



# Whole school pay policy

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## Contents

SECTION A - GENERAL INTRODUCTION .....	3
1. Introduction .....	3
2. Monitoring the impact of the policy .....	4
3. Review of policy .....	4
SECTION B - DETERMINING TEACHERS' PAY .....	5
1. Basic pay determination on appointment .....	5
2. Pay reviews .....	5
3. Assessment of pay progression.....	5
4. Main pay range for teachers.....	6
5. Upper pay range for teachers.....	7
6. Pay range for unqualified teachers .....	9
7. Pay ranges for members of the leadership group .....	10
8. Teaching and Learning Responsibility (TLR) payments.....	11
9. Special Educational Needs (SEN) allowances .....	11
10. Newly qualified teachers (NQTs) .....	11
11. Part time teachers.....	11
12. Short notice/supply teachers .....	12
13. Pay protection.....	12
14. Absence and pay progression .....	12
15. Appeals.....	12
SECTION C - DETERMINING SUPPORT STAFF PAY.....	15
1. Pay reviews .....	15
2. Salary scales .....	15
3. Job descriptions.....	15
4. Basic pay determination on appointment .....	15
5. Incremental progression .....	15
6. Honoraria .....	16
7. Appeals.....	16
SECTION D - DETERMINING EXECUTIVE PAY .....	17

## SECTION A - GENERAL INTRODUCTION

### 1. Introduction

- 1.1 This policy sets out the framework for making decisions on employees' pay. It has been developed to comply with current legislation<sup>1</sup>, the requirements of the School Teachers' Pay and Conditions Document (STPCD), the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service ("Green Book") and in accordance with the principles of public life - objectivity, openness and accountability.
- 1.2 As part of the application of this policy, the Three Saints Academy Trust will collect, process and store personal data in accordance with our data protection policy. We will also comply with the requirements of **Data Protection Legislation** (being (i) the General Data Protection Regulation ((EU) 2016/679) (unless and until the GDPR is no longer directly applicable in the UK) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then (ii) any successor legislation to the GDPR or the Data Protection Act 1998, including the Data Protection Act 2018), and our Workforce Privacy Notice sets out how we will gather, process and hold personal data of individuals in relation to pay.
- 1.3 In adopting this pay policy the aim is to:
- (a) achieve excellent outcomes for all students
  - (b) support the recruitment and retention of a high quality workforce
  - (c) complement the Three Saints Academy Trust's performance management and appraisal policy which is supportive and developmental and ensures employees have the skills and support to do their job effectively
  - (d) complement the delivery of the statutory appraisal process and make robust decisions on teacher and leadership pay
  - (e) enable us to recognise and reward staff appropriately for their contribution to the Three Saints Academy Trust
  - (f) help to ensure that decisions on pay are managed in a fair, just and transparent way whilst eliminating unnecessary bureaucracy for all concerned. The use of evidence in this process will be proportionate and clearly rooted in the appraisal process
  - (g) ensure that there is no pay discrimination in decision making and that decisions on pay (where applicable) are based on evidence and can be justified
- 1.4 Pay decisions at this Trust are made by the Directors Board & Governing Body based on evidence which will be linked to appraisal outcomes and other indicators.

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<sup>1</sup> Including the Employment Relations Act 1999, the Equality Act 2010, the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 and the Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002.

- 1.5 This policy has been agreed following consultation with staff and the recognised trade unions. The Directors board adopted this policy on 26<sup>th</sup> September 2019.

## **2. Monitoring the impact of the policy**

- 2.1 The Board of Directors & Governing Bodies will monitor the outcomes and impact of this policy on an annual basis, including trends in progression across specific groups of staff to assess its effect and the school's continued compliance with equalities legislation.

## **3. Review of policy**

- 3.1 This policy is reviewed annually by the trust in consultation with the recognised trade unions. We will monitor the application and outcomes of this policy to ensure it is working effectively.

## **SECTION B - DETERMINING TEACHERS' PAY**

### **1. Basic pay determination on appointment**

- 1.1 The Trust 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.
- 1.2 In making such determinations, the Trust may take into account a range of factors, including:
  - (a) the nature of the post
  - (b) the level of qualifications, skills and experience required
  - (c) market conditions
  - (d) the wider Trust context and strategic priorities
- 1.3 Although there is no assumption that a teacher will be paid at the same rate as they were being paid in a previous school, the school will determine the appropriate rate of pay for a teacher joining the school taking account of salary expectations, current salary and the factors set out above.

### **2. Pay reviews**

- 2.1 The Governing Body will ensure that each teacher's salary is reviewed annually by no later than 31 October each year or by no later than 31 December each year for headteachers. Pay increases will be backdated to 1 September of the same academic year.
- 2.2 Salary will also be reviewed if a teacher takes up a new post with effect from the date the post commenced or in other circumstances as required, with effect from the relevant date. Pay reviews in this trust will be carried out in a manner that minimises the impact on workload for individual teachers, line managers and headteachers.
- 2.3 All teachers will be notified in writing within one month of a decision on pay setting out their salary, any payments or other financial benefits awarded, any safeguarding, where a copy of the staffing structure and pay policy may be inspected and any other information required by STPCD.

### **3. Assessment of pay progression**

- 3.1 The pay policy sets out how we will recognise and reward performance to support continuous improvement. In this Trust all teachers will receive regular feedback on their performance and are subject to an annual performance appraisal. The arrangements for teacher appraisal are set out in our Appraisal Policy.
- 3.2 Decisions regarding pay progression will be made with reference to the appraisal process. A fair and transparent assessment process will be in place where decisions are based on evidence whilst being proportionate to be able to support robust decisions. Evidence should be readily available from day

to day practice in school and be considered in the context of minimising bureaucracy.

- 3.3 In this Trust, judgements of performance will be made in relation to how the teacher has met appraisal outcomes, their objectives and the Teachers' Standards.
- 3.4 The evidence we will use may include, but not be limited to tracking pupil progress, lesson observations, the views of pupils and parents. Objectives and performance management discussions will not be based on teacher generated data and predictions, or solely on the assessment data for a single group of pupils.
- 3.5 Teachers' appraisal reports will contain pay recommendations. These recommendations will be reviewed by the Head Teacher and will be moderated across the Trust.
- 3.6 Final decisions about whether or not to accept a pay recommendation will be made by the Governing Body and for Trust central team and Headteachers the Directors Board, having regard to the appraisal report containing the pay recommendation.
- 3.7 It will be possible for a 'no progression' determination to be made without recourse to the capability procedure.
- 3.8 Where teaching, progress or compliance with the Teachers' Standards (where applicable) is not meeting expectations the Head Teacher will determine support and if necessary the capability procedure will be used. In such situations there would be no pay progression during that year.
- 3.9 The Directors board will consider its approach in the light of the Trust's budget and ensure that appropriate funding is allocated for pay progression at all levels.

#### 4. Main pay range for teachers

- 4.1 The main pay range within this trust is from £24,373 - £35,917 per annum. Within this range this Trust has six reference points which are as follows:

Point	Annual FTE salary
1 (main pay range minimum)	£24,373
2	£26,298
3	£28,413
4	£30,599
5	£33,010
6	£35,971

#### Pay progression for main pay range teachers

- 4.2 Eligible main pay range teachers will be automatically considered for progression and no application will be necessary. However annual pay

progression within the range is not automatic and decisions regarding pay progression will be clearly attributable to the teacher's performance with reference to the appraisal process and the criteria set out in this pay policy.

- 4.3 Teachers will progress by one point until they reach the top of their range if in the professional judgement of the Head Teacher they can demonstrate and the Governing Body is satisfied that there is evidence of:
- (a) All objectives being met
  - (b) The quality of the teaching throughout the year being good
  - (c) Pupil progress targets being achieved
  - (d) The Teachers' Standards being met in full
- 4.4 Additional progression may be considered for those teachers who in the professional judgement of the Head Teacher that they can demonstrate and the Governing Body is satisfied that there is evidence of:
- (a) All objectives being met and exceeded
  - (b) The quality of teaching throughout the year being considered exceptional and exceeds expectations
  - (c) Progress targets being exceeded in the majority of groups or pupils
  - (d) Successful leadership of a whole school initiative where impact can be evidenced

## 5. Upper pay range for teachers

- 5.1 The upper pay range within this trust is from £37,654 - £40,490 per annum. Within this range this Trust has three reference points which are as follows:

Point	Annual FTE salary
1 (upper pay range minimum)	£37,654
2	£39,050
3 (upper pay range maximum)	£40,490

### Application to be paid on the upper pay range

- 5.2 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 or not they wish to apply to be paid on the upper pay range.
- 5.3 Applications may be made once a year by no later than 30<sup>th</sup> September.

5.4 Applications should contain evidence from the last 2 years, should be made in writing and be submitted to the Head Teacher.

5.5 An application from a qualified teacher to progress on to the upper pay range will be successful where they can demonstrate that they meet not only the Teachers' Standards, but are highly competent in all elements of the standards and that their achievements and contribution are substantial and sustained.

In this trust this means that to achieve progression to this pay range, the Directors must be satisfied that the teacher meets the definition of substantial contribution as set out below and there is evidence that this is sustained performance over 2 years:

(a) Consistently outstanding teaching

(b) Evidence of coaching and supporting colleagues to achieve improved student outcomes

(c) Acting as a role model for Teaching & Learning

(d) A commitment to personal development and CPD focussed on improving outcomes for students

(e) Highly competent in all areas of the Teachers' Standards

(f) The contribution at this level must be substantial and sustained.

5.6 The application will initially be assessed by the Head Teacher. The Head Teacher will then make recommendations to the Directors who will make the final decision.

5.7 The assessment will usually be made 31<sup>st</sup> December.

5.8 If successful, applicants will move on to the upper pay range backdated to the start of that academic year.

5.9 Ordinarily a successful teacher will be placed on the bottom of the upper pay range. In exceptional circumstances the Head Teacher may recommend a higher salary based on:

(a) the nature of the post and the responsibilities it entails

(b) the level of qualifications, skills and experience of the teacher

(c) market forces

5.10 If unsuccessful, feedback will be provided in writing by Head Teacher along with confirmation of the process for appeals.



### Pay progression for teachers within the upper pay range

- 5.11 Once a teacher has moved on to the upper pay range, if eligible they will be automatically considered for further progression no more than once every two years and no application will be necessary. However annual pay progression within the range is not automatic and decisions regarding pay progression will be clearly attributable to the teacher's performance with reference to the appraisal process.
- 5.12 Upper pay range teachers will progress by one point, until they reach the top of the range, if they can demonstrate and the Governing Body is satisfied that there is evidence from the required period of continuing to meet the criteria at 5.5.
- 5.13 Additional progression up the range may be considered for upper pay range teachers where performance is judged to be exceptional taking in to consideration the criteria at 5.5 and where all objectives have been exceeded.

### **6. Pay range for unqualified teachers**

- 6.1 The unqualified teacher pay range within this trust is from £17,682 - £27,965 per annum. Within this range this Trust has six reference points which are as follows:

Point	Annual FTE salary
1 (unqualified teacher pay range minimum)	£17,682
2	£19,739
3	£21,794
4	£23,851
5	£25,909
6 (unqualified teacher pay range maximum)	£27,965

### Pay progression for unqualified teachers

- 6.2 Eligible unqualified teachers will be automatically considered for further progression and no application will be necessary. However annual pay progression within the range is not automatic and decisions regarding pay progression will be clearly attributable to the teacher's performance with reference to the appraisal process.
- 6.3 Judgements of performance will be made in relation to appraisal outcomes and meeting objectives. The minimum expectation to achieve pay progression is:
- (a) All objectives are met

- (b) The quality of the teaching throughout the year is good
  - (c) Pupil progress targets achieved for all groups
- 6.4 Additional progression will be considered for unqualified teachers who demonstrate:
- (a) All objectives are met and exceeded
  - (b) The quality of teaching throughout the year is considered exceptional and exceeds expectations
  - (c) Progress targets exceeded in the majority of groups or pupils

## 7. Pay ranges for members of the leadership group

- 7.1 Pay ranges for headteachers, deputy headteachers and assistant headteachers will be determined in line with STPCD for new appointments, where responsibilities significantly change or if this trust chooses to review pay of leadership posts in line with STPCD. The pay range will take into account all permanent responsibilities of the role, any challenges that are specific to the role and all other relevant considerations including the skills and competencies required. Pay ranges will allow appropriate scope for performance related progression over time.

### Headteachers

- 7.2 The school will be assigned to a headteacher group calculated using its total unit score, in accordance with STPCD.
- 7.3 A pay range will be determined for the headteacher which will not normally exceed the maximum of the headteacher group, unless the specific exceptional circumstances or candidate warrant it, up to an additional 25%.
- 7.4 Additional payments may be made to a headteacher for temporary responsibilities that are in addition to the duties taken in to account for the determination at 8.1-8.3. The total sum of any temporary payments will not normally exceed 25% of the headteacher's annual salary.
- 7.5 In addition, the total sum of annual salary combined with any temporary payments (where applicable) will not exceed the maximum of the headteacher group, calculated at 8.2, by more than 25%. Where this, or exceeding the limits set out at 8.3 and 8.4 are being considered by the the Board of Directors, there must be wholly exceptional circumstances and a business case will be made and the Board will seek external independent advice.

### Deputy headteachers and assistant headteachers

- 7.6 A pay range will be determined for any deputy headteacher and assistant headteacher, considering how the role fits within the wider leadership structure of the school. The pay range will not exceed the maximum of the headteacher group for the school and will not normally overlap with the pay range of the headteacher, except in exceptional circumstances.

## Pay progression for members of the leadership group

- 7.7 Eligible members of the leadership group will be automatically considered for further progression and no application will be necessary. However annual pay progression within the range is not automatic and decisions regarding pay progression will be clearly attributable to the leadership group member's performance with reference to the appraisal process.
- 7.8 Leadership group members will progress by one point until they reach the top of their range if they can demonstrate and the Board of Directors is satisfied that there is evidence of sustained high quality of performance in school leadership and management and pupil progress, clearly linked to school improvement priorities and outcomes.
- 7.9 Additional progression may be considered for members of the leadership group where performance is judged to be exceptional taking in to account the criteria at 8.8 and where all objectives have been exceeded.

## **8. Teaching and Learning Responsibility (TLR) payments**

- 8.1 In this Trust we pay TLR1 or TLR2 to a classroom teacher for undertaking a sustained additional responsibility in the context of our staffing structure for the purpose of ensuring the continued delivery of high quality teaching and learning and for which the teacher is made accountable. The award is made whilst the teacher remains in the same post or occupies another post in the absence of a post-holder.
- 8.2 Current values are as follows in accordance with the staffing structure:
- 8.3 TLR1 £8,069 - £13,654 per annum and TLR2 £2,796 - £6,829 per annum. In addition we may award a fixed-term TLR3 to a classroom teacher for time-limited, clearly defined school improvement projects, or one-off externally driven responsibilities. The annual value of a TLR3 will be no less than £555 and no greater than £2,757.

## **9. Special Educational Needs (SEN) allowances**

- 9.1 A SEN allowance will be paid to classroom teachers who meet the criteria set out in STPCD. Where a SEN allowance is to be paid, the spot value of between £2,209 and £4,359 will be determined based on the structure of the SEN provision, whether mandatory qualifications are required for the post, the qualifications or expertise of the teacher and the relative demands of the post.

## **10. Newly qualified teachers (NQTs)**

- 10.1 In the case of NQTs pay decisions will be made by means of the statutory induction process.

## **11. Part time teachers**

- 11.1 Teachers who work less than a standard working week are deemed to be part time. Their hours and working time obligations will be set out in their contracts of employment and in line with the provisions of STPCD. The pay of part time teachers will be determined in the same way as full time

teachers and any increase in pay will be paid pro rata to full time equivalent salary rates.

## **12. Short notice/supply teachers**

- 12.1 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. They will be paid the agreed rate for the job and are not subject to the appraisal process.

## **13. Pay protection**

- 13.1 Pay protection arising from changes to pay and structure will be in line with the provisions of STPCD.

## **14. Absence and pay progression**

- 14.1 Employees who are absent long term (including but not limited to maternity leave and long term sick leave due to a disability) are still eligible to be considered for pay progression.
- 14.2 The Trust will take into account the criteria set out in this policy, but use the period of time prior to the employee commencing their period of absence. In most cases this will be the preceding year or two years for progression on to the upper pay range. If there is sufficient time for assessment in the current cycle, that period may also be considered.

## **15. Appeals**

- 15.1 The steps of the pay appeals process perform the function of the grievance procedure on pay matters and so employees will not be able to raise the complaint under the school grievance procedure following conclusion of a pay appeal.
- 15.2 Employees may be represented by a recognised trade union or colleague at any formal stage of this procedure. The employee is responsible for making these arrangements and for providing their representative with any paperwork they require for the hearing. The teacher should inform the chair of the appeals panel who their chosen companion is, in good time before the hearing.

### Informal discussion

- 15.3 As part of the normal salary review process, the Head Teacher will inform the teacher of the pay decision. Upon receipt of written notification of the pay decision, if the teacher is dissatisfied they should first discuss the decision with the Head Teacher within 5 working days of receipt of the notification.
- 15.4 This discussion gives an opportunity for a teacher to discuss the decision on their pay, to gain an understanding of why the pay recommendation and decision were made and to resolve issues quickly and informally. If this does not resolve an issue, a teacher may follow the formal procedure set out below.

## Stage One

- 15.5 If, following discussion with the Head teacher, the teacher remains dissatisfied, they can make a formal appeal in writing within 5 working days of the discussion with the Head teacher to the committee who made the decision. The possible grounds for appeal are:
- (a) incorrectly applied any provision of the STPCD;
  - (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) unlawfully discriminated against the teacher.
- 15.6 Appeals against pay decisions should be made in writing and addressed to the Governing Body or Finance Committee of Directors who made the pay decision stating the grounds of their appeal in accordance with 16.5 above.
- 15.7 The panel who made the decision (or a representative from) will convene a meeting to consider the appeal as soon as is practically possible. The employee will be invited in writing, giving a minimum of 5 days' notice and copies of any relevant documents to be considered at the meeting will be enclosed.
- 15.8 The teacher will have the opportunity to make representations to the panel or their representative and a school representative will also attend to present the management case. A note taker will also be present.
- 15.9 The panel or their representative will review their decision and will confirm the outcome in writing to the teacher within 5 days.

## Stage Two

- 15.10 If a teacher wishes to appeal against the decision made at Stage One, they may do within 5 working days of the written decision on the grounds that the committee who made the decision:
- (a) incorrectly applied any provision of the STPCD;
  - (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) unlawfully discriminated against the teacher.
- 15.11 Appeals against the decision at Stage One should be made in writing and addressed to the Appeals Committee of the Governing Body or Directors stating the grounds of their appeal in accordance with 16.10 above.
- 15.12 Upon receipt an appeals panel of three different governors who have not been involved in the original decision will convene a meeting to consider the

appeal as soon as is practicably possible. The employee will be invited in writing, giving a minimum of five days' notice and copies of any relevant documents to be considered at the hearing will be enclosed.

- 15.13 The teacher will have the opportunity to make representations to the appeals panel and a representative of the original decision making panel will also attend. A note taker will also be present.
- 15.14 The decision of the panel will be confirmed in writing to the teacher within 5 days. The appeal panel's decision is final; there is no further right of appeal.

## **SECTION C - DETERMINING SUPPORT STAFF PAY**

### **1. Pay reviews**

- 1.1 The Governors & Directors will ensure that each member of support staff's salary is reviewed annually if eligible.

### **2. Salary scales**

- 2.1 The salary scales used will be in accordance with the Green Book pay scales.

### **3. Job descriptions**

- 3.1 The Head Teacher in conjunction with the line manager of the role will ensure that an up to date job description is available for each post which identifies the appropriate duties.
- 3.2 The job description will be reviewed as appropriate or when duties or responsibilities have changed and it will be amended to reflect the current role; although it should be recognised that job descriptions are not intended to list all tasks. An employee may request changes to their job description if they feel their duties or responsibilities have changed significantly. If appropriate, consideration may be given to whether the grade for the post should be re-determined and if it is, the post holder will be paid the new grade from a date determined by the Head Teacher. If the assessment results in a lower grade, the employee may be entitled to salary protection in accordance with their terms and conditions of employment.

### **4. Basic pay determination on appointment**

- 4.1 The Trust will determine the grade for a vacancy prior to advertising it which will be identified on the job description. On appointment the Head Teacher will determine the appropriate point within the grade to be offered to the successful candidate (which will usually be the bottom point of the grade). However, in making such determinations, this may take in to account a range of factors, including:
  - (a) the nature of the post
  - (b) the level of qualifications, skills and experience required
  - (c) market conditions
  - (d) the wider Trust context and strategic priorities

### **5. Incremental progression**

- 5.1 If the employee has more than 6 months' service in their role at 1 April, they are eligible for an increment subject to satisfactory service. This will be paid annually with effect from 1 April until the employee reaches the top of their scale.

- 5.2 If the employee has less than 6 months' service in their role at 1 April, the first increment will not be paid until six months after their appointment subject to satisfactory service. Subsequent increments will be payable on 1 April in line with paragraph 5.1 of this policy.
- 5.3 Incremental progression is subject to satisfactory service and as such may be withheld where there are concerns about an employee's performance, such as achievement of objectives under the school's appraisal policy or wider performance concerns during the appraisal year. Where concerns arise, these will be discussed with the employee and a support plan put in place. In cases where incremental progression is withheld, the employee will receive confirmation of this in writing including the reasons and informing them of their right of appeal. Pay progression may be refused without recourse to the capability procedure.

## 6. Honoraria

- 6.1 An honorarium may be paid on a temporary basis where an employee is offered and agrees to:
- (a) undertake higher level work in addition to their normal duties
  - (b) 'act up' for at least four weeks in to a higher graded post which has become temporarily vacant, for example, due to sick leave
- 6.2 The Head Teacher will determine the amount of this payment. Where the employee is undertaking higher level work not equivalent to a higher graded post, a fixed sum will be agreed. Where the employee is acting up and if carrying out the full responsibilities of the role, the payment will usually be the difference between the minimum point of the higher graded role and their current salary.
- 6.3 The employee will return to their substantive post and salary when they are no longer required to undertake the higher level work or 'act up'.
- 6.4 This should usually only be a temporary solution and the Headteacher should consider whether it may be more appropriate to advertise the post or duties on a fixed term basis.

## 7. Appeals

- 7.1 A member of support staff has the right to appeal against a decision that affects their pay. The principles of the appeals process for teachers apply (set out in Section B, paragraph 16) however the Green Book replaces STPCD at 16.5(a) and 16.10(a).



## SECTION D - DETERMINING EXECUTIVE PAY

### Executive Pay

*This section sets out the pay arrangements for Executive post holders working in academies and multi-academy trusts. Senior pay for those employed in maintained schools, will be set in accordance with the provisions of the School Teachers Pay and Conditions document (STPCD) and local government pay arrangements.*

In this Trust, the Executive Team consists of: Chief Executive Officer, Pay arrangements for Headteachers working in the Trust will be as per the provisions of STPCD.

When setting pay and terms and conditions for the Executive team, the following documents may be taken into consideration and used for reference purposes:

- School Teachers Pay and Conditions (STPCD)
- Academies Financial Handbook 2019 and any relevant Education and Skills Funding Agency guidance
- ‘Green and Burgundy Books’

For those posts where the salary arrangements are likely to fall outside the scope of STPCD consideration is also given to external pay benchmarking, market analysis and Trust performance (both educational and financial). Pay arrangements that fall outside of STPCD will be approved by the Board’s remuneration committee, in line with financial delegation arrangements and include justification for the level of remuneration.

Pay for Executives will be reviewed on an annual basis and the pay review will be completed by December. Any pay increase will be based on performance taking account of the parameters of public sector pay increases as they apply to the education sector. All Executives are given challenging performance management objectives and these are managed and assessed under the Trust’s appraisal policy. No increases will be given without supporting data demonstrating the required performance and evidence based on a constant drive for improvement.

In determining starting salaries or increases for Executives, the Trust consider following and include such information in the justification:

- Level of educational challenge to the Trust
- Level of financial challenge to the Trust (including any financial constraints)
- Level of geographic challenge to the Trust
- External pay reports and evaluation
- Any relevant contractual changes to protect the Trust - extending notice periods, restrictive covenants etc
- Media/ESFA and parental scrutiny