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To: Personnel Committee

Date: 28 November 2013

Subject: **Pay Policy for centrally employed teachers**

Classification: Unrestricted

Summary: To consider the new provisions in the School Teachers' Pay and Conditions Document 2013 and how these should be applied to centrally employed teachers within KCC.

1. **Background**

- 1.1 All Teachers employed by Local Authorities (LA) and LA maintained schools in England and Wales are required to be paid in accordance with the School Teachers' Pay and Conditions Document (STPCD). This document is amended annually and is given legal effect through the School Teachers' Pay and Conditions Order which is laid before parliament during August. The School Teachers' Pay and Conditions Order 2013 received parliamentary approval on 8 August 2013 which provides for the STPCD 2013 to come into effect from 1 September 2013.
- 1.2 One of the requirements set out in the STPCD is for each relevant body to publish a pay policy for their teachers to set out how the STPCD will be implemented in their school or Local Authority. Following publication of the STPCD 2013, KCC maintained schools and Pupil Referral Units (PRUs) are to be provided with a model policy to use as the basis for their pay policies which will require approval by their Governing Bodies or management committees during the autumn term. As the relevant body for centrally employed teachers, KCC is required to have its own Pay Policy.
- 1.3 This year, there are some significant changes in the STPCD which include flexibility on teacher starting salaries and pay progression. Kent County Council, as the Relevant Body has consulted locally on how it intends to apply these provisions and set this out within its pay policies. For centrally employed teachers, consultation has taken place with, ELS DMT and SCS Divisional Management Team on the recommendations to be made to Personnel Committee. Teacher trade unions have also been involved as part of the consultation process.

2. **New STPCD Provisions**

- 2.1 A summary of the main changes introduced by the STPCD 2013 are:
 - a) Removing pay progression based on length of service and linking all pay progression to performance
 - b) Giving schools and Local Authorities the option of increasing individual teachers' pay at different rates based on their performance

- c) Replacing the current threshold test for progression from the main to the upper pay range with new simpler criteria
- d) Discontinuing the current Advanced Skills Teacher (AST) and Excellent Teacher (ET) designations and creating a new pay range for leading practitioners whose primary purpose is to model and lead the improvement of teaching skills
- e) Giving schools and Local Authorities more freedom to determine starting salaries of teachers new to a school or LA.
- f) Removing any obligation on a school or LA when recruiting to match a teacher's existing salary.

2.2 The changes that require Personnel Committee decision are on the pay arrangements to be applied to future pay progression for teachers. The September 2013 salary determination was in accordance with the previous arrangements as set out in the 2012 STPCD but with pay scales having been uplifted by a 1% increase. For any future progression from 2014, relevant bodies have to decide what increases will be applicable to their teachers as, other than for reference purposes, all incremental pay points have been removed from the 2013 document leaving only minimum and maximum pay values for teachers on the following:

- a) Main pay scale
- b) Upper pay scale
- c) Leading practitioners pay scale
- d) Unqualified teachers

3. Future pay arrangements for centrally employed teachers

3.1 KCC has a range of options for determining the pay arrangements to be applied to teachers. These include:

- a) Retain the pay point structure on which teachers have previously been appointed, awarding 0, 1 or 2 points according to performance.
- b) Introduce half points between the current pay point values providing a longer range for differentiation between teachers' performance
- c) Shorten the pay scale and/or have fewer pay points
- d) Have only a minimum and maximum pay range value with progression based on an amount linked to performance. This is consistent with Kent Scheme provisions and is the recommended option.

3.2 Salaries for new starters to KCC could be determined by:

- a) Matching the salary offered to the value the teacher is currently being paid (or, if KCC has a pay point structure for teachers that differs to the new starter's current pay structure, to the next point above that value)
- b) The appointing manager decides before advertising, within the minimum and maximum ranges already set, the salary applicable to the post based on the requirements of that particular teaching role.
- c) Or, as with Kent Scheme, the minimum of the scale is offered unless there is a business case to offer a higher value which may include consideration of a teacher's current salary. This is the recommended option.

4. KCC Teacher Pay Policy

- 4.1 There is an expectation to have one pay policy to cover all teachers employed centrally by KCC. Due to the fact that teachers within Specialist Teaching & Learning Service (STLS) are devolved to Special Schools, we need to reflect the unique circumstances; as the relevant body, KCC is the employer and is responsible for decisions. However, the Kent Association of Special School (KASS) Headteachers are making day to day decisions on recruitment and pay then notifying salary changes direct to the HR Business Centre. It is therefore proposed that, whilst the same provisions will apply to both sets of teachers, there is one policy for STLS staff and another for all other KCC centrally employed teachers across both ELS and FSC, where KCC is the employer and the teachers are managed by KCC managers. There is an overt requirement to state the Constitution of the Pay Committee which means that two policies are required.
- 4.2 Consultation has been carried out on the draft pay policy on the basis that 3.1(d) and 3.2 (c) is proposed to be adopted.
- 4.3 A Pay Policy Statement has been devised taking into account the current Kent Scheme Pay Policy Statement and is shown in Appendix 1. The proposed policies for Specialist Teaching and Learning Services and Centrally Managed Teachers are not attached but are available on request.

5. Recommendations

- 5.1 Apply the discretions available in the STPC Document 2013 by:
- 5.1.1 Having only minimum and maximum pay range values with progression based on an amount linked to performance (ie, 3.1.d)
- 5.1.2 Offering the minimum of the scale to new starters unless there is a business case to offer a higher value which may include consideration of a teacher's current salary, (ie 3.2.c)
- 5.1.3 The levels of performance will match the TCP levels awarded to Kent Scheme Staff (i.e. Outstanding; Achieved; Achieving Above Required Standard; Performance Improvement Required) and the percentage pay progression assigned to each rating will be the same as determined by elected Members for those staff employed on Kent Scheme (Blue Book) Terms and Conditions. Any general increase awarded to Kent Scheme staff will not be included for teachers and any national increase for teachers will instead be applied.
- 5.1.4 All allowances will remain in line with the current policy.
- 5.1.5 There is currently no provision for adopting the newly created Leading Practitioner position within the staffing structure for the services however KCC will keep this under review and will determine and communicate the role requirement, salary range and criteria for performance pay progression should it be deemed necessary to recruit to the post.
- 5.2 Personnel Committee endorse the implementation of the statement (Appendix 1) and pay policies and statement as summarised above.

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Appendix 1.

Kent County Council Pay Policy Statement 2013-14 for Teachers covered by the School Teachers Pay & Conditions Document

The Authority seeks to be able to recruit and retain staff in a way which is externally competitive and internally fair. The pay policy applies in a consistent way from the lowest to the highest grade.

- This pay policy is influenced by a number of factors which include national pay settlement, local pay bargaining, market information, market forces, economic climate, measures of inflation and budgetary position.
- The policy referred to in this Statement is relevant to Teachers covered by the school teachers pay and conditions in (England and Wales) document,
- KCC will publish the number of people and job title by salary band. This is from £58,200 to £59,999 and then by pay bands of £5,000 thereafter. This will include elements made on a repeatable or predictable basis such as market premium payments.
- Staff who are new to the organisation must be appointed at the minimum of the grade unless there are exceptional reasons to appoint higher. These must be based on a robust business case in relation to the level of knowledge, skills and experience offered by the candidate and consideration is given to the level of salaries of the existing staff to prevent pay inequality.
- All progression within a grade is subject to performance as assessed through KCC's teacher appraisal process and a percentage awarded for each appraisal level. This applies to all levels in the Authority and there are no additional bonus schemes for senior managers.
- The award for each appraisal rating is set annually for teachers this is applied from 1 September, therefore will be already be known.
- People have the ability to progress up to the top of their grade under TCP principles
- KCC recognises that managers need to be able to reward performance in a flexible and appropriate way to the particular circumstances within the STPCD framework.
- Should it be shown that there is specific recruitment and retention difficulties, the provisions of the STPCD may be used to address these issues.
- The Council would not expect the re-engagement of an individual who has left the organisation with a redundancy, retirement or severance package.