



**MODEL PAY POLICY
FOR SCHOOLS**

SEPTEMBER 2010

(This model pay policy is updated for September 2010 changes to teachers' pay and conditions.)

**This policy was adopted by Kingsbridge Community College Governing Body on
13th December 2010**

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A. INTRODUCTION

The School Teachers' Pay and Conditions Document places a statutory duty on the school to have a pay policy which sets out the basis on which to determine teachers' pay, and to establish procedures for determining appeals.

When taking pay decisions, this school will have regard to the pay policy and to the member of staff's particular post within the staffing structure. A copy of the staffing structure – revised as appropriate following the most recent review of school staffing - will be attached to the pay policy, together with the implementation plan for bringing in changes.

This model pay policy covers all key areas of pay discretion that schools need to consider. All procedures for determining pay will be consistent with the principles of public life - objectivity, openness and accountability. The pay and performance management policy will make clear the school's compliance with The Equality Act 2010, , The Employment Rights Act 1996, The Employment Relations Act 1999 and The Employment Act 2002, The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000, The Employment Act 2002 (Dispute Resolution) Regulations

Trade unions/professional associations have been consulted and staff will be consulted on the pay policy and it will be reviewed each year, or when other changes occur to the School Teachers' Pay and Conditions Document, to ensure that it reflects the latest legal position. The pay policy complies with the current School Teachers' Pay and Conditions Document and the accompanying statutory guidance. It will be used in conjunction with them, but, in the event of any inadvertent contradictions, the Document and guidance take precedence.

This policy also covers support staff pay issues.

TEACHERS' PAY FOR 1 SEPTEMBER 2010 TO 31 AUGUST 2011

B. BASIC PRINCIPLES

All teachers are paid in accordance with the statutory provisions of the School Teachers' Pay and Conditions Document (STPCD) as updated from time to time. A copy of the latest version may be found on-line at:

<http://publications.education.gov.uk/default.aspx?PageFunction=productdetails&PageMode=publications&ProductId=DFE-00516-2010>

All pay-related decisions are made taking full account of the school improvement plan. All pay related decisions are taken in compliance with the Equality Act 2010, The Employment Rights Act 1996, The Employment Relations Act 1999 and The Employment Act 2002, as well as The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000, The Employment Act 2002 (Dispute Resolution) Regulations and The Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002.

The process for making decisions on the pay of teachers at the school is as follows.

B.1 Pay Reviews

The Governing Body will ensure that every teacher's salary is reviewed with effect from 1 September and no later than 31 October (except in the case of the Principal, which shall be by

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31 December) each year and will give him/her a written statement setting out his/her salary and any other financial benefits to which s/he is entitled by that date.

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. A revised pay statement must also be given where there are any other changes in pay arrangements in the year.

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

B.2 The Pay Committee

The Governing Body will establish a committee to make determinations of pay in accordance with the pay policy. Decisions will be communicated to each teacher by the Principal, in writing, in accordance with paragraph 4 of the STPCD. Decisions on the pay of the Principal will be communicated by the Chair of the Governing Body, in writing, in accordance with paragraph 4 of the STPCD.

C. APPEALS

The arrangements for considering appeals are as follows:

An employee may seek a review of any determination in relation to his/her pay or any other decision taken by Pay Committee or individual acting with delegated authority that affects his/her pay.

The following list, which is not exhaustive, includes the usual reasons for seeking a review of a pay determination.

That the person or committee by whom the decision was made:–

- a) incorrectly applied any provision of the STPCD or NJC terms and conditions;
- b) failed to have proper regard for statutory guidance;
- c) failed to take proper account of relevant evidence;
- d) took account of irrelevant or inaccurate evidence;
- e) was biased; or
- f) otherwise unlawfully discriminated against the employee.

The order of proceedings is as follows:

1. The employee receives written confirmation of the pay determination and where applicable the basis on which the decision was made.
2. If the employee is not satisfied, s/he should seek to resolve this by discussing the matter informally with the decision-maker within ten working days of the decision.
3. Where this is not possible or where the employee continues to be dissatisfied, s/he may follow a formal appeal process.
4. The employee should set down in writing the grounds for questioning the pay decision and

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send it to the Clerk to Governors, within ten working days of the notification of the decision being appealed against or of the outcome of the discussion referred to above.

5. The Pay Committee or person who made the determination should provide a hearing, within ten working days of receipt of the written appeal, to consider the appeal and give the employee an opportunity to make representations in person. The employee is entitled to be accompanied by a colleague or union representative. The timing and location of the formal meeting must be reasonable. Following the hearing the employee should be informed in writing of the decision and the right to appeal.
6. If an employee wishes to appeal, s/he must notify the Clerk to the Governors in writing within ten working days of the decision being notified to him/her in writing. Any appeal should be heard by a panel of three governors who were not involved in the original determination, normally within 20 working days of the receipt of the written appeal notification. If there are not three governors available, two governors may conduct the appeal hearing.

The employee will be given the opportunity to make representations in person. The employee is entitled to be accompanied by a colleague or union representative. The timing and location of the formal meeting must be reasonable. Five working days notice should be given of the appeal hearing, which should normally be held within 20 working days of the receipt of a written appeal notification. The notification of the appeal hearing will include:

- the date, time, place of the appeal hearing;
- the name(s) of the person(s) who will hear the case;
- who will respond to the appeal (the person or representative of the Committee who made the original decision);
- who will be the Human Resources Adviser to the panel (if there is to be one);
- copies of documents and any other written material or evidence that is relevant;
- the names of any witnesses to be called;
- the employee's right to be represented by a recognised trade union or professional association representative or work colleague and to call witnesses;
- the employee's right to submit any documentation within three working days of the appeal hearing, to the Clerk to the Governors;
- a copy of the school's Pay Policy;
- the fact that the appeal hearing may take place in the employee's absence if s/he is unable to attend without a satisfactory explanation. If s/he is unable to attend through illness, s/he should arrange representation at the appeal hearing and/or provide written submissions to the appeal hearing.

The appeal hearing should be conducted in accordance with good employee relations practice. It is advisable to seek guidance from the Human Resources Adviser. No conclusion should be reached until representations from all parties have been taken into account.

A Human Resources Adviser may accompany the person representing the Committee which made the original decision. It is the responsibility of the Clerk to the Governors to ensure that an accurate account of the hearing is made. During the hearing, either side will be entitled to request an adjournment for consultation. Any reasonable request should be allowed. Witnesses will attend only for that part of the hearing where they are required to give evidence and answer questions. The decision of the appeal panel will be given in writing, and where the appeal is rejected will include a note of the evidence considered and the reasons for the decision.

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D. USE OF DISCRETIONS IN BASIC PAY DETERMINATION

D.1 Pay Range for Principals

The relevant body will determine the Individual School Range (ISR) for Principals when they propose to make a new appointment or at any time if they consider it necessary to retain a Principal. In limited circumstances (school causing concern, and substantial difficulties in recruiting or retaining a Principal) the relevant body has discretion to move the pay range for a Principal up by up to two school groups, and the possibility of exceeding the maximum of the spine (refer to paragraph 12.2.5 of the 2010 STPCD).

Where the Principal is appointed to more than one school the Governors must determine the ISR by calculating the total unit score of all schools (refer to para 12.2.7 of the 2010 STPCD)

Where the Principal is temporarily appointed as the Acting Principal for one or more additional Schools the Governors will determine the ISR by either calculating the total unit score of all schools or moving the pay range up to two group sizes higher, they will use the option that produces the higher pay range (refer to para 12.2.8 of the 2010 STPCD).

D.2 Pay Range for Deputy and Assistant Head Teachers

The relevant body will determine the 5 point pay range for Deputy and Assistant Head Teachers when they propose to make new appointments or where there is a significant change in the responsibilities of serving Deputy or Assistant Head Teachers. They may determine the pay range as of 1 September 2010 or at any time of the year to reflect any changes in the circumstances or job description that lead to a change in the basis for calculating their pay, or at any time if they consider it necessary to retain a Deputy or Assistant Head Teacher (Paragraphs 14 and 16 of the 2010 STPCD).

D.3 Pay Range for Advanced Skills Teachers (ASTs)

When determining an appropriate five point pay range for an AST, regard will be given to; the nature of the work to be done, including any work with teachers from other schools; the degree of the challenges; the professional competencies required; and such other criteria as considered appropriate (paragraph 27.3 of the 2010 STPCD)

D.4 Excellent Teachers

The Governing Body has determined that **no** Excellent Teacher posts are to be included in the College's current staffing structure.

A teacher may be appointed to an Excellent Teacher post if s/he has:

- a) previously held such a post, or
- b) has been on UPS 3 for at least two years and
 - i. in accordance with 2004 STPCD or any previous STPCD, has been assessed as meeting the standards for ASTs applicable at the relevant time; or
 - ii. has been certified by an assessor as meeting the standards set out in Annex 2 of the 2005 STPCD or of the 2006 STPCD; or
 - iii. has satisfied the appropriate standards in Annex 1 of any STPCD between 2007 and 2010.

When setting the salary of an Excellent Teacher the relevant body must have regard only to:

- a) the nature of the work undertaken; and
- b) the degree of challenge of the role

The relevant body may re-determine an Excellent Teacher's salary at any time there are significant changes in a) or b) as stated above. Where the salary of an Excellent Teacher is reduced following such re-determination salary safeguarding must be applied in line with paragraph 33 of the STPCD 2010.

D.5 Discretionary Experience Points for Classroom Teachers

When placing a Classroom Teacher on the main scale, the Governing Body will consider awarding an extra point or points on the scale in recognition of other relevant experience that would not attract mandatory experience points in the following circumstances:

- One point on the main scale for each year of service as a qualified teacher in an Academy, a city technology college, a city college for the technology of the arts or an independent school.
- One point on the main scale for each period of one year of service as a qualified teacher in an overseas school outside the European Economic Area or Switzerland in the maintained sector of the country concerned.
- One point on the main scale for each period of one year of service teaching in further education, including sixth form colleges.
- One point on the main scale for each period of one year of service teaching in higher education.
- The Governing Body will consider awarding on a case by case basis:
- One point on the scale for each period of five years spent outside teaching but working in a relevant area. This might include industrial or commercial training, and experience with children/young people.

E. Part - Time Teachers

E.1 Part - Time Teacher Pay Calculation

Teachers employed on an ongoing basis at the school but who work less than a full working day or week are deemed to be part-time. The Governing Body will give them a written statement detailing their working time obligations and the mechanism used to determine their pay, subject to the provisions of the statutory pay arrangements.

The Governing Body will ensure that part-time teachers have a clear statement of the sessions and hours they will be required to work.

The STPCD requires that all teachers in regular part-time service should be paid "The percentage of the appropriate full-time equivalent salary." This is also applicable to any allowances awarded to the part time teacher. The proportion shall be calculated in line with the statutory guidance 2010 of the STPCD 2010 (Para 154 – 161).

The percentage of the appropriate full-time equivalent salary must be calculated in line with the Schools Timetabled Teaching Week (STTW) as stated in paragraph 46 of the STPCD 2010.

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To assist schools to calculate their full time STTW and their Part Time Teacher's Percentage Full Time Equivalent, [a calculator](#) is available on the Source on the [Schools' Personnel Policies](#) webpage.

E.2 Safeguarding Arrangements for Part Time Teachers Salary

Any salary safeguarding sum applied to a teacher under Para 46.3 of the 2009 STPCD should be reviewed in line with para 46.3 of the 2010 document.

F. SHORT NOTICE / SUPPLY TEACHERS

Teachers who work on a day-to-day or other short notice basis have their pay determined in line with the statutory pay arrangements in the same way as other teachers.

Teachers will be hourly paid and will have their salary calculated by dividing the annual salary by 1265 to arrive at the hourly rate.

Teachers should be paid for all the hours they are required to be on the school premises. Allowance should be made for non-contact time. Before any supply teacher undertakes work in the school, the number of hours for which they are to be paid will be agreed with the teacher.

When a supply teacher is employed to cover the same post for a continuous period of 4 weeks or more, he or she will be paid on the basis of 6.5 hours per day and may be expected to undertake the full range of duties of the teacher who is being replaced.

The school will confirm with the supply teacher the hours to be worked and the teacher asked to sign to confirm for how many hours he or she will be paid and a written records maintained in case of a future query.

G. UNQUALIFIED TEACHERS

G.1 Newly Appointed Unqualified Teachers

There are only three types of 'unqualified teacher' allowed by the law: trainees working towards QTS, overseas trained teachers who have not exceeded the four years they are allowed without having QTS, and instructors who are people with a particular skill who can be used for so long as a qualified teacher is not available.

A newly appointed Unqualified Teacher must be placed on the first point of the Unqualified Teachers' Scale (Para 35 of the STPCD 2010).

Where a newly appointed Unqualified Teacher has relevant experience which the relevant body considers to be of value to the performance of the Unqualified Teacher's duties the relevant body may place him/her on a point above the first point on the pay scale. If this is the case the relevant body must determine which point is appropriate in the light of that experience.

G.2 Discretionary Points for Unqualified Teachers

The Governing Body may also award:

- a) One point to an Unqualified Teacher who has been notified that a year of employment has not been satisfactory in respect of that year;
- b) One or more points for years of experience other than employment as an Unqualified Teacher which the Governing Body considers to be of value to the performance of the

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- Unqualified Teachers duties.
- c)
- I. One point to a Teacher who is not subject to the 2002 or 2006 Regulations, whose employment in a previous school year was excellent, having regards to all aspects of his/her professional duties, in particular classroom teaching; or
 - II. One point to a teacher who was subject to the 2002 or 2006 Regulations, where his/her performance in the school year was excellent, having regards to the most recent appraisal carried out in accordance with the 2002 or 2006 regulations. The Governors must also take into consideration any recommendations on pay progression recorded on the teacher's most recent planning and review statement
- d) In the case of an Unqualified Teacher who was not employed as an Unqualified Teacher between 1st September 2005 and 31st January 2008, one point for each year of employment completed as an Unqualified Teacher prior to September 2005.

G.3 Additional Allowances for Unqualified Teachers

The Governing Body may determine an additional allowance as it considers appropriate, where in the context of its staffing structure and pay policy that a teacher has:

- a) taken on a sustained additional responsibility which is:-
 - (i) focused on teacher and learning; and
 - (ii) requires the exercise of a teacher's professional skills and judgement
- b) qualifications or experience which bring added value to the role he/she is undertaking.

Where an Unqualified Teacher is in receipt of an additional allowance awarded under a previous Document, the relevant body must re-determine that allowance in accordance with the above criteria.

Unqualified Teachers may not hold a TLR or SEN allowance.

G.4 Safeguarding for Unqualified Teachers

Any safeguarded sum applied to an Unqualified Teacher will be paid in accordance with paragraph 36 of the STPCD 2010.

H. PERFORMANCE RELATED PAY PROGRESSION FOR TEACHERS

The Governing Body agrees the school budget and will ensure that appropriate funding is allocated for performance pay progression at all levels. The Governing Body recognises that funding cannot be used as a criterion to determine progression.

H1. Principal

The Principal must demonstrate sustained high quality of performance, with particular regard to leadership, management and pupil progress at the school and will be subject to a review of performance against their performance objectives before any performance points will be awarded. The clarification of the application of the criteria (*section 3, para 45 of the STPCD 2010: guidance*) for Leadership Group progression will be taken fully into account.

Annual pay progression within the ISR for this post is not automatic. Any progression will normally be by one point, but the Governing Body may consider movement by two points in exceptional circumstances.

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H2. Deputies and Assistant Principals

Deputy and Assistant Principals must demonstrate sustained high quality of performance in respect of school leadership and management and pupil progress and will be subject to a review of performance against their performance objectives before any performance points will be awarded. The clarification of the application of the criteria (*section 3, para 45 of the STPCD 2010: guidance*) for Leadership Group progression will be taken fully into account.

Annual pay progression within the pay range for these posts is not automatic. Any progression will normally be by one point, but the governing body may consider movement by two points in exceptional circumstances.

H.3 Advanced Skills Teachers (ASTs)

ASTs must demonstrate sustained high quality of performance in the light of their agreed performance criteria and will be subject to a review of performance before any performance points will be awarded. Any work undertaken at other schools, in higher education facilities, at facilities of the LA and elsewhere will be taken into account. The clarification of the application of the criteria (*section 3 Para 106 -110 of the STPCD 2010: guidance*) for AST progression will be taken fully into account.

Annual pay progression within the pay range for these posts is not automatic. Any progression will normally be by one point, but the governing body may consider movement by two points in exceptional circumstances.

H.4 Post Threshold Teachers

Teachers do not have to apply for progression, there is an entitlement to be considered for progression.

Progression on UPS will be based on two successful consecutive performance management reviews, other than under the exceptional circumstances as provided for in the STPCD.

When making any determination for a Teacher subject to the 2006 regulations, the relevant body must have regard to any recommendation on pay progression recorded in the Teachers most recent planning and review statement.

The clarification of the application of the criteria (*section 3 Para 47-49 of the STPCD 2010: guidance*) for upper pay scale progression will be taken fully into account.

Where a teacher is a Post-Threshold Teacher by virtue of paragraphs (b), (c), and (e) – (i) of the definition of a Post-Threshold Teacher in Section 2, Part I of the STPCD 2010, the Governing Body may determine which point on the upper pay scale to place them, rather than being required to place them on to UPSI. When doing so, the Governing Body should consider any pay and progression which such teacher made in their previous employment which was based on an assessment on standards and contribution comparable to the requirements for progression on the upper pay scale, and should not unreasonably withhold appointment at the equivalent point on the upper pay scale.

H.5 Threshold Assessment

Teachers who wish to do so should apply for threshold assessment to the Principal.

The school will inform teachers of their eligibility to apply for threshold assessment one year ahead of their becoming eligible, along with both the mandatory deadline for applications as

stated in para 19 of the 2010 STPCD.

Teachers who are placed on M6 on or before 1st September 2010 are eligible to apply for progression to the upper pay scale (UI) with effect of 1st September 2011 (Round 11). Applications for progression in Round 11 must be submitted no later than 31st October 2011.

H.6 Classroom Teachers on the Main Scale

Main scale Classroom Teachers will receive one extra point for each year of satisfactory performance.

Those subject to formal capability proceedings are usually deemed unsatisfactory performers, but the Governing Body still has discretion to determine that such a person receive a point.

A Classroom Teacher may be awarded an extra point on the main scale for excellent performance over the previous academic year, having regard to all aspects of their professional duties, but in particular classroom teaching.

J. DISCRETIONARY ALLOWANCES AND PAYMENTS

J.1 Safeguarded payments and allowances

Safeguarding will apply up to a maximum of three years whenever a teacher faces a reduction in salary through no fault of their own in line with para 5 of the 2010 STPCD.

J.2 Teaching and Learning Responsibility Payments (TLRs)

TLRs cannot be awarded on a time limited basis.

The values of the TLRs to be awarded are set out below:

TLR2s will be awarded to the following values (as at 1st September 2010):

TLR2A £2535

TLR2B £4225

TLR2C £6196

TLR1s will be awarded to the following value:

TLR1A £7323

TLR1B £9012

TLR1C £10700

TLR1D £12393

Criterion

A Teaching and Learning Responsibility payment ("TLR") may be awarded to a teacher for undertaking a sustained additional responsibility in the context of the school's staffing structure for the purpose of ensuring the continued delivery of high-quality teaching and learning for which he is made accountable. The award may be while the teacher remains in the same post or occupies another post in the temporary absence of the post-holder.

Factors

Before awarding a TLR, the relevant body must be satisfied that the teacher's duties include a significant responsibility that is not required of all classroom teachers, and that –

- a) is focused on teaching and learning;
- b) requires the exercise of a teacher's professional skills and judgement;

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- c) requires the teacher to lead, manage and develop a subject or curriculum area; or to lead and manage pupil development across the curriculum;
- d) has an impact on the educational progress of pupils other than the teacher's assigned classes or groups of pupils; and e) involves leading, developing and enhancing the teaching practice of other staff.
- e) involves leading, developing and enhancing the teaching practice of other staff.

Before awarding a TLR I, the relevant body must be satisfied that the significant responsibility referred to in the previous paragraph includes in addition line management responsibility for a significant number of people.

A teacher may not hold more than one TLR, but a TLR could be based on a job description that itemises several different areas of significant responsibility.

TLRs may only be awarded in the context of the school's staffing structure and pay policy.

Following the review of staffing structures, the implementation plan should be attached to the school's pay policy.

J.3 Special educational needs allowance

A SEN allowance is no less than £2001 and no more than £3954

The relevant body will award an SEN Allowance to a classroom teacher in line with paragraph 25 of the STPCD 2010.

K. OTHER PAYMENTS

K.1 Continuing Professional Development, Initial Teacher Training Activities, Out-of-School Learning Activities and Additional Responsibilities Linked to Raising School Educational Standards

The Governing Body may make such payments as they see fit to a Teacher, including the Head Teacher, in respect of –

- a) continuing professional development undertaken outside of the school day;
- b) activities relating to the provision of initial teacher training as part of the ordinary conduct of the school
- c) participation in out-of-hours learning activity agreed between the Teacher and the Head Teacher or, in the case of the Head Teacher, between the Head Teacher and the relevant body.

Furthermore the Governing Body may make such payments as they see fit to a Teacher, excluding the Principal, in respect of –

- d) additional responsibilities and activities due to, or in respect of, the provision of services by the Principal relating to the raising of educational standards to one or more additional schools.

K.2 Recruitment and Retention Incentives and Benefits

The Governing Body will pay recruitment awards of £2,000 for a maximum of three years to teachers employed to teach subjects in which there is a shortage of teachers or in a post which is difficult to fill for a maximum of three years. It may pay relocation expenses in exceptional circumstances up to £2,000.

The Governing body will pay retention awards of a maximum of £3,000 for a maximum of three years. This may be extended in “exceptional circumstances”.

Other benefits payable, such as support for travel costs, care of dependants etc, will/will not be paid.

The Governing Body will review the level of payment/benefits annually.

The Governing Body will specify clearly the basis on which such incentives may be paid (e.g. to all teachers; to those in shortage subjects as defined by the school; or after one/two advertisements have failed to produce a suitable candidate for appointment).

Payments may only be made for recruitment and retention purposes, not for carrying out specific responsibilities or to supplement pay for other reasons.

Incentives may, for example, include a cash sum, a percentage uprating of salary, or defined benefits such as childcare costs of health care provision.

A review of rates will be necessary if the Governing Body intends to increase the level of these awards in line with general increases to salaries, or in other circumstances which the Governing Body may determine.

K.3 Residential duties

Teachers working in residential special schools are normally entitled to be paid for residential duties in accordance with national agreements reached by the Joint Negotiating Committee for Teachers in Residential Establishments

K.4 Honoraria

The Governing Body will not pay any honoraria to any member of the teaching staff for carrying out their professional duties as a teacher.

There is no provision within the School Teachers' Pay and Conditions Document for the payment of honoraria. Any such award to a teacher for their teaching work would be unlawful.

L. PAY POLICY RELATING TO SCHOOL SUPPORT STAFF

School Support Staff are paid in line with the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service.

L.1 Job Evaluation

The Job Evaluation Project began in May 2003 and was implemented in Community and Voluntary Controlled schools in April 2007.

Job evaluation has been carried out as a result of the national Single Status Agreement which require all local authorities to pay equal pay for work of equal value and to ensure that pay and grading are fairly and appropriately implemented.

To meet these requirements Devon County Council has used the GLPC (Greater London Provincial Council) Job Evaluation Scheme.

Voluntary Aided and Foundation Schools Governing Bodies are the employers of their staff and will determine whether to implement job evaluation within their school.

November 2010

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