

SWANMORE COLLEGE OF TECHNOLOGY

Pay Policy 2011 to 2012

INTRODUCTION:

This Pay Policy has been amended to take account of the publication of the School Teachers' Pay and Conditions Document 2011.

1. Statement of Intent

- 1.1. This policy will be applied to the pay of all staff employed to work in the school, excluding any staff whose pay is not determined by the governing body. The prime statutory duty of governing bodies as set out in paragraph 21 (2) of the Education Act 2002 is to "...conduct the school with a view to promoting high standards of educational achievement at the school." The pay policy is intended to support that statutory duty.

The governing body will act with integrity, objectivity and honesty in the best interests of the college; will be open about decisions made and actions taken, and will be prepared to explain decisions and actions to interested persons.

Nothing in the above requires the governing body to disclose material relating to any employee, or anyone proposed to be employed at the college, nor to any named pupil or candidate for admission to the college, nor to any matter which, by reason of its nature, the governing body is satisfied should remain confidential.

1.2. General Provisions

- **Equal Opportunities Policy**

The governing body will comply with relevant legislation: employment relations; part-time workers and fixed term employee regulations and the Equality Act 2010. The governing body will promote equality in all aspects of college life, particularly as regards all decisions on advertising of posts, appointing, promoting and paying staff, training and staff development.

- **Provision and Means of Revising Job Descriptions**

The head will ensure that each member of staff is provided with a role

profile in accordance with the staffing structure agreed by the governing body. Role profiles may be reviewed from time to time in consultation with the individual employee concerned in order to make reasonable changes in the light of the changing needs of the college. This would naturally form part of the annual performance management review meeting. Role profiles will identify key areas of responsibility and may contain targets consistent with the college development plan. Role profiles will show who is responsible for what, and who is responsible to whom; role profiles will make clear what responsibilities are common to all posts. Role profiles will be reviewed annually as part of the performance management process.

- **Maintenance or Creation of Differentials**

Appropriate differentials will be created and maintained between posts within the college, recognising accountability and job weight, and the governing body's need to recruit, retain and motivate sufficient employees of the required quality at all levels.

- **Use of Discretions**

Criteria for the use of pay discretions are set out in this policy and discretionary awards of additional pay will only be made in accordance with these criteria.

- **Access to Records**

The head will ensure reasonable access for individual members of staff to their own employment records.

- **Performance Management**

The governing body will comply with the relevant legislation in England concerning the performance management of teachers .

1.3 The governing body will fulfil its obligations under:

for teachers:

- the School Teachers' Pay and Conditions Document (the Document)
- the Conditions of Service for School Teachers in England and Wales (Burgundy Book);

for support staff:

- the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service (Green Book).

- 1.4 The pay policy will be reviewed from time to time in consultation with all staff affected. In any event, the policy will be reviewed each time a new School Teachers' Pay and Conditions Document comes into effect.

2. Procedures

- 2.1. The governing body will determine the annual pay budget on the recommendation of the pay committee. The governing body has delegated its pay powers to the pay committee. Any person employed to work at the school, other than the head, must withdraw from a meeting at which the pay or performance appraisal of any other employee of the school, is under consideration. The head must withdraw from that part of the meeting where the subject of consideration is his or her own pay. A relevant person must withdraw where there is a conflict of interests or any doubt about his/her ability to act impartially.

No member of the governing body who is employed to work in the school shall be eligible for membership of this committee.

Three members of the Pay Committee will be appointed by the governing body as a sub-committee to carry out the Head teacher's performance review. (The Appointed Governors under the Performance Management Regulation)

The pay committee will be attended by the head in an advisory capacity. Where the pay sub-committee has invited either a representative of the LA or the external adviser to attend and offer advice on the determination of the head's pay, that person will withdraw at the same time as the head while the committee reaches its decision. Any member of the committee required to withdraw will do so.

- 2.2. The terms of reference of the Pay Committee will be determined by the governing body and reviewed **annually**

The current terms of reference are: -

- to achieve the aims of the whole college pay policy in a fair and equal manner;

- to apply the criteria set by the whole college pay policy in determining the pay of each member of staff at the annual review;
- to observe all statutory and contractual obligations;
- to minute clearly the reasons for all decisions and report these decisions to the next meeting of the full governing body;
- to recommend to the governing body the annual budget required for pay, bearing in mind the need to ensure the availability of monies to support any exercise of discretion. The pay committee will recommend that the governing body makes application for any additional funding available to support this process;
- to ensure that the appointments procedure is carried out in line with LA practice;
- to keep abreast of relevant developments and to advise the governing body when the college's pay policy needs to be revised;
- to ensure the performance management of the Headteacher is carried out by the pay sub committee with the support of an appropriate external advisor;
- to work with the Headteacher in ensuring that the governing body complies with the Performance Management Regulations;
- to ensure capability/disciplinary procedures are carried out in line with LA practice.

The report of the pay committee will be placed in the confidential section of the governing body's agenda and will either be received or referred back. Reference back may occur only if, either the pay committee has exceeded its powers under the policy, or the budget allocated for pay has been exceeded.

Decisions will be communicated to each member of staff by the head in writing in accordance with paragraph 4.4 of the Document. Decisions on the pay of the head will be communicated by the chair of the governing body, in writing, in accordance with paragraph 4.4 of the Document. An instruction to amend pay from the relevant date will be issued immediately after the time limit for the lodging of an appeal has passed, or immediately after an appeal has been concluded.

2.3 As required by the Document, all teaching staff salaries, including those of the head, deputy head(s) and assistant head(s) will be reviewed

annually on or after 1 September to take effect from 1 September. The governing body will endeavour to complete teachers' annual pay review by 31 October and the head teacher's annual pay review by 31 December if circumstances allow. They will, however, complete the process without undue delay. The award of a point on the upper pay spine will normally be considered two years after any previous award in accordance with paragraph 19.5.1 of the Document and paragraph 57 of the Section 3 of the Guidance.

The governing body will not exercise its discretion to award points on the upper pay spine at less than two year intervals.

2.4 Appeal Procedure

The relevant body has an appeals procedure in relation to pay in accordance with the provisions of paragraph 3(b) of the Document and paragraphs 20 to 23 of the section 3 guidance.

All staff will receive a written statement of the determination of their pay as set out in 2.3 above. The statement will advise teachers of the decision of the pay committee, the reasons for the decision and the teacher's right to make representations to the pay committee. If the teacher wishes to take advantage of this right he must write to the Chair of the Pay Committee within 10 working days. His letter must include a statement of the representation that he intends to make. The Pay Committee will arrange to meet with the teacher to receive representations. The Pay Committee will reconsider their decision and notify the teacher of the outcome and of the teacher's right of appeal.

If the teacher wishes to take advantage of an appeal, he must write to the Clerk to the Governing Body within 10 working days. He must include a statement of the grounds for his appeal and some details of the facts on which he will rely. The Clerk to the Governing Body will convene a meeting of the Appeal Committee within 20 working days of receiving written notification from the teacher. The Appeal Committee will write to the teacher to advise him of their decision.

Any appellant has the right to see all relevant papers and to be accompanied /represented by a workplace colleague or trade union/association representative.

3. Leadership Group Pay

3.1. Head Teacher Pay

For appointments on or after 1 September 2011, the governing body will

determine the pay range to be advertised and agree pay on appointment as follows and in accordance with paragraphs 12 and 7.3(e) and paragraphs 31 to 53, of the section 3 guidance:

- the pay committee will review the school's head teacher group and the head's Individual School Range (ISR) in accordance with paragraphs 8 and 9 (ordinary school), or paragraphs 8 and 10 (special school), and paragraph 12 of the Document;
- the pay committee will have regard to the provisions of paragraph 12.3.2 (formula for the calculation of the salary of the highest paid classroom teacher) and will also take account of any other permanent payments, including the upper pay spine, made to staff within the college to ensure that appropriate differentials are created and maintained between posts of differing responsibility and accountability;
- the pay committee will consider exercising its discretion to award a discretionary payment under paragraphs 12.4.1 and 12.4.2 where the governing body consider the college would have difficulty recruiting to the vacant head teacher post;
- the pay committee will consider the need to award any further discretionary payments to a head teacher in line with paragraphs 12.4.1, 12.4.2 and 12.6.1 of the Document.
- the pay committee will exercise its discretion under paragraph 7.3(e) of the Document, and pay on any of the bottom four points on the ISR, in order to secure the appointment of its preferred candidate.
- The pay committee/governing body will not use its discretion to exceed the 25% limit on discretionary payments

For serving heads:

The governing body will determine the salary of a serving head teacher in accordance with paragraph 7 of the Document.

- the pay sub committee will review the head teacher's pay in accordance with paragraph 7.3 of the Document and award up to two performance points where there has been a sustained high quality of performance having regard to the results of the most

recent review carried out in accordance with the 2006 Performance Regulations and any recommendation on pay progression in the head teacher's most recent planning and review statement.

- the pay committee may determine the head's ISR, within the group range for the college, as at 1 September or at any time if they consider it is necessary (paragraph 32 of section 3 guidance);
- if the pay committee makes a pay determination on or after 1 September 2011, in relation to a change in ISR, it will determine the head's ISR within the group range for the school, in accordance with paragraph 12 of the Document and paragraphs 31 to 53 of the section 3 guidance;
- if the head teacher takes on permanent accountability for one or more additional schools, the pay committee will set an ISR in accordance with the provisions of paragraphs 12.2.4 and 7.3(e). They may also consider the award of any discretionary payments, in line with paragraphs 12.4.1, 12.4.2 and 12.5
- if the head teacher takes on temporary accountability for one or more additional schools, the pay committee may determine, but are not required to do so, an ISR within the group range for the 'home' school; and consider awarding a discretionary payment under paragraph 12.4.1, 12.4.2 and 12.5(d).
- The pay committee/governing body will not use its discretion to exceed the 25% limit on discretionary payments

3.2. Deputy Head Pay

The governing body will, when a new appointment needs to be made, determine the pay range to be advertised and agree pay on appointment as follows:

- the pay committee will determine a deputy head pay range in accordance with paragraph 14 of the Document;
- the pay committee will record its reasons for the determination of the deputy head pay range, in accordance with paragraph 54 of the Section 3 guidance;
- the pay committee will exercise its discretion under paragraph 13.4 of the Document, and pay any of the bottom three points on deputy head pay range, in order to secure the appointment of its preferred

candidate.

For serving deputy heads:

- the pay committee will review pay in accordance with paragraph 13.2 and 13.3 of the Document and award up to two points where there has been sustained high quality of performance having regard to the results of the recent review carried out in accordance with the 2006 PM Regulations, and to any recommendation on pay progression recorded in the deputy head teacher's most recent planning and review statement;
- the pay committee will determine the deputy head pay range in accordance with paragraph 54 of the Section 3 guidance pursuant to the mandatory provisions of that paragraph;
- the pay committee may determine the deputy head pay range at any time in accordance with paragraph 54 of the section 3 guidance pursuant with the discretionary provisions of that paragraph to maintain differentials.

3.3. **Assistant Head Pay**

The governing body will, when a new appointment needs to be made, determine the pay range to be advertised and agree pay on appointment as follows:

- the pay committee will determine an assistant head pay range in accordance with paragraph 16 of the Document;
- the pay committee will have regard to the provisions of paragraph 16.2.2 and will also take account of any other permanent payments, including upper pay spine, made to staff within the college to ensure that appropriate differentials are created and maintained between posts of differing responsibility and accountability;
- the pay committee will record its reasons for the determination of the assistant head pay range, in accordance with paragraph 54 of the Section 3 guidance;
- the pay committee will exercise its discretion under paragraph 15.4 of the Document, and pay any of the bottom three points of the assistant head pay range, in order to secure the appointment of its

preferred candidate.

For serving assistant heads:

- the pay committee will review pay in accordance with paragraph 15.2 and 15.3 of the Document, and award up to two points where there has been sustained high quality of performance having regard to the results of the most recent review carried out in accordance with the 2006 PM Regulations and to any recommendation on pay progression recorded in the assistant head teacher's most recent planning and review statement;
- the pay committee will determine the assistant head pay range in accordance with paragraph 54 of the Section 3 guidance pursuant to the mandatory provisions of that paragraph;
- the pay committee may determine the assistant head pay range at any time in accordance with paragraph 54 of the Section 3 guidance pursuant with the discretionary provisions of that paragraph and to maintain differentials.

4. **Acting Allowances**

Acting allowances are payable to teachers who are assigned and carrying out the duties of head, deputy head or assistant head in accordance with paragraph 38 of the Document. The pay committee will, within a four week period of the commencement of acting duties, determine whether or not the acting post holder will be paid an allowance. In the event of a planned and prolonged absence, an acting allowance will be agreed in advance and paid from the first day of absence.

Any teacher who carries out the duties of head, deputy head, or assistant head, for a period of a half term or more, will be paid at an appropriate point of the head's ISR, deputy head range or assistant head range, as determined by the pay committee. Payment will be backdated to the commencement of the duties.

5. **Pay Scale for Classroom Teachers**

Classroom teachers will be paid in accordance with paragraphs 17 and 18 of the Document (pay scale for classroom teachers) or paragraph 19 (pay scale for post-threshold teachers).

- 5.1. **Qualifications:** - All newly qualified teachers, from 1 September 2002, will start at point M1, irrespective of degree qualifications.
- 5.2. **Experience:** - In accordance with paragraphs 18.1.1 to 18.1.6 of the Document, teaching experience will be rewarded on the basis of one point

for each year of service as defined in paragraph 18.1.1. The pay committee will also count as service any period of absence approved by the head and governing body during which experience relevant to teaching is acquired. (Paragraph 1.8 of the Document.)

Experience other than teaching (Paragraph 18.2 of the Document) will be rewarded at a rate of:

The pay committee will exercise its discretion to recognise experience, other than teaching experience. Up to a maximum of 2 points, where this experience is deemed to be of particular relevance.

The pay committee recognises that a classroom teacher who was employed before 1 September 2000 as a head teacher, deputy head teacher or assistant head teacher is entitled to be paid on the Upper Pay Spine. The pay committee shall determine which point on the upper pay spine that a classroom teacher, in these circumstances, shall be paid (paragraph 19.4.7 of the Document).

In the case of a teacher who was first employed as a head teacher, deputy head teacher or assistant head teacher on or after 1 September 2000, he or she will have to occupy such a post for an aggregate period of 1 year or more in order to be paid on the Upper Pay Spine. Otherwise he/she will be entitled to be paid at point M6 of the classroom teacher pay scale. In the case of a teacher who was previously employed as an Advanced Skills Teacher, irrespective of the date of appointment to an AST post, he or she is entitled to be paid on the Upper Pay Spine.

Experience points: may only be withheld in a year when a teacher has been notified that their service has been unsatisfactory. The pay committee may exercise this discretion only in the context of a formal capability procedure. The pay committee will restore the withheld point at the conclusion of the capability procedure where satisfactory performance has been achieved.

Additional experience points: the pay committee has a discretion to award one additional experience point where the teacher's performance in the previous 12 months was excellent having regard to all aspects of his professional duties, but in particular classroom teaching, in accordance with paragraph 18.2.1(c) of the Document.

The pay committee will exercise this discretion on the recommendation of the Headteacher, where the outcomes of the performance review demonstrate that such an award is clearly merited.

- **Threshold and Upper Pay Spine:** - The pay committee will pay teachers who are successful at the threshold in accordance with

paragraph 19 of the Document.

- In accordance with paragraphs 19.5 and 19.6 of the Document, the pay committee will determine that one point be awarded to a teacher on the upper pay spine whose achievements and contribution to the school, throughout the relevant period, have been substantial and sustained. (*Paragraph 19.5.1 of the Document and paragraph 57 to 59 of the section 3 guidance*).

In reaching its decision, the pay committee shall have regard to the results of the teacher's two most recent review statements, including any pay recommendation, when exercising discretion in accordance with the provisions of paragraph 19.5.1 of the Document.

Teaching and Learning Responsibility Payments:

The pay committee may award a TLR to a classroom teacher in accordance with paragraph 21 - 23 of the Document and paragraphs 94 to 101 of the section 3 guidance. These payments will be for clearly defined and sustained additional responsibility in the context of the college's staffing structure for the purpose of ensuring the continued delivery of high quality teaching and learning. All job descriptions will be regularly reviewed and will make clear, if applicable, the responsibility or package of responsibilities for which a TLR is awarded, taking into account the criterion and factors set out at paragraph 21 - 23 of the section 3 guidance.

Special Educational Needs Allowance:

The pay committee will award an SEN spot value allowance to any classroom teacher who meets the criteria as set out in paragraph 25.2 of the Document. When deciding on the amount of the allowance to be paid, the governing body will take into account the structure of the school's SEN provision, whether any mandatory qualifications are required for the post, the qualifications or expertise of the teacher relevant to the post; and the relative demands of the post (paragraph 25.3 of the Document).

6. Advanced Skills Teachers

The pay committee will determine a five point range on the advanced skills teacher pay spine in accordance with paragraph 27 of the Document.

The pay committee delegates to the head the agreement of performance objectives for the AST. Objectives will be agreed and reported to the pay committee as early as possible in the autumn term. The AST may agree objectives directly with the pay sub-committee where agreement between the head and AST is not achieved.

The relevant body **shall** have regard to the results of the AST's review statement, including the pay recommendation, when exercising any discretion in relation to their pay, in accordance with paragraph 27.6 of the Document.

7. Excellent Teacher Scheme

The Governing Body intends to consider incorporating such posts as and when appropriate within the staffing structure.

8. Unqualified Teachers

The pay committee will pay any unqualified teacher in accordance with paragraph 35 of the Document. The pay committee will determine where a newly appointed unqualified teacher will enter the scale, having regard to any qualifications or experience s/he may have, which they consider to be of value.

The Governing Body notes that there must be a £250 payment (across 12 monthly payments) made to those unqualified teachers who earn a full time equivalent of £21,000 or less within the academic year 2011/2012. Section 10 below applies where relevant.

9. Support Staff

The pay committee notes its powers to determine the pay of support staff in accordance with paragraphs 17 & 29 of the School Staffing (England) Regulations 2009 and Chapter 7 of the associated guidance. The pay committee will determine the pay grade of support staff in accordance with the scale of grades, currently applicable in relation to employment with the LA, which the pay committee consider appropriate for the post. In reaching its determination, the pay committee will consider the advice of the LA, but will not consider itself bound by that advice. Appeal procedures are set out in paragraph 2.4 above.

10. Part-time Employees

The pay committee will apply the provisions of this policy on a pro rata basis to all part-time employees, in accordance with paragraph 46 of the Document.

11. Residential Duties

The pay committee will take account of agreements reached in the National Joint

Council for Teachers in Residential Establishments in determining payments for residential duties.

12. Additional Payments

In accordance with paragraph 49 and paragraphs 175 to 185 of the Section 3 guidance the relevant body may make payments as they see fit to a teacher, including a head teacher in respect of:

- continuing professional development undertaken outside the college day;
- activities relating to the provision of initial teacher training as part of the ordinary conduct of the college;
- participation in out-of-college 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;
- additional responsibilities and activities due to, or in respect of, the provisions of services by the head teacher relating to the raising of educational standards to one or more additional schools.

The pay committee will make additional payments to teachers in accordance with the provisions of paragraph 49 of the Document where advised by the head.

Payment will be:

Calculated on a daily basis at 1 / 195th of the teacher's actual salary .

NB Overtime payments are not applicable to reward voluntary additional cover

13. Recruitment and retention incentives benefits

The governing body can award lump sum payments, periodic payments, or provide other financial assistance, support or benefits for a recruitment or retention incentive (paragraph 50 of the Document and paragraphs 186 to 189 of the section 3 guidance).

The pay committee will consider exercising its powers under paragraph 50 of the Document where it is appropriate to do so.

Where the pay committee decides to pay periodic payments or provide other benefits over a period of time as a **recruitment** incentive, the payment can only be made for a fixed period not exceeding 3 years and must not be renewed (paragraph 50.2 of the Document). In the case of a similar periodic **retention** payment or benefit, the same provisions apply, except that they may, in exceptional circumstances be renewed (paragraph 50.3). Relevant bodies should be made aware that any monetary payments awarded under Paragraph 50 are pensionable.

NB The Governing Body notes that any such additional payments made to the Headteacher will form part of the 25% limit on the use of all discretions.

The governing body acknowledges that in the case of the head teacher it cannot make a recruitment or retention payment under paragraph 50 if they have already taken such reason (recruitment or retention) into account when determining the ISR under an earlier Document.

14. General Teaching Council's Fee Allowance

The pay committee will make payments in accordance with paragraph 51 of the Document.

15. Salary Sacrifice Arrangements

Where the employer operates a salary sacrifice arrangement, a teacher may participate in any arrangement and his gross salary shall be reduced accordingly, in accordance with the provisions of paragraph 52 of the Document.

As a result of the extra Bank Holiday to celebrate the Queen's Jubilee in 2012, for the academic year 2011/12 teachers must be available for 194 days with 1258.5 hours of directed time.

The full Pay Policy for Swanmore College of Technology

Updated/Amended : October 2011

Approved by Full Governing Body:

Signed:

Appeals Procedures

1. General Context

These procedures are intended to comply fully with the requirements of:

- The relevant ACAS codes of practice
- The School Teachers' Pay and Conditions Document 2011.

The procedures also comply with the spirit of the statutory guidance contained within the Document, at Section 3.

2. General Provisions

- The employee is entitled to be accompanied by a friend/workplace colleague or union representative at each formal stage. The person(s) whose decision has given rise to the 'grievance' may exercise their discretion and allow the employee to be accompanied at any informal stage.
- The employee must take all reasonable steps to attend meetings.
- Meetings should be arranged without undue delay. A maximum of 10 college working days between steps (e.g. between receipt of a request for an appeal hearing and that hearing being convened) is normally seen as reasonable.
- The timings and location of meetings must be reasonable and should be mutually agreed.
- There is no further internal process available to the employee once the appeal stage has been completed, i.e. the matter is closed as far as the college is concerned.
- The governing body should establish an appeal committee, which consists of three governors, none of whom are employees in the college; neither have they previously been involved in the process.
- If an employee has left the employment of the school, there shall be no contractual entitlement to initiate any appeal process in relation to a pay decision.

3. Appeals against pay determinations

Assumptions

- In practice the governing body will have delegated decisions relating to pay progression to a committee (e.g. the pay committee) or to the individual (e.g. the head teacher) i.e. the "decision maker".

- The “decision maker” must take account of the pay recommendation from the PM reviewer(s), i.e. the “recommendation provider”.

Procedural Stages

1. The nature of the pay recommendation will be discussed during the PM review meeting. The recommendation will be included in the draft statement that is provided to the teacher. At this stage the teacher could be allowed to have a further dialogue with the reviewer about the pay recommendation, prior to the drafting of the final version of the recommendation in the review statement. ***[This additional dialogue following the PM review meeting, when the recommendation could be discussed, is equivalent to the Informal Representations Stage described in Section 3, Paragraph 21 of the Document]***
2. The “recommendation provider” will make recommendations to the “decision maker” with respect to each individual employee. These may include an outline of the evidence that has been used to arrive at the recommendation, how this relates to the guidance in the Document and the governing body’s pay policy. Copies of the teacher’s performance management review statements may be read by the “decision maker”, as part of the deliberations.
3. The “decision maker” will reach a decision and write to the employee, advising him of that decision, the reasons for the decision and the employee’s right to make representations to the “decision maker”. If the employee wishes to take advantage of this right, he must write to the “decision maker” within 10 college working days. His letter must include a statement in sufficient detail of the representations that he intends to make.
4. The “decision maker” must then arrange to meet with the employee to receive representations about their decision. Any “recommendation provider” should be invited to attend the meeting, to respond to the employee’s representations and to clarify the basis for the original recommendation. If the “recommendation provider” does attend the meeting it will be in the role of a witness, as the representations are against the decision of the “decision maker” not against the recommendation.
5. The “decision maker” will reconsider the decision in private and write to the employee to notify him of the outcome of the fresh deliberations and of the employee’s right of appeal to a committee of the governing body. If the employee wishes to take advantage of this right, he must write to the clerk to the governing body within 10 college working days. He must

include a statement of the grounds for his appeal and sufficient details of the facts on which he will rely.

6. The clerk to the governing body should convene a meeting of the appeal committee within 20 college working days of receiving written notification from the employee. The “decision maker” will also be invited to attend this meeting along with any “recommendation provider”. If the “recommendation provider” does attend the meeting it will be in the role of a witness, as any appeal is against the decision of the “decision maker”, not against the recommendation.
 7. The chair of the appeal committee will invite the employee to set out his case in detail. The employee may also call witnesses in support of his case. The employee and his witnesses, if any, may be questioned in turn by the other parties, in order to clarify the evidence that has been presented.
 8. The “recommendation provider” will then be invited to explain the basis for the original recommendation to the “decision maker” and to present additional evidence in response to the evidence presented by the employee. The “recommendation provider” may be questioned in turn by the other parties, in order to clarify the evidence that was presented.
 9. The “decision maker” will then be invited to explain the procedure followed and the basis for the final decision. The “decision maker” may be questioned in turn by the other parties, in order to clarify the evidence that was presented.
 10. The appeal committee will then deliberate in private and reach a decision.
 11. The appeal committee will write to the employee to advise him of their decision. If the decision is to reject the appeal, the notification should include a note of the evidence that they considered and the reasons for the decision.
 12. The committee will also inform the “recommendation provider” and the “decision maker” of the outcome of the meeting.
4. **Appeal against a decision relating to an application for assessment against the post-threshold teacher standards.**

Assumptions

- The governing body has delegated receipt and assessment of the application to the headteacher, as is required by the Document.
- The headteacher will promptly notify the pay committee of his decision on the application when it has been assessed and will give written feedback to the teacher within 20 college working days of informing the committee.

Procedural Stages

1. The headteacher should return the completed application form and invite the teacher to a meeting to receive oral feedback on the assessment process, within 10 college working days.
2. The outcome of any meeting held to consider informal representations should be confirmed to the teacher, in writing. If his application has been unsuccessful, he should be advised of his right to appeal against the decision if he wishes. This notification should include a statement of any additional feedback provided to the teacher during the oral feedback. Any appeal should be made in writing, to the headteacher, within 10 college working days. The teacher's letter must include a statement of his concerns about the decision.
3. The headteacher should then arrange to meet with the teacher to receive detailed representations about his decision. The headteacher will then reconsider his decision and write to the teacher to notify him of the outcome of his fresh deliberations and, in the event that the decision is that the applicant is unsuccessful, of the teacher's right of appeal to a committee of the governing body. If the teacher wishes to take advantage of this right, he should write to the clerk to the governing body within 10 college working days. He must include a statement of the grounds for his appeal and sufficient details of the facts on which he will rely.
4. The clerk to the governing body should convene a meeting of the appeal committee within 20 college working days of receiving written notification from the teacher. The headteacher will also be invited to attend this meeting. The committee members should be provided with copies of the assessed application form and of any written feedback provided by the headteacher.
5. The chair of the appeal committee will invite the teacher to set out his case in detail. The teacher may also call witnesses in support of his case. The teacher and his witnesses, if any, may then be questioned in

turn by the other parties, in order to clarify the evidence that has been presented.

6. The headteacher will then be invited to explain the basis for his decision and to present additional evidence in response to the evidence presented by the teacher. The headteacher may then be questioned in turn by the other parties, in order to clarify the evidence that he has presented.
7. The appeal committee will then consider the evidence in private and reach a decision.
8. The appeal committee will write to the teacher to advise him of their decision. The notification should include a note of the evidence that they considered and the reasons for the decision. The headteacher and the pay committee should each receive copies of the notification.

5. Appeals against entries on the Performance Management Statements of teachers

Context

The Education (School Teacher Performance Management)(England) Regulations 2006 grant, those teachers who are subject to the regulations, the right of appeal against any of the entries made by the reviewer(s) in his performance management statement. i.e.:

- the planning statement, including the Training and Development Annex;
- the addendum to the statement which follows any revision of the plans;
- the review statement, including any recommendation on pay progression.

Any appeal must be in accordance with the procedure established by the governing body.

Assumptions

- The teacher will have taken advantage of the opportunity, provided in the regulations, to make informal representations to the reviewer(s) while the statement(s) is still in draft form.
- Where the appeal is lodged by the headteacher, his reviewers will identify one of their number to represent them in the appeal meeting.

Procedural stages

1. If the teacher wishes to take advantage of the right of appeal, against an entry on his performance management statement, he must write to the

clerk to the governing body within 10 college working days of receiving the final version of the statement that includes the entry. The teacher must include an explanation of the grounds for his appeal and sufficient details of the facts on which he will rely, along with a proposed alternative version of the statement at issue (if applicable).

2. The clerk to the governing body will convene a meeting of the appeal committee within 20 college working days of receiving written notification from the teacher. The reviewer(s) will also be invited to attend this meeting. The committee members should be provided, in advance of the meeting, with copies of all relevant documentation, including the plan that is the subject of the appeal.
3. The chair of the appeal committee will invite the teacher to set out his case in details. The teacher may also call witnesses in support of his case. The teacher and his witnesses, if any, may then be questioned in turn by the other parties, in order to clarify the evidence that has been presented.
4. The reviewer will then be invited to explain the basis for making the entry and to present additional evidence in response to the evidence presented by the teacher. The reviewer may then be questioned in turn by the other parties, in order to clarify the evidence that he has presented.
5. The appeal committee, alone, will then consider the evidence and reach a decision.
6. The appeal committee will write to the teacher to advise him of their decision. The notification should include a note of the evidence that they considered and the reasons for the decision. The reviewer(s) should receive a copy of this notification.
7. If the committee decide that the statement will be amended, copies of the amended statement will be provided to those persons who were entitled to receive the original version.

6. The Modified Procedure

Scope

This procedure will be followed where an employee has lodged an appeal against a pay decision, but has left employment with the school before an appeal hearing is held.

Procedural Stages

1. The employee must set out a statement of his grievance in writing, including sufficient details of its basis.
2. The employee must send a copy of this statement to the chair of the governing body, in his capacity as the representative of the employer.
3. The chair of the governing body will consult with the person(s) or committee with delegated responsibility for the relevant decision and ensure that the employee is provided with an appropriate written response, on behalf of the employer.