Impact Multi Academy Trust
Policy Document

Policy Name: Pay Policy for Associate Staff
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SLT Responsible: Principal/Headteacher
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1. **Principles**

The Governors are committed to ensuring that Associate Staff pay is fair and that all members of the Associate Staff employed at The Trust are paid in accordance with Associate staff pay and conditions prescribed by the National Joint Council (NJC) for Local Government Services ('The Green Book'), except where a member of staff is subject to different national or local conditions of service. In this case, the relevant scheme(s) of conditions will apply.

The NJC agreement directly affects the terms and conditions for:
- Appointment and promotion
- Salary
- Sickness payments and maternity leave

The prime statutory duty of Governing Bodies, as set out in the Education Act 2000, 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 seeks to ensure that all staff are recognised and rewarded for the level of responsibility that they carry, and for the individual contribution that they make to the work of the school.

Pay decisions are made by the Principal/Headteacher through the application of this pay policy and the Governors’ Leadership and Management Committee will annually review this policy.

2. **Aims**

The pay policy set out below is intended to:
- Demonstrate the Governing Body’s commitment to good employment practice by ensuring that all pay related decisions are taken in compliance with the current employment legislation.
- Demonstrate that the Governing Body intends to treat all staff fairly and responsibly.

The objective of the policy is to:
- Ensure that pay and staffing arrangements enable the current and future delivery of the curriculum and school development plans.
- Support the recruitment and retention of high quality staff.
- Recognise and reward staff for their contribution to school improvement.
- Ensure that pay decisions are made in a fair and transparent way.

3. **Consultation**

This policy will be reviewed annually or whenever significant changes in the National Joint Council (NJC) for Local Government Services ('The Green Book'), necessitate review. Consultation with staff and representatives from recognised trade unions will be planned accordingly. Full information relating to vacant posts and responsibilities will be made available to staff.

The School reserves the right to institute new pay and grading arrangements for associate staff as appropriate. Where this involves changes in staff terms and conditions the appropriate reorganisation and consultation processes will be followed.

4. **Equal Opportunities**

The School seeks to use this pay policy to promote equal opportunities within the School, both in terms of applying to staff and providing an equal and wide curriculum with enriched learning.
opportunities. The School will ensure that staff will not be discriminated against in matters related to gender, sexual orientation, age, race, disability, or religion. The School intends to make fair and consistent pay decisions having due regard to professional advice and good employment practice. The School will also try to provide appropriate support for all staff. All members of associate staff will have the opportunity to have their training and development needs reviewed regularly under the School’s Associate Staff Review arrangements.

The Governing Body will observe the Equality Act and relevant employment law provisions, notably the laws relating to age, gender, race, and disability discrimination, EU Working Time Provisions, and health and safety requirements.

5. Other School Personnel Procedures
The School’s pay policy will be considered alongside other school personnel procedures where there is a direct link between them. Procedures in this category are set out below.

Grievance:
If a member of staff has a grievance or complaint about their salary; or asks for a review of any decision regarding their pay; s/he must follow the school’s pay appeals procedure (see para 11).

Staff Capability:
An annual service point (point increase within the range associated with the position/post) will only be withheld if the employee concerned had been subject to formal capability action during the academic year preceding the award and the action is ongoing at the expected date of award. However, the service point may be reinstated retrospectively if the formal capability process is discontinued or if the employee makes sufficient progress to reach a satisfactory level of performance.

The employee concerned should be formally notified as soon as possible of the possibility of losing her/his subsequent service point. The employee should be offered appropriate support and/or training to help her/him to improve her/his performance within the context of the capability procedure.

Recruitment and Selection:
When advertising permanent posts, the school will provide job applicants with appropriate salary and remuneration details as set out in this policy and will seek to reflect the school’s attributes and ethos in all advertising and recruitment material.

- All posts will be advertised on the appropriate Local Government services pay grades. The grade used for a specific appointment will in general be determined by the Principal/Headteacher having regard to relevant qualifications and/or experience.
- However, the Governing Body may, in exceptional circumstances, exercise choice over the particular grade to be used in light of the needs of the School.
- All new appointments will be subject to the School’s probationary requirements.

6. Job Description
The school’s policy on job descriptions is as follows:

- All staff will receive a job description. The task of drafting and finalising job descriptions is delegated to the Principal/Headteacher.
- Job descriptions will identify key areas of responsibility and will, where appropriate, contain tasks consistent with the School Development Plan. Staff job descriptions will clearly state management responsibilities attached to the post and any associated allowances.
• Appropriate differentials will be created and maintained between posts recognising accountability, job weight, and the need to recruit, retain, and motivate sufficient employees of the required quality at all levels.
• Where there is a clear and substantial change in duties, a member of staff may request a review of her/his existing job description. Any such request will be considered first by the Principal/Headteacher and then by the Leadership and Management Committee should the member of staff request it.

7. Pay Reviews
The Governing Body will ensure that every member of the Associate Staff’s salary is reviewed every year with effect from 1 April and no later than 31 May where associate staff are eligible for an annual increase (service point) within the range associated with their position/post. A written statement (salary calculator) setting out their salary and any other financial benefits to which they are entitled will be provided. Reviews may take place at other times of the year to reflect any changes in circumstances or job description that lead to a change in the basis for calculating an individual’s pay. A written statement will be given after any review and where applicable will give information about the basis on which it was made.

The School reserves the right to institute new pay and grading arrangements for associate staff as appropriate. Where this involves changes in staff terms and conditions the appropriate reorganisation and consultation processes will be followed.

8. Associate Staff Review
The School’s Associate Staff Review Framework
• is a framework for the agreement, monitoring and review of performance objectives for every member of the Associate Staff
• links performance targets into wider school objectives, i.e. through the School Development Plan;

Associate Staff Reviews will take place annually.

9. Additional Responsibilities
If at any time the Principal/Headteacher, in consultation with the Chair of Governors, considers that a member of the associate staff is being asked to undertake, or has undertaken, increased responsibility on a permanent or temporary basis, the Principal/Headteacher shall refer to the job description of the post and evaluate the new responsibilities.

If the evaluation provides for a higher salary, that salary shall be paid to the post holder from a date determined by the Principal/Headteacher.

In the case of a temporary increase in responsibility, the Principal/Headteacher will also determine the date at which the increased salary will cease.

The Governing Body retains the discretion to award staff honoraria or additional payments as they see fit. Payments may be made in accordance with EFA/Local Government advice.

10. Leadership & Management Committee & Pay Committee
The Principal/Headteacher will be responsible for ensuring the day-to-day application of the pay policy. The
Leadership & Management Committee is responsible for the pay policy and subsequent policy reviews. The Pay Committee will also be responsible for performance reviews and associated pay issues.

The Governing Body only has the power to agree the pay policy. The Governing Body should also approve the membership and the terms of reference for the Pay Committee.

11. Pay Appeals Procedure
The arrangements for considering appeals are as follows:

A member of staff may seek a review of any determination in relation to his/her pay or any other decision taken by the Governing Body (or a committee or individual acting with delegated authority) that affects his/her pay.

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

That the person or committee by whom the decision was made:
(a) incorrectly applied any provision of the Associate Staff Pay Policy
(b) failed to have proper regard for statutory guidance;
(c) failed to take proper account of relevant evidence;
(d) took account of irrelevant or inaccurate evidence;
(e) was biased; or
(f) otherwise unlawfully discriminated against the member of staff.

The order of proceedings is as follows;
1. The member of staff receives written confirmation of their pay.
2. If the member of staff is not satisfied, he/she should seek to resolve this by discussing the matter informally with the decision-maker within ten working days of the decision.
3. Where this is not possible, or where the member of staff continues to be dissatisfied, he/she may follow a formal appeal process.
4. The member of staff should set down in writing the grounds for questioning the pay decision and send it to the person (or committee) who made the determination, within ten working days of the notification of the decision being appealed against or of the outcome of the discussion referred to above.

For any formal hearing or appeal the member of staff is entitled to be accompanied by a colleague or union representative. Each step and action of this process must be taken without unreasonable delay. The timing and location of the formal meeting must be reasonable. The formal meeting must allow both parties to explain their cases

5. The Committee or person who made the determination should provide a hearing within ten working days of receipt of the written appeal, to consider the appeal and give the member of staff an opportunity to make representations in person. Following the hearing the employee should be informed in writing of the decision and the right to appeal.

6. Any appeal should be heard by a panel of three Governors who were not involved in the original determination normally within 20 working days of the receipt of the written appeal notification. The member of staff will be given the opportunity to make representations in person. The decision of the appeal panel will be given in writing, and where the appeal is rejected will include a note of the evidence considered and the reasons for the decision.
12. Maternity Leave & Pay
Maternity leave and pay is a reflection of current statutory conditions:

Maternity Leave
All members of Staff, regardless of length of service, are entitled to 26 weeks ordinary maternity leave, plus 26 weeks additional maternity leave. Maternity leave can commence any time from 11 weeks before the week your baby is due. Employees must take at least 2 weeks after the birth. Written notice must be given to the Principal/Headteacher confirming when you wish your maternity leave to commence.

Maternity Pay
Maternity pay will depend upon length of continuous service

A member of the Associate Staff with less than 26 weeks continuous service by the 15th week before the Expected Week of Childbirth (EWC) will receive:

- No entitlement to pay from employer

The school will provide a SMP1 form to claim Statutory Maternity Allowance from the local Benefits Agency.

A member of the Associate Staff with 26 weeks or more continuous service by 15th week before the (EWC) will receive:

- 6 weeks - 90% of their average weekly earnings (AWE) before tax
- 33 weeks – SMP at the current rate or 90% of their AWE (whichever is lower)

Any member of staff intending to return to work should notify the Principal/Headteacher 49 days after the birth of the baby.

The actual date of return should be advised at least 28 days before returning

13. Paternity /Adoption Leave and Pay
To qualify for Statutory Paternity or Adoption Leave and Pay the following must apply:

- The member of staff must have or expect to have responsibility for the child’s upbringing
- The member of staff is the biological father of the child, or the mother’s husband or partner or named as the Adoptive Parent
- The member of Staff must have 26 weeks or more continuous service by 15th week before the (EWC) or date of Adoption.

The leave must be taken within 56 days of the actual birth.

Employees can choose to take either one week or two consecutive weeks’ paid leave (not off days). However, the Principal/Headteacher will have the discretion to agree, to employee’s requests to vary this arrangement.

During their period of leave, employees are entitled to Statutory Paternity Pay (SPP), Statutory Adoption Pay (SAP). SPP/SAP is paid by for one or two consecutive weeks as the employee has chosen. The rate of SPP/SAP is the same as the standard rate of SMP.

14. Shared Parental Leave (SPL) and Shared Parental Pay (ShPP)
To qualify for Shared Parental Leave (SPL), you must share responsibility for the child with one of the following:
• your husband, wife, civil partner or joint adopter
• the child’s other parent
• your partner (if they live with you and the child)

You or your partner must be eligible for maternity pay or leave, adoption pay or leave or Maternity Allowance.

You must also:

• have been employed continuously by the same employer for at least 26 weeks by the end of the 15th week before the due date (or by the date you’re matched with your adopted child)
• stay with the same employer while you take SPL

During the 66 weeks before the week the baby’s due (or the week you are matched with your adopted child) your partner must:

• have been working for at least 26 weeks (they don’t need to be consecutive))
• have earned at least £390 in total in 13 of the 66 weeks (add up the highest paying weeks, they don’t need to be consecutive)

This can be as an employee, worker or self-employed person. Your partner does not have to be working at the date of birth or when you start SPL or ShPP.

If you are eligible for SPL you can use it to take leave in blocks separated by periods of work, instead of taking it all in one go.

To start SPL or ShPP the mother must end her maternity leave (for SPL) or her Maternity Allowance or maternity pay (for ShPP). If she does not get maternity leave (but she ends her Maternity Allowance or pay early) her partner might still get SPL. If you are adopting then you or your partner must end any adoption leave or adoption pay early instead.

If you are eligible you can take:

• the remaining leave as SPL (52 weeks minus any weeks of maternity or adoption leave)
• the remaining pay as ShPP (39 weeks minus any weeks of maternity pay, maternity allowance or adoption pay)

If neither of you is entitled to maternity or adoption leave then SPL will be 52 weeks minus any weeks of maternity pay, Maternity Allowance or adoption pay.

You can share SPL and ShPP between you if you are both eligible.

SPL and ShPP must be taken between the baby’s birth and first birthday (or within one year of adoption).

Each parent qualifies separately for Shared Parental Leave (SPL) and Statutory Shared Parental Pay (ShPP).

If you are eligible you can start SPL and take leave in separate blocks, instead of taking it all in one go like maternity or adoption leave. You can also share the leave between you if you are both eligible.

You can get ShPP if you are an employee and one of the following applies:

• you’re eligible for Statutory Maternity Pay (SMP) or Statutory Adoption Pay (SAP)
• you’re eligible for Statutory Paternity Pay (SPP) and your partner is eligible for SMP, Maternity
Allowance (MA) or SAP

You can also get ShPP if you are a worker and you’re eligible for SMP or SPP.

ShPP is paid at the current statutory ShPP rate or 90% of your average weekly earnings, whichever is lower.

This is the same as Statutory Maternity Pay (SMP) except that during the first 6 weeks SMP is paid at 90% of whatever you earn (with no maximum).

15. **Sick Pay**
An Employee’s entitlement to receive sick pay will depend upon their length of continuous service.

During the first four months of 1st year of service: Statutory sick pay
During 1st year of service: 1 month’s full pay and 2 months half pay
During 2nd year of service: 2 months full pay and 2 months half pay
During 3rd year of service: 4 months full pay and 4 months half pay
During 4th and 5th year of service: 5 months full pay and 5 months half pay
After 5 years of service: 6 months full pay and 6 months half pay

The school has the discretion to extend the period of sick pay in exceptional cases.

The period during which sick pay shall be paid and the rate of sick pay, in respect of any period of absence shall be calculated by deducting from the employee’s entitlement on the first day the aggregate of periods of paid absence during the twelve months immediately preceding the first day of absence.

In the case of full pay periods, sick pay will be an amount which when added to Statutory Sick Pay and Incapacity Benefit receivable will secure the equivalent of normal pay.

In the case of half pay periods sick pay will be an amount equal to half normal earnings plus an amount equivalent to Statutory Sick Pay and Incapacity Benefit receivable, so long as the total sum does not exceed normal pay.

Normal pay includes all earnings that would be paid during a period of normal working.

16. **Salary Sacrifice Arrangements**
For the purposes of this paragraph, the term “salary sacrifice arrangement” means any arrangement under which the staff member gives up the right to receive part of the staff member’s gross salary in return for the employer’s agreement to provide a benefit-in-kind under the following scheme:

(a) a child care voucher or other child care benefit scheme;

Where the employer operates a salary sacrifice arrangement, the staff member may participate in any such arrangement and the member of staff’s gross salary may be reduced accordingly for the duration of such participation.

17. **Pensions**
All regular salary payments and additional allowances and payments to staff within this policy, with the exception of such payments as specified in the LGPS Exclusions List, are pensionable. Staff will be auto-enrolled to the Local Government Pension scheme on joining The Trust. Any staff who have
previously opted out will be auto–enrolled on each 3 year anniversary of the school’s staging date.

The Governing Body will not promote staff through the grading systems or use other pay flexibilities to assist in securing an employee's improved pension entitlement on retirement.

18. Over/Underpayments
Every effort will be made to make accurate salary and other payments on the due date. However, should an overpayment or underpayment occur the Governing Body will seek to recover/refund the amount, limited to 4 years of overpayment (except in cases of wilful misrepresentation or omission by the employee). Employees are expected to draw to the attention of the Business Manager any overpayment or underpayment as soon as possible.

In the case of overpayments, the employee will be notified in writing of the full amount of the overpayment and agreement will be sought about a reasonable repayment schedule. In the absence of such an agreement the school will determine a recovery schedule, usually through deductions not exceeding 5% of the monthly gross pay. Recovery of overpayments/refund of underpayments will be pursued in the case of former employees.

19. Monitoring
The Governing Body will monitor the outcome and impact of this policy annually in order to assess its effect and continued compliance with equalities legislation.
The pay of individual staff will remain confidential – shared only with those responsible for making pay decisions and managing administrative matters

20. Pay Policy Appendices
Appendix A – Terms of Reference for Governors Pay Committee
Appendix B - Terms of Reference for Governors Pay Appeals Committee

21. APPENDIX A

TERMS OF REFERENCE:

PAY COMMITTEE

Delegation of Function
The Governing Body shall establish a Pay Committee and shall set the Pay Policy for the school and to implement the approved Pay Policy in respect of the pay for all staff

Clerking
The meeting of the Staff Pay Committee should not be clerked by a Governor, or a member of the Committee or the Principal/Headteacher.

Membership
The Staff Pay Committee shall consist of at least three named members of the Governing Body, none of whom shall be employees or Associate Members.

The Principal/Headteacher may attend all proceedings of the Pay Committee for the purposes of providing information and advice, but must withdraw when their own salary is being discussed.

Quorum
Three Governors
Terms of Reference
- To advise the Governing Body/Resources: Finance & Site Committee on current and future pay level;
- To ratify appropriate salary ranges and starting salaries for members of the leadership group;
- To ratify annual pay progress for teachers as set out in the Teacher Pay Policy, taking account of any recommendations made on the Performance Management review statement, in accordance with the approved pay policy.
- To approve applications to be paid on the Upper Pay Range (Band 3)
- To approve annual pay progress for the Principal/Headteacher (by 31 December at the latest), taking account of the recommendation made by the Principal/Headteacher’s Performance Review Panel, following the annual review.
- To oversee and monitor the award of service points and review of associate staff pay;
- To determine the application of national inflationary increases as required;
- To monitor and report to the Full Governing Body on the annual pattern of performance pay progression at each level and the correlation between pay progression, quality of teaching and outcomes for pupils.

22. APPENDIX B

TERMS OF REFERENCE:

PAY APPEALS COMMITTEE

Delegation of Function
The Governing Body shall establish a Pay Appeals Committee to deal with all appeals against pay decisions.

Clerking
The meeting of the Staff Pay Appeals Committee should be minuted.

Membership
The Pay Appeals Committee shall consist of at least three named members of the Governing Body, none of whom shall be employees or Associate members or members of the Pay Committee.

The Principal/Headteacher may attend all proceedings of the Pay Appeals Committee for the purpose of providing information and advice (except where the appeal is in respect of his/her own salary, where s/he will attend for the purposes of making his/her case).

Quorum
Three Governors

Terms of Reference
- To determine formal appeals against pay determinations in accordance with the Appeals Procedure set out in the Pay Policy.