

**GUIDANCE ON PAY POLICY FOR SUPPORT STAFF**

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| Original document | Pay and Personnel Committee | 4/12/14 | Version 1 |
| Amended |  | 26/1/2017 | Version 2 |

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| 4 | ODST Policy Guidance (Schools may use this to inform the drafting of their non-statutory policy) |

# I STATEMENT OF INTENT

This policy guidance sets out the framework with which ODST will make decisions on support staff pay. It has been developed to comply with current legislation and the requirements of the Local Government Services National Agreement on Pay and Conditions of Service (the “Green Book”).

ODST intends to follow the recommendations in that document but may, when the document is updated, consider whether it continues to be appropriate to follow such national policy if that policy no longer seems appropriate to, or achieves ODST’s objective.

**Please note:** The starting point for developing this policy was the Oxfordshire County Council (OCC) model policy which had been drawn up following consultation with Unison, the recognised union for support staff. ODST intends that future changes to this policy will be subject to consultation with its schools / academies, their staff and any recognised Trade Unions and Associations before adopting any variation to this policy. A separate pay policy covers arrangements for teaching staff in schools.

# II INTRODUCTION

This policy guidance covers pay arrangements for all support staff working for ODST. It has been written in the context of schools and academies but the same principles apply to centrally employed or unattached support staff.

# III SCOPE

* Governing Body □
* Teaching Staff □
* Headteacher □

##  Support staff 

* All Staff □
* Pupils □
* Contractors/ Service Providers □

# IV DATE OF REVIEW

The policy guidance will be reviewed by the Board to take account of national policy development and the feedback from ODST staff and academies. It will be updated where appropriate and reviewed not later than 31st December 2019.

# V GENERAL PRINCIPLES

## Definitions

Where the term “relevant body” is used, this refers to the Board of Trustees of ODST.

“Pay Committee” refers to the committee or other structure established by the Local Governing Body (LGB) of each Academy whose terms of reference cover pay issues, or the full Local Governing Body itself, where no such committee has been established.

## Consistency of Treatment and Fairness

The relevant body is committed to ensuring consistency of treatment and fairness and will abide by all relevant equality legislation, i.e. Employment Rights Act 1996, Employment Relations Act 1999, Employment Act 2002, Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000, Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002 and Equalities Act 2010/2012.

**Delegation**

The relevant body may choose to delegate some of all of its functions to Local Governing Bodies.

## Monitoring and Evaluation

The relevant body and headteacher will monitor the operation and effectiveness of a school’s pay policy.

Advice and guidance on any aspect of this policy can be obtained from ODST by telephoning the HR team on (01865) 208278 or emailing mark.jones@oxford.anglican.org.

# VI DETERMINING SUPPORT STAFF PAY

The relevant body of the Oxford Diocesan Schools Trust agreed to adopt the OCC model policy on 1/9/2013. Pay rates applied to support staff in schools reflect those within the Local Government Services National Agreement on Pay and Conditions of Service (the “Green Book”). The relevant body also commits to ensure that London fringe weightings- or otherwise locally agreed contractual supplements- will be paid to those who are eligible.

**Model Pay Policy for School Support Staff**

The relevant body of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ adopted this policy on \_\_\_\_\_.

## 1. Background

**1.1** This policy sets out the framework for making decisions on support staff pay. It has been developed to comply with current legislation and the requirements of the Local Government Services National Agreement on Pay and Conditions of Service (the “Green Book”).

**1.2** Pay decisions at this school are made by the relevant body which has delegated certain responsibilities and decision making powers to the Pay Committee as set out in Appendix A. The Pay Committee is responsible for the establishment and review of the pay policy for support staff, subject to the approval of the relevant body, and has full authority to take pay decisions on behalf of the relevant body in accordance with this policy. The headteacher is responsible for advising the Pay Committee on its decisions.

**1.3** The relevant body should review the policy on a regular basis, or when other changes occur to the Green Book, to ensure that it reflects the latest position.

**1.4** In determining pay levels for support staff, in accordance with the locally agreed job evaluation scheme, the relevant body should also ensure these are set in accordance with the school’s staffing structure. A copy of the school’s staffing structure should be available for use with the support staff pay policy.

## 2. Pay determination

**2.1** The pay committee will determine the job descriptions, pay and grading of support staff within the framework of grades used locally in accordance with the historic Local Authority Job Evaluation Scheme.

**2.2** The Green Book job evaluation scheme was introduced in June 2003 to ensure that the appropriate grade for a job is decided objectively and fairly and applies to all Green Book staff. It is important to grade jobs appropriately to maintain morale among colleagues and to avoid unnecessary expenditure of school budgets, loss of valued employees and the risk of equal pay claims.

**2.3** In many cases a school will use a generic job description for a role and in such cases, where the role has been previously evaluated at Local Authority level, there will be no need to carry out a re-evaluation of the grade.

**2.4** Where a school has a need for a brand new role, or requires adjustments to be made to an existing job description, guidance should be sought from the ODST HR team in respect of the role evaluation process.

**2.5** It is recommended that job descriptions are reviewed annually through the performance management process. If there are significant changes in the duties of the job a reassessment of the grade should be carried out through job evaluation.

## 3. Payment of Salary (including holiday entitlement)

3.1 Salary grades typically consist of 3 or 4 points. In a school setting it is usual practice for a new employee to commence on the bottom point of the grade and to move incrementally through the grade until the top point is reached. Increments normally occur automatically each April, together with any annual inflationary award. A new employee has to have been in employment for at least six months before an increment occurs.

3.2 Once the top of the grade is reached, automatic progression ceases.

3.3 In a school setting an increment can only be withheld as a result of a formal procedure and will be subject to a right of appeal to the Pay Committee1.

3.4 Salary for all ODST employees is paid in arrears and is divided into 12 equal monthly payments.

3.5 Term Time only employees are typically paid for 38 or 39 working weeks.2 Employees can be appointed on contracts for term time only plus a specific number of additional working weeks.

3.6 For all term time only employees a pro rata annual leave entitlement is included within the pay calculation as set out in the contract. The calculation of the annual leave entitlement may depend upon length of service. The statutory entitlement to annual leave coincides with periods of school closure and is therefore considered to be taken during this time. There is no entitlement to take leave during term time.

3.7 If a term time only employee is due to leave employment on a Friday, he/she will be paid until the Sunday. If an employee works until the end of a term (having worked the whole term) he/she will be paid until the notional end of the following holiday period (e.g. 31st August).

3.8 A throughout the year employee must submit a request to take his/her annual leave in advance to the school. Annual leave is normally expected to be during school holidays unless agreed in advance by the manager and employee. The annual leave year has historically run from 1st April to 31st March, but the Trust will seek to realign this to mirror the academic year, 1st September to 31st August.

3.9 If a throughout the year employee is due to leave employment on a Friday he/she will be paid until the Sunday, however, there is no right to be paid until the notional holiday end date as for term time only staff.

1. Different procedures apply to staff working centrally for ODST for whom progression is based on performance, in a similar manner to the approach now applied to teachers
2. 38 working weeks is equivalent to the 190 days that the school is open to pupils. 39 working weeks includes the additional 5 in-service training days

## 4. Other Payments

4.1 **Extra Duties -** Support staff who agree to undertake extra duties outside of their designated working hours are entitled to additional payments at the appropriate hourly rate. Overtime payments will only be made for hours worked above the standard full time hours for support staff, i.e. 37 hours. Any casual work or overtime must be approved by the Headteacher or his/her delegated representative before it is undertaken.

4.2 **Qualification Allowance –** in Oxfordshire schools, a Qualification Allowance is payable to Teaching Assistants who are paid on Grade 4 and have an accepted qualification at Level 3 NVQ or equivalent or qualified teacher status. (in RBWM schools a different grading scale is in place which provides some flexibility for schools to acknowledge TA staff with qualifications).

4.3 **Shift Allowance -** Employees, who are required to work a pattern of shifts, may be eligible to be paid a shift allowance. The allowance is calculated as 10% of scale point 6 on the National Green Book Pay Scale.

4.4 **First Aid –** where the requirement to act as a qualified first aider in the school forms part of a job description, this forms part of the job evaluated grade for the post and so no additional payment is expected.

**4.5 Recruitment and Retention Supplement -** where there is clear evidence of difficulties in recruiting and/or retaining employees in a particular job because the evaluated grade for the job is below the ‘going rate’ in the local job market a [recruitment and retention supplement](http://portal.oxfordshire.gov.uk/content/public/LandC/Resources/HumanResources/schoolemployees/Recruitment_Retention_Supplements_Schoolsport%20Staff.pdf) may be paid for a fixed period of time. This will equate to no more than 20% of the job evaluated salary. Any supplement paid is for a fixed term and is subject to annual review. It may be renewed for a further period where circumstances require it.

## 5. Pay Protection

Where a pay determination through job evaluation or redeployment leads to the start of a period of safeguarding, the relevant body will give the required notification as soon as possible and no later than one month after the date of the determination.

## 6. Reviewing the job grade

6.1 It is recommended that job descriptions are reviewed annually as part of the employee’s performance review or at other times where there are changes to the role. If there are significant changes to the duties of the job, a re-evaluation of the grade should be carried out through the Job Evaluation Scheme

6.2 Appendix B sets out the accepted grounds for seeking a re-evaluation of a job’s grade, and the procedure that will be followed.

6.3 If an employee is not satisfied with the outcome of a grade review, they should raise this informally first with their Headteacher

6.4 If an employee remains dis-satisfied, after discussions with the Headteacher, they may formally appeal to the Job Evaluation Moderation Panel in writing, within one month of being notified of the grading outcome. Further information about the appeal procedure is provided in Appendix B.

## 7. Other pay matters

7.1 Where an employee has a concern about their pay, that is not related to the evaluated grade, such as concern about an additional payment, they should raise this in the first instance with the Headteacher.

7.2 Where the matter is related to a decision made by the School’s Pay Committee, the employee may raise a formal appeal, in writing within 10 days of receiving the pay decision.

7.3 Employees must send their appeal to the Headteacher in the first instance. The Headteacher will arrange for the matter to be heard by a panel of the Pay Committee not previously involved in making the decision.

7.4 The employee will be given the right to make personal representations to the Pay Committee and to be accompanied by a trade union representative or work colleague.

**8. Monitoring the impact of the policy**

The relevant body will monitor the outcomes and impact of this policy on a regular basis.

**Appendix A**

## Remit for the Pay Committee of the relevant body

The Pay Committee, where established, will comprise at least three members of the local governing body. All LGB members, including those employed at the academy, will be eligible for membership of the Pay Committee and will be eligible to take part in any discussions (including those relating to individuals) where their interest is no greater than that of the generality of employees at the academy.

## Establishment of the policy

The Pay Committee is responsible for establishing the policy, in consultation with the headteacher, staff and trade union representatives, and submitting it to the relevant body for approval.

The relevant body is responsible for formal approval of the policy.

## Monitoring and review of the policy

The Pay Committee is responsible for reviewing the policy annually and preparing a report including trends in progression across specific groups of teachers to assess its effect and the academy’s continued compliance with equalities legislation.

The relevant body is responsible for considering an annual report on the outcomes and impact of the pay policy.

## Application of the policy

The headteacher is responsible for:

* ensuring that pay recommendations for the deputy and assistant headteacher(s), classroom teachers and support staff are made and submitted to the Pay Committee in accordance with the terms of the policy;
* advising the Pay Committee on its decisions; and
* ensuring that staff are informed of the outcome of decisions of the Pay Committee and of the right of appeal.

The Pay Committee is responsible for:

* taking decisions regarding the pay of the deputy and assistant head teacher(s), classroom teachers and support staff following consideration of the recommendations of pay reviewers and the advice of the head teacher;
* submitting reports of these decisions to the relevant body; and
* ensuring that the head teacher is informed of the outcome of the decision of the Pay Committee and of the right of appeal.
* The LGB is responsible for establishing an Appeals Committee to take decisions on appeals against the decisions of the Pay Committee in accordance with the terms of the appeals procedure of the policy.

The relevant body is responsible for

* taking decisions regarding the pay of the head teacher following consideration of the recommendations of the governors and others responsible for the headteacher’s performance review;

**Summary of decisions in relation to specific pay provisions.**

## \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Academy

In this School / Academy the relevant body is **the Oxford Diocesan Schools Trust.**

The Pay Committee of the relevant body should review these provisions and record their decisions annually. Any award(s) should be communicated to the member of staff in writing.

**Support Staff**

## Recruitment and Retention Supplements

The rules around payments are explained in paragraph 4.5 of the Pay Policy

The relevant body will pay recruitment awards to **[ ]** of **[£ amount]** for a **[number year / months]** in the following circumstances.

The relevant body will pay retention awards to **[ ]** of **[£ amount]** for a **[number year / months]**. This may be extended for a further period where circumstances require.

*[specify clearly here the basis on which such incentives may be paid e.g. to those in shortage subjects as defined by the academy; or after one/two advertisements have failed to produce a suitable candidate for appointment]*

## Appendix B – Job Evaluation Grading Review and Appeal Procedure

This procedure applies to staff employed in ODST schools under the terms and conditions of the National Joint Council for Local Government Services (“The Green Book”). It may be used by individual employees or collectively by groups of employees.

## Background

The grades of all posts under the terms and conditions of the National Joint Council for Local

Government Services (“The Green Book”) are determined by the National Joint Council Job Evaluation scheme. This is a systematic process for defining the relative size of jobs of different sorts and ensures employees are receiving equal pay for equivalent work. Each job is assessed from the point of view of 13 factors and each factor is assessed for the job and assigned a level. The assigned factor levels equate to the relevant grade.

All new posts should be job evaluated, a function which remains within the remit of the LA. Before contacting them, details of the role under consideration should be discussed initially with the ODST HR team.

## Grounds for Re-evaluation or Appeal

A post could typically be re-evaluated where one or more of the following grounds apply (Reasons A-C are set out in the Green Book Part 4.1, Section 6.4):

1. The job evaluation scheme has been wrongly applied; eg factor levels have been wrongly allocated, the evaluation panel has failed to follow guidance etc.
2. The information given to the Moderation Panel was incomplete.
3. It is believed that an equivalent job is graded more highly and paid more.
4. Where it is claimed that there has been a substantial and significant change to the content of the job since its original evaluation. An informal or formal appeal may be lodged if the employee remains dissatisfied after completing the appropriate level of the process.

## Re-evaluation procedure

A post holder who wishes to request a re-evaluation of their post due to a substantial and significant change to their duties and responsibilities should firstly agree an updated job description and person specification with their line manager and Headteacher. This should then be discussed with the ODST HR team who will liaise as appropriate with the LA to ensure that where required a re-evaluation of the role can be carried out.

A formal appeal process will be provided should the post-holder wish to dispute the outcome of a re-evaluation process. Further details will be provided as and when appropriate.