	59	58,549
KR8		24	26,413		KR13	60	59,832
KR8		25	27,469	KR14		61	60,131
KR8		26	28,388	KR14		62	61,126
KR8		27	29,299	KR14		63	62,715
	KR9	28	29,446	KR14		64	64,345
	KR9	29	30,163	KR14		65	66,017
	KR9	30	31,067	KR14		66	67,735
	KR9	31	31,962		KR15	67	68,074
	KR9	32	32,630		KR15	68	69,495
	KR9	33	33,510		KR15	69	71,302
KR10		34	33,678		KR15	70	73,156
KR10		35	34,460		KR15	71	75,056
KR10		36	35,485		KR15	72	77,009

BLT Support Staff Pay Awards for top of grade April 2020			
Kent Scheme Pay Band	One off award 1% (expected) £	One off award 2% (above expected) £	One off award 3% (exceptional) £
KR2	n/a	n/a	n/a
KR3	180	361	541
KR4	192	385	577
KR5	205	410	614
KR6	225	449	674
KR7	256	511	767
KR8	293	586	879
KR9	335	670	1,005
KR10	396	792	1,188
KR11	456	912	1,368
KR12	534	1,068	1,602
KR13	598	1,197	1,795
KR14	677	1,355	2,032
KR15	770	1,540	2,310

Appendix 2 – Appeals Process

A member of staff may seek a review of a pay determination under the following circumstances:

- a) Incorrect application of the BLT Pay Policy
- b) Failure to have proper regard for statutory guidance
- c) Failure to take account of relevant evidence, or use of inaccurate evidence
- d) Otherwise unlawful discrimination against the member of staff

The order of proceedings is as follows:

1. Member of staff to write to Principal (for academy staff) or CEO (for Principals or Trust staff) setting out his or her intention to appeal
2. Principal or CEO to hold an informal meeting with member of staff at earliest convenience where both parties will undertake to resolve the matter
3. If the matter remains unresolved, a formal appeal may be lodged with the Principal (for academy staff) or CEO (for Trust staff), setting out the grounds under which the appeal is being made.
4. The appeal will be held by a panel comprising two people who are either Principals or Trustees not previously involved in the original decision. The member of staff will be invited to make representation in person and may be accompanied to the hearing by a union representative or workplace colleague. The member of staff and Principal/CEO may submit evidence to the hearing at least 5 days in advance and this evidence will be shared with both parties.
5. The decision of the panel will be final, and notified to the employee in writing within 5 working days of the hearing.

Appendix 3 - Assessment Criteria for progression to the Upper Pay Range

An application from a qualified teacher may be successful where the Principal is satisfied that:

- a) the teacher is **highly competent** in all elements of both the Teachers' Core Standards and
- b) the teacher's achievements and contribution to the school are **substantial** and **sustained**

For the purposes of this policy the following terms are defined:

- **highly competent:** means 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:** means the teacher's achievements and contribution to the 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 academy improvement, which impacts on student attainment and student progress, i.e. achievement, and the effectiveness of staff and colleagues
- **sustained:** means sustained over the full review period or a significant part thereof. The teacher must have had two consecutive successful appraisal cycles in the academy in order to move to the upper pay range, and have made good progress towards their objectives during this period. They will be expected to show that their teaching expertise has grown over the relevant period and is at least consistently good with elements of outstanding

The Teachers Standards which outline the criteria to be assessed in line with the above definitions are available below

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/665522/Teachers_standard_information.pdf

Once a teacher has been successful at progressing through the Threshold he/she will be required to sustain the Professional Standards for Post Threshold Teachers which the Trust has adopted and to evidence performance at the Upper Pay Range level during each appraisal cycle.