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Pay Panel Guidance for Local Governing Boards

**The Diocese of Gloucester**

**Academies Trust**

**The role of the pay panel**

The local governing board is delegated responsibility, through the scheme of delegation, for making pay determinations for all staff on an annual basis. To exercise this responsibility the local governing board is required to determine a Pay Panel at its first meeting of each academic year.

The pay committee’s responsibility is to ensure that all pay determinations are in accordance with the Trust’s Pay Policy and procedures, including adherence to any timings of pay determinations.

**Membership**

The pay committee will be appointed by the local governing board.

The Pay Panel will be made up of three governors one of whom will act as Chair of the Panel. None of the governors serving on the Panel will be employed within the school, as employees will often have a pecuniary interest in matters discussed.

In schools where there is an interim governing board (IGB) alternative panel arrangements may be necessary, and this will be determined by the central team.

Any paid employees of the school who are also governors will not be permitted as members of the Pay Panel.

The Headteacher is permitted to attend Pay Panel meetings in an advisory capacity and to provide information to support the panel’s decision-making; however, they will not be present at their own pay determination.

Membership of the Pay Panel will be decided based on the outcome of the governing board’s skills audit.

Only full members of the Pay Panel who have been approved by the local governing board will have the right to vote on any matters. **W**

Associate local governors are not permitted be appointed to the Pay Panel.ww**.theschoolbus.net** Last updated: 26 April 2019

**Term of office**

The Pay Panel will be appointed on an annual basis by the local governing board.

**Meetings**

**Frequency and attendance**

The Pay Panel will meet as often as is necessary to fulfil its responsibilities, including in relation to timescales outlined in the Trust’s policies and procedures, and at least once per academic year.

The chair of the Pay Appeal Panel or any two panel members, will only call unscheduled meetings where necessary, and only if at least seven days is given to the other members. A shorter notice may be given where the chair of the panel decides a particular pay or appeals issue requires addressing immediately.

The frequency and dates for Pay Panel meetings will be considered before the Autumn term of the school year.

The Pay Panel will ensure it meets in line with the timescales for teaching and support staff pay decisions and Headteacher pay decisions as set out below.

* Teaching and support staff pay decisions: By 31 October
* Headteacher pay decisions: By 31 December

A register of attendance will be kept for each meeting.

**Responsibilities of the clerk**

The clerk to the Pay Panel will circulate the following items no fewer than seven working days prior to a meeting:

* An agenda
* Copies of minutes of the previous pay committee meeting
* Any other documents to be considered

The clerk will take minutes of the meeting, which will then be circulated to the Pay Panel members. These will be approved by the chair of the panel as accurate representations of the meeting before they are handed to members of the pay panel.

Minutes of the pay panel will be regarded as confidential and stored securely.

**Voting entitlement**

The pay panel may invite non-members to meetings to assist or advise on a particular matter or issue. These additional attendees will not be entitled to vote on any matters.

Each matter to be decided upon will be determined by a majority vote – where there is an equal division of votes, the chair of the panel will have the deciding vote.

Each member of the panel who is present at the meeting will be entitled to one vote.

Absent members will not be able to take part in the voting process.

**Authority**

The Pay Panel is delegated the following responsibilities:

* To apply the Trust Pay Policy on behalf of the LGB fairly and equitably.
* To ensure that this policy links effectively with the school’s Performance Management Policy for teachers (based on the Education (School Teachers’ Appraisal) (England) Regulations 2012) and for support staff.
* To ensure that the school’s leadership team provide all members of staff with a current and accurate job description and that this document is regularly reviewed.
* To regularly review the school’s pay scales for leadership and teaching staff (and support staff where not required to use NJC pay grades and / or covered by national agreement)
* To be responsible for the annual performance related pay decisions for school staff and for receiving and processing requests for the review of pay and grading based on changed duties and responsibilities during the course of the working year.
* To make appropriate arrangements for representations from members of staff to be heard on pay related matters including salary, grading or pay decisions and to seek whatever additional evidence, information or advice is necessary to respond to this request. The Trust’s Performance Management Policy will allow requests for review of the assessment of the performance of a member of staff, but not matters of pay progression. It is recognised that these factors can often be closely linked and so the school willadvise the employee of the most appropriate route for review to follow. This will ensure that an employee will be guaranteed a fair consideration of their representations but will not be entitled to pursue the same concerns through two separate review routes.
* To exercise the panel’s discretionary powers as specified in this document.
* To request a review of the headteacher’s Individual School Range (ISR) is undertaken by the Executive Leadership Team of the Trust, and to report findings and / or make recommendations for change to the LGB in relation to the grading of members of the Leadership Group, when there is a new appointment, when the school increases in size or when the responsibilities of a role have a significant change. It should be noted that the Headteachers ISR should only be changed where there has been a significant increase to the size of the school for example through the introduction of a Nursery or an increase to PAN.

**Frequently asked questions**

**Can parent governors sit on the Pay Panel?**

Yes. All local governors must consider whether they have a conflict of interest, as they must for any vote, but a governor is not automatically conflicted just because their child attends the school (or used to).

A member of staff would be entitled to appeal a pay decision is if one of the original decision-makers was biased or perceived as biased. This might apply to a local governor who is related to or close friends with a member of staff or a parent of a child in the teacher’s class, for example. In that case the governor obviously should not be making decisions about whether their friend or relation gets a pay rise.

**Can the chair of governors sit on the Pay Panel?**

Yes. If the chair of governors is a member of the pay committee it may be prudent to save the vice-chair for an appeals panel (or vice versa), but there are no restrictions whether the chair or vice-chair should be on the panel.

**Who can see minutes of the Pay Panel?**

Minutes should only be sent to those local governors who are members of the panel. This is because the remaining local governors may need to hear an appeal and could be influenced by the reasoning or decisions recorded in the panel minutes.

**Should members of the Pay Panel see staff members’ actual salaries?**

No. Members of the panel will usually be given an anonymised report that describes staff as teacher A, teacher B and so on. The report will show whether a teacher has fully or partially met each of their objectives. It may also include a short comment from the appraiser.

Salary recommendations are shown as points on the pay scale rather than actual figures such as £25,000, so one recommendation might say “Teacher A: met two objectives fully and one partially, recommend move up from M1 t M2”.

In small schools it may not possible to completely anonymise salary recommendations and even in larger schools some of the higher salaries may be easily identified – the highest paid teacher is clearly the headteacher, the second highest the deputy head and so on. However, there is no need for local governors to be given information on the exact amount each member of staff is paid.

Members of the panel may wish to ask for is data on the protected characteristics of teachers under the Equality Act 2010 including race, sex, age and disability. This will allow them to check for any signs of discrimination or bias, for example female teachers receiving fewer recommendations for a pay rise than males.

*“It is good practice for schools to record what steps they undertake to avoid discrimination. Equality monitoring is the most effective and efficient method of identifying potential inequality in workplace policies and procedures.*

*“A breakdown of pay decisions according to each protected characteristic (where applicable) would provide an initial snap-shot. Comparisons year-on-year would then show trends and may identify potential discriminatory practices or procedures.”*

**What are the different pay scales?**

The Trust follows the pay scales set by the [School Teachers’ Pay and Conditions Document](https://www.gov.uk/government/publications/school-teachers-pay-and-conditions) (STPCD), which are:

* The unqualified teacher pay scale.
* The main pay scale for qualified teachers, often written as M1, M2 etc. There are six points on the pay scales detailed in the DGAT Pay Policy. A newly qualified teacher would join the school on the main pay scale.
* The upper pay scale, often written as UPS1, UPS2 etc (or UP1, UP2). Qualified teachers can apply to be paid on the upper pay scale at least once a year. There are three points on the pay scales detailed in the DGAT Pay Policy.
* The leading practitioner pay scale, for teachers who are modelling and leading the improvement of teaching skills.
* The leadership group pay scale, for senior leaders. Often written as L1, L2 etc.

Members of the Pay Panel may also discuss the individual school’s range (ISR) for the Headteacher (in partnership with the CEO/DCEO), deputy head and assistant heads. This means the minimum and maximum pay points they can receive.

Finally, a teaching and learning responsibility (TLR) payment may also be discussed or recommended to the Pay Panel. This is an extra payment given to teachers who take on additional responsibilities.

**Should the Pay Panel be given access to staff members’ appraisals?**

No, details of individual staff members’ appraisals are considered confidential to each employee. The Pay Panel may ask questions about the appraisal process to check it is effective, fair and using appropriate evidence, but they do not need to view the actual appraisals.

**Possible questions the Pay Panel may wish to consider asking**

* Do proposed pay rises correlate with pupil outcomes?
* If all teachers have met all their objectives, were they ambitious enough? If many teachers have failed objectives, were they too tough?
* When was a pay rise last denied?
* If pay rises are never denied what evidence do we have that objectives are ambitious enough and appraisals fair but rigorous?
* What evidence do we have that appraisals are fair and take into account relevant evidence?
* If a move to the upper pay range is recommended, how do we know that teacher has made a “substantial and sustained” contribution to the school, which is a requirement of STPCD?
* What are the total costs of implementing these proposed pay rises, including gross pay, employer national insurance and pension costs?
* Has the cost been accounted for in the budget? If not, why not?
* If the costs have not been accounted for in the budget, what does the Headteacher plan to do to bring the budget back in line and are these actions being reported to the Finance committee?
* Are the objectives set in line with school priorities?
* What is the correlation between appraisal outcomes, pay and the quality of teaching and learning?
* How effective is performance management in improving teaching and learning?

**Pay appeals**

The LGB will form a further panel to consider appeals relating to pay related decisions on its behalf. Members of the appeal panel will not have been involved in any of the original pay panel discussions or decisions.

**Composition of the Pay Appeals Panel**

The Pay Appeals Panel will be made up of three local governors one of whom will act as Chair of the Panel. None of these governors will be employees of the school and none will have been a member of the Pay Panel or have been involved in any pay decisions.

In schools where there is an interim governing board (IGB) alternative panel arrangements may be necessary, and this will be determined by the central team.

**Responsibilities of the Pay Appeals Panel**

The Pay Appeals Panel will:

* follow the appeals procedure set out below
* ensure that the terms of the Pay Policy and related procedures have been correctly applied
* keep the workings of the Panel confidential and not share details of individual cases with other members of the local governing board
* make recommendations for changes to the Pay Policy where it is felt this is necessary for the Trust Board to consider

**Representations about pay recommendations and / or decisions**

A copy of the Pay Policy will be made available to staff if they wish to register a pay related concern

Staff members who wish a recommendation or decision in relation to their pay to be reconsidered may:

**Informal**

Seek an informal discussion with the headteacher about pay recommendations to resolve the issue. Requests for this informal discussion should be made as soon as possible after receiving notice of the pay recommendation normally within 5 days

**Formal**

If the informal discussion does not change the recommendation and the employee remains dissatisfied with the recommendation, they can submit written representations to the Pay Panel who should respond within 5 days. The Pay Panel will invite the employee to discuss the matter at a formal meeting. The Pay Panel will make a decision based on the recommendation and the employee’s representations which will be confirmed in a written pay statement by the Pay Panel.

**Formal Appeal Hearing**

If the staff member remains dissatisfied with the pay decision, they may submit written representations to the Pay Appeal Panel, via the Clerk to Governors, about the pay decision. Such representation should include any additional facts/evidence for reconsideration and be submitted within 5 working days of the receipt of the salary statement.

The Pay Appeal Panel will acknowledge receipt of the employee’s representations and arrange a meeting within 10 working days of receipt to consider the member of staff’s concerns.

The result of this hearing will be given in writing within a reasonable period, normally 5 working days; the decision included in this response will be final and binding in terms of the Trust’s Pay Policy procedures.

The member of staff will be given the opportunity to be accompanied at all formal meetings by a work colleague or trade union representative if they wish.