



# **EDITH STEIN** **CATHOLIC ACADEMY TRUST**

## **PAY POLICY (SUPPORT STAFF) 2023-2024**

|   |                      |
|---|----------------------|
| <b>APPROVED BY TRUSTEES</b>   | <b>December 2023</b> |
| <b>SCRUTINISED BY LOCAL GOVERNING BODY / LOCAL GOVERNING BODY SUB COMMITTEE</b> | <b>November 2023</b> |
| <b>DATE LAST REVIEWED</b>   | <b>November 2023</b> |
| <b>MEMBER OF STAFF RESPONSIBLE</b>  | <b>CEO/CFO</b>       |
| <b>STATUTORY / NON-STATUTORY</b>  | <b>Statutory</b>     |





## Catholic Social Teaching

Catholic Social Teaching recognises as its core principles the dignity of the human person and the dignity of work and participation. By this we recognise and value the contribution of all staff to the school's community and success. Every person is made in the image and likeness of God and therefore has an innate dignity; meaning at all times all persons working at within Trust schools are treated with dignity, care and respect, including in regard to their pay and progression in the school.

### 1.0 Aims

1.1 This policy aims to:

- i. To provide a consistent approach to pay across the Trust;
- ii. To maintain and improve the quality of education provided for students in Trust schools by having a teacher pay policy and staffing structure which supports the Trust's Mission Statement and Development Plans;
- iii. To set out a clear framework for pay and progression throughout the Trust;
- iv. Ensure that Local Governing Bodies take responsibility for pay and pay progression;
- v. To ensure that members of support staff receive proper recognition for their work and responsibilities towards achievement of the Edith Stein Trust Mission Statement;
- vi. To ensure fair and open treatment of staff within the Trust and to enhance and maintain staff morale through the management of the pay policy and through an awareness of the impact of decisions on all members of staff and on other academies;
- vii. Within the resources available to each school, to use the flexibilities inherent in the national and local conditions of service for staff in a positive and constructive fashion so as to assist the Trust Board and schools in the recruitment, appointment and retention of a well-motivated, high quality staff.

1.2 In seeking to implement these aims and to apply this policy the Trust Board may take account of necessary advice issued by the DfE, school Local Authorities, the CES and the recognised Support Staff Associations and Trade Unions.

1.3 Each member of the support staff will have access to the Pay Policy, together with an annual statement giving details of their salary entitlement.

### 2.0 Legislation and Guidance

2.1 As a Trust, we are free to determine our own approach to deciding support staff pay. However, since all of our staff have a contract that currently adopts the conditions from the Employment in Hampshire County Council (EHCC) Committee Pay Statement, these will continue to apply due to the [Transfer of Undertakings \(Protection of Employment\) \(TUPE\) Regulations 2006](#), which protect employees' terms and conditions when a maintained school becomes an academy.

2.2 As such, this policy complies with the [EHCC Committee Pay Statement](#).

2.3 When implementing our pay policy, we will abide by:

- The [Employment Relations Act 1999](#), which establishes a number of statutory work rights.
- The [Part-time Workers \(Prevention of Less Favourable Treatment\) Regulations 2000](#) and the [Fixed-Term Employees \(Prevention of Less Favourable Treatment\) Regulations 2002](#), which require us to ensure part-time and fixed-term workers are treated fairly.
- The [Equality Act 2010](#), which requires schools to have due regard to the need to eliminate discrimination and advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not share it.
- The [Seven Principles of Public Life](#), which require those conducting the procedures to be objective, open and accountable.

- 2.4 Our procedures for addressing grievances in relation to pay are based on the ACAS grievance [code of practice](#) and are set out in our staff grievance procedures.

### **3.0 Policy Scope**

- 3.1 This guidance is applied to all support staff within the school – for example business managers, pastoral support roles, teaching assistants; cover assistants, clerical/administrative staff; technicians, site and catering staff. Teaching staff should refer to the Pay Policy for Teaching Staff.

### **4.0 Pay Framework**

- 4.1 In line with the TUPE agreements following the school conversion to academy status, support staff remain subject to the County Council's main pay framework. This was implemented in April 2007 in line with National guidance, with the grade for each role being determined by a consistent job evaluation process. This followed a national requirement for all Local Authorities, and a number of other public sector employers, to review their pay and grading frameworks to ensure fair and consistent practice for different groups of workers with the same employer. As part of this, the County Council determined a local pay framework.
- 4.2 There are 11 grades (A-K) in the pay framework, grade A being the lowest and grade K the highest. Each employee will be on one of the 11 grades based on the job evaluation of their role. Each grade consists of 5 steps, with the exception of grades A and B which consists of 3 steps. Pay progression within each grade is determined through the use of the school's performance management cycle.
- 4.3 Employees new to the school will normally be appointed to the first step of the salary range for their grade. Where the candidate's current employment package would make the first step of the salary range unattractive or where the employee already operates at a level commensurate with a higher salary, a different starting salary may be considered by the recruiting manager. This will be within the salary range for the grade. The candidate's level of skill and experience should be consistent with that of other employees in a similar position on the salary range.
- 4.4 All employees are paid within the salary range for their grade. Details of the salary ranges are published on the County Council's website, and a copy of those salary ranges as at 1<sup>st</sup> April 2023 is attached at Appendix 1 to this Pay Policy. Where the responsibilities of a post suggest that re-grading might be necessary, the pay committee of the LGB will review whether the post should be matched to a more appropriate role profile, or if no appropriate role profile is available will consider whether the post should be subject to job re-evaluation (see section 5 below).
- 4.5 There is no provision for bonus payments to any employees. There is however a Special Recognition Scheme, under which a one-off payment may be awarded to a member of staff as a reward for a particular piece of work or a substantial achievement above what is expected as part of their ordinary day-to-day work. The size of the award paid to an employee will be commensurate with the work being rewarded. Special Recognition Scheme payments are subject to approval by the pay committee of the LGB and are funded from within existing school budgets.
- 4.6 Allowances or other payments, for example shift working, may be made to staff in connection with their role or the patterns of hours they work in accordance with the County Council's collective agreement ("EHCC 2007") and subsequent amendments thereto, and other governance arrangements.
- 4.7 The Trust recognises that employees sometimes incur necessary expenditure in carrying out their responsibilities, for example travel costs. Employees will be reimbursed for reasonable expenses incurred whilst on school business in accordance with the County Council's collective agreement ('EHCC 2007') and subsequent amendments. Current rates for travel reimbursements are

published on the County Council's website and a copy of the rates as at April 2022 are attached at Appendix 2.

- 4.8 Where there is a specific difficulty in recruiting and/or retaining a certain category of support staff, LGB's can consider the use of market supplements, subject to statutory and local criteria being met and Trust approval.
- 4.9 LGB's should actively promote equality in all aspects of school life, particularly as regards all decisions on advertising of posts, appointing, promoting and paying staff, training and staff development.
- 4.10 Where permissible, LGB's may consider the application of pay flexibilities where the specified criteria are met.
- 4.11 Where appropriate, LGB's may consider issuing a Training Cost Agreement to members of staff where absence is allowed for personnel to pursue a prolonged course resulting in absence from their role. This may take the form of reduced pay or a payback scheme, or both, if notice is given within a defined period. Each case will be judged on its merit.

## 5.0 Job Evaluation

- 5.1 Job evaluation may be carried out on posts for a number of reasons including when posts are newly created or vacant, as part of a restructuring exercise or when it is considered that the duties of the post have changed since it was last evaluated (re-evaluation).
- 5.2 Job evaluation is necessary to determine the appropriate level of remuneration as a fair reflection of the duties and responsibilities of the job. Job evaluation also helps to ensure that the pay and grading of similar posts across schools is consistent and establishes the extent to which there is comparable work between jobs so that equal pay can be provided for work of equal value. It is important to remember that job evaluation is an evaluation of the job that is required, not the person.
- 5.3 The Job Evaluation process is an analytical one that takes into consideration seven factors:
- Knowledge/Expertise
  - Problem Solving
  - Decision Making
  - Span of Control/Impact
  - Working Relationships
  - Insight or Effort
  - Operational Environments
- 5.4 Job evaluation should not be used to recognise temporary additional duties where employees act up in the absence of more senior employees. Temporary responsibility and honorarium payments can be used for this purpose.
- 5.5 The basis for job evaluation is the information contained in the job description, person specification and structure chart. The Headteachers should ensure that these documents accurately reflect the full responsibilities and duties of the post and the skills, knowledge and experience required to carry out the duties. Where the post holder is in place at the time of evaluation these documents should be drawn up in consultation with the post holder and agreed.

## **6.0 Pay Reviews**

- 6.1 All staff working in the Trust should be included in the performance management process and the expectation is that this will be linked to the appropriate school's development priorities, staff professional development as well as to any possible pay awards. Support staff reviews will take place as detailed in the appropriate support staff performance management policy and the outcome of this process will inform any decisions regarding pay progression.
- 6.2 Pay progression within the grade is subject to satisfactory performance, including any set professional objectives - and if appropriate will take place on 1<sup>st</sup> April annually. The outcome of an individual's performance review can award one of the three ratings outlined below:
- Improvement required (generally no annual progression)
  - Achieved expectations (annual progression of one step within the limit of the normal salary range)
  - Exceptional performance (annual progression of one step within the limit of the normal salary range; a one off payment of 3% of base salary or, in exceptional circumstances, accelerated step progression within the limit of the normal salary range)
- 6.3 It is the Trust's expectation that the majority of support staff will be awarded the 'achieved expectations' rating. Staff should refer to the Support Staff Performance Management Policy for full details.
- 6.4 Where a pay determination leads or may lead to the start of a period of safeguarding, LGB's will give the required notification as soon as possible, and no later than one month after the date of the determination.

## **7.0 The Pay and Salaries Committees of Local Governing Body's (PSC)**

- 7.1 School decisions on support staff pay will be taken by the appropriate PSC. The committee consists of a minimum of three governors who will be appointed and will be responsible for:
- Taking decisions on the Headteacher's pay
  - Considering Headteacher or Line Manager recommendations for the pay of other staff
  - Recommending the school's approach towards the exercising of pay discretions to the Trust
  - Recommending any changes to the Trust's Pay Policy in order to keep it up to date
  - Communicating pay decisions to each member of staff in the school
- 7.2 Staff Governors may not sit on the PSC's.
- 7.3 The Headteacher has the right to comment on support performance management reviews and pay recommendations of support staff and make Governors and trustees aware of any inconsistencies and the financial implications of those assessments.
- 7.4 The ESCAT Directors retain the responsibility for approving any proposed changes to the Trust's pay policies. Any proposed changes should be discussed with and communicated to the staff in writing by the Headteacher, to allow for consultation prior to a decision being taken by the Directors.

## **8.0 Additional Payments for consultancy and other activities**

- 8.1 The Trust understands the benefits of staff occasionally working in other trusts or schools. This can be of mutual benefit for both trusts or schools. At times members of staff may be released from their normal working hours to undertake consultancy-type activities, or lead inset in other schools.

8.2 This could fall into two categories:

8.2.1 Category 1

Adhoc arrangements, where staff are required to undertake activities from time to time, for example, lead an INSET day or assist in an interview. This will not result in any change in remuneration or benefits

8.2.2 Category 2

Permanent arrangements where work or a project is undertaken regularly, and the member of staff is accountable for the outcome. This arrangement will be communicated to the member of staff in writing. The Headteacher will consider the following before making any change in remuneration or benefits:

- The maximum number of days/hours of release within the academic year
- The full terms of the work to be carried out including arrangements for pay, expenses, time allocated to complete the work
- The nature of the consultancy work being undertaken including the level of accountability

8.3 Subject to the information above, from time to time other payments may be made for agreed work required to support the requirements of additional grants or Service Level Agreements from or with other organisations. It will be at the school's discretion to decide as to the reasonable level of remuneration that is passed on to individual members of staff involved in undertaking the related work.

## 9.0 Complaints / Appeals

9.1 A member of staff who has a query about their salary should, in the first instance, seek to resolve the matter informally with the Director of Business and Finance and/or Headteacher as appropriate. If the matter remains unresolved the school's grievance procedure could, if necessary, be followed.

9.2 A member of staff may appeal against any determination in relation to his or her pay or any other decision taken by a LGB that affects his/her pay. The process for dealing with appeals arising from performance management decisions is outlined below:

9.3 The grounds for appeal are that the appraiser:

- Incorrectly applied any provision of the relevant terms and conditions of service;
- Incorrectly applied the procedures of the support staff performance management process;
- Failed to have proper regard to statutory guidance;
- Failed to take proper account of relevant evidence
- Took account of irrelevant or inaccurate evidence;
- Was biased; or
- Otherwise unlawfully discriminated against the member of staff.

9.4 The sequence of events is as follows:

- The member of staff receives written confirmation of the pay determination and where applicable the basis on which the decision was made.
- If the member of staff is not satisfied, he/she should seek to resolve this by discussing the matter informally with the appraiser within ten working days of the decision.
- Where this is not possible or where the member of staff continues to be dissatisfied, he/she may follow a formal appeal process.
- The member of staff should set down in writing the grounds for questioning the pay decision (which must relate to the grounds as set out above) and send it to the person 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.

- The person who made the decision should meet with the member of staff (and, if the member of staff wishes this, a colleague or union representative) within ten working days of receipt of the written grounds for questioning the pay decision to discuss this and give the member of staff an opportunity to make representations in person. Following this meeting the member of staff should be informed in writing of the formal outcome and the right to appeal.
- If the member of staff wishes to appeal against the decision then they should notify the Clerk to the Governors in writing of the appeal and the reasons for it, within 10 days of the above meeting.
- The Clerk to the Governors will arrange, normally within 20 working days of the receipt of the written notice of appeal, giving at least 5 days' notice, a meeting of the appeals committee of the Governing Body who will consist of a panel of three governors who were not involved in the original decision. The member of staff will be entitled to attend and the procedure to be followed for the appeal is attached in Appendix 3 of this policy. The decision of the appeal panel delegated to deal with appeals shall be final and there is no recourse to the staff grievance procedure. Decisions will be given in writing and where an appeal is rejected will include a note of the evidence considered and the reasons for the decision. Once any appeal has been resolved the final decision regarding the assessment of salaries will be reported to the LGB.

## **10.0 Confidentiality**

- 10.1 The elements of the Trust's pay policy will be shared and discussed openly with the school's staff. Individual pay decisions will be handled confidentially between the PSC, Director of Business and Finance and/or Headteacher and the staff concerned.

## **11.0 Monitoring the Impact of the Policy**

- 11.1 The Trust supported by LGB's will monitor the outcomes and impact of this policy on a regular basis, including trends across specific groups of support staff to assess its effect and the school's continued compliance with equalities legislation.



## Appendix 1

### Hampshire County Council's EHCC 2007 Pay Framework

The EHCC salary ranges for 1 April 2023 can be found below.

| Grade/<br>Step | A      | B                                  | C      | D      | E      | F      | G      | H      | I      | J      | K       |
|----------------|--------|------------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|---------|
| 1              | 22,183 | 22,737<br>(see<br>note 1<br>below) | 23,115 | 25,628 | 30,859 | 38,092 | 46,140 | 53,207 | 62,293 | 77,838 | 89,787  |
| 2              | 22,247 | 22,737<br>(see<br>note 1<br>below) | 23,314 | 26,239 | 31,628 | 39,120 | 47,405 | 54,744 | 64,100 | 80,112 | 92,430  |
| 3              | 22,367 | 23,058                             | 23,502 | 27,020 | 32,226 | 40,180 | 48,714 | 56,326 | 65,964 | 82,459 | 95,146  |
| 4              |        |                                    | 23,894 | 27,617 | 33,077 | 41,271 | 50,061 | 57,957 | 67,882 | 84,872 | 98,045  |
| 5              |        |                                    | 24,140 | 28,326 | 33,951 | 42,389 | 51,445 | 59,632 | 69,862 | 87,360 | 100,819 |

Please note:

1. The salaries for Steps 1 and 2 of Grade B are the same. Staff paid on either Step 1 or 2 of Grade B will progress to Step 3 from April 2023 as appropriate.

## Appendix 2

Mileage expenses are paid at the current Employment in Hampshire County Council (EHCC) single mileage rate.

Currently the rates are as follows:

|                   |   |
|-------------------|---|
| EHCC Grades A – H | Up to 10,000 miles = 45p per mile<br>Over 10,000 miles = 25p per mile |
|-------------------|---|

## Appendix 3

### PROCEDURE FOR AN APPEAL AGAINST A SALARY DETERMINATION TO THE APPEAL COMMITTEE OF THE GOVERNING BODY

#### A3.1 The Appeal of the Employee

The employee, or representative,

- a) introduces the employee's written reasons for the appeal and the representative of the PSC of the appropriate LGB and then members of the Appeal Committee may ask questions of the employee
- b) may call witnesses, each of whom will have provided a written statement of the information he/she wishes to give, and each witness may be asked questions by the representative of the PSC and then by the Appeal Committee

#### A3.2 The Response of the PSC

The representative of the PSC

- a) explains the process and evidence used to come to the decision being appealed with reference to the written statement of reasons for the decision of the PSC previously provided to the employee and the employee or representative and then members of the Appeal Committee may ask questions of the representative of the PSC.
- b) may call witnesses, who will have provided a written statement of the information they wish to give and each witness may be asked questions by the employee or representative and then by the Appeal Committee

#### A3.3 Summing up and Withdrawal

- a) the representative of the PSC has the opportunity to sum up if he/she so wishes.
- b) the employee, or representative, has the opportunity to sum up his/her case if he/she so wishes.
- c) all persons other than the appeal committee and its adviser are then required to withdraw.

#### A3.4 Appeal Committee Decision

- a) the Appeal Committee and the person who is advising on law, procedure and merits of the case are to deliberate in private, only recalling the parties to clear points of uncertainty on evidence already given. Any recall must involve both parties.
- b) the Chair of the Appeal Committee will announce the decision to the employee, which will be confirmed in writing
- c) there will be no further appeal mechanism available beyond that stated in this policy

#### A3.5 Notes

- a) For the purposes of the appeal, the Appeal Committee will have the following documents:-
  - the written statement of reasons for the PSC decision previously provided to the employee
  - the written statement of reasons for the appeal from the employee. (The grounds for the appeal must comply with paragraph 2.3.2 of the pay policy).
  - any additional documents to be used at the appeal hearing which must be provided to the other party at least 48 hours before the commencement of the hearing.
- b) The Appeal Committee may appoint an adviser who may not be an employee of the school.
- c) The employee may be represented by a representative of his/her trade union or a workplace colleague.
- d) Where an employee is appealing against a determination of the Threshold Application the same procedure will be used with the Headteacher taking the role of the representative of the PSC. The Headteacher may have an adviser present who may not be an employee of the school.