

MEETING: PAY AND GRADING COMMITTEE

DATE: Wednesday 12th January, 2022

TIME: 3.00 pm

VENUE: Town Hall, Bootle

Member

Councillor
Councillor Lappin (Chair)
Councillor Dowd (Vice-Chair)
Councillor Howard
Councillor McKinley
Councillor Roche
Councillor Shaw
Councillor Sir Ron Watson

COMMITTEE OFFICER: Ian Barton
Democratic Services Officer
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See overleaf for COVID Guidance and the requirements in relation to Public Attendance.

If you have any special needs that may require arrangements to facilitate your attendance at this meeting, please contact the Committee Officer named above, who will endeavour to assist.

We endeavour to provide a reasonable number of full agendas, including reports at the meeting. If you wish to ensure that you have a copy to refer to at the meeting, please can you print off your own copy of the agenda pack prior to the meeting.

COVID GUIDANCE IN RELATION TO PUBLIC ATTENDANCE

In light of ongoing Covid-19 social distancing restrictions, there is limited capacity for members of the press and public to be present in the meeting room indicated on the front page of the agenda at any one time. We would ask parties remain in the meeting room solely for the duration of consideration of the Committee report(s) to which their interests relate.

We therefore request that if you wish to attend the Committee to please register in advance of the meeting via email to ian.barton@sefton.gov.uk by no later than **12:00 (noon) on the day of the meeting.**

Please include in your email –

- Your name;
- Your email address;
- Your Contact telephone number; and
- The details of the report in which you are interested.

In light of current social distancing requirements, access to the Committee Room is limited.

We have been advised by Public Health that Members, officers and the public should carry out a lateral flow test before attending the meeting, and only attend if that test is negative. Provided you are not classed as exempt, it is requested that you wear a mask that covers both your nose and mouth.

A G E N D A

1. Apologies for Absence

2. Declarations of Interest

Members are requested at a meeting where a disclosable pecuniary interest or personal interest arises, which is not already included in their Register of Members' Interests, to declare any interests that relate to an item on the agenda.

Where a Member discloses a Disclosable Pecuniary Interest, he/she must withdraw from the meeting room, including from the public gallery, during the whole consideration of any item of business in which he/she has an interest, except where he/she is permitted to remain as a result of a grant of a dispensation.

Where a Member discloses a personal interest he/she must seek advice from the Monitoring Officer or staff member representing the Monitoring Officer to determine whether the Member should withdraw from the meeting room, including from the public gallery, during the whole consideration of any item of business in which he/she has an interest or whether the Member can remain in the meeting or remain in the meeting and vote on the relevant decision.

3. Minutes

(Pages 5 - 6)

Minutes of the meeting held on 13 January 2021.

4. Pay Policy 2022 - 2023

(Pages 7 - 62)

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THIS SET OF MINUTES IS NOT SUBJECT TO "CALL-IN"

PAY AND GRADING COMMITTEE

REMOTE MEETING 13 JANUARY 2021

PRESENT: Councillor Lappin (in the Chair)
Councillors Halsall, Howard, Shaw and
Sir Ron Watson

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Dowd and Sayers.

2. DECLARATIONS OF INTEREST

No declarations of any disclosable pecuniary interests or personal interests were received.

3. MINUTES

RESOLVED:

That the Minutes of the meeting held on 15 January 2020 be confirmed as a correct record.

4. PAY POLICY

The Committee considered the report of the Executive Director of Corporate Resources and Customer Services that recommended a Pay Policy for the Council as required by the Localism Act 2011. After consideration of the report by the Committee, the report would be considered by the full Council at the meeting to be held on 21 January 2021.

The Chief Personnel Officer advised members that there were no substantive changes to the Policy compared to that approved in 2020 but he reported on changes in legislation, changes that may occur in respect of pension matters as a result (with some ongoing current uncertainty) and additionally the implications of an ongoing Judicial Review. In order to comply with the Localism Act 2011 and to comply with the current position under the Restriction of Public Sector Exit Payments Regulations 2020, should that be approved, he would be recommending the following to the Council on 21 January 2021:-

- (i) The proposed Pay Policy at Annex A to this report be approved;

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- (ii) That any changes to the Pay Policy as required because of legislation are delegated to the Pay and Grading Committee;
- (iii) Any further discretionary waiver in connection with the termination payments as detailed in this report be considered by the Pay and Grading Committee to provide a recommendation before matters go to Full Council

A Member expressed concern at the effects of the proposed legislation on employees who were not considered to be high earners and proposed the following amendment:

That in the event of a future Labour Government the Council be recommended to write to the Government requesting that the Restriction of Public Sector Exit Payments Regulations 2020 be repealed.

On it being put to the vote the Chair declared the amendment carried and it was

RESOLVED: That

- (1) the Council be recommended to approve the proposed Pay Policy as detailed within Annexe A of the report; and
- (2) in the event of a future Labour Government the Council be recommended to write to the Government requesting that the Restriction of Public Sector Exit Payments Regulations 2020 be repealed.
- (3) in accordance with Rule 96 of the Council and Committee Procedure Rules of the Constitution, the dissent of Councillor Sir Ron Watson from the decision set out above be recorded.

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Report to:	Pay and Grading Committee	Date of Meeting:	12 January 2022
	Council	Date of Meeting:	20 January 2022
Subject:	Pay Policy 2022 - 2023		
Report of:	Chief Personnel Officer	Wards Affected:	(All Wards);
Portfolio:			
Is this a Key Decision:	No	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

To recommend a Pay Policy for the Council as required by the Localism Act 2011

Recommendation(s):

Pay and Grading Committee:

The proposed Pay Policy in report is recommended to the full Council for approval with the amendment detailed below.

Council:

- (i) The proposed Pay Policy in this report be approved;
- (ii) That any changes to the Pay Policy as required because of legislation are delegated to the Pay and Grading Committee;
- (iii) If future proposals in respect of Exit Pay cap legislation or Special severance payments contain discretions then these are to be considered by the Pay & Grading Committee to provide a recommendation before matters go to Full Council

Reasons for the Recommendation(s):

To comply with the Localism Act 2011

Alternative Options Considered and Rejected: (including any Risk Implications)

No alternative, a Pay Policy for the Council as required by the Localism Act 2011

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What will it cost and how will it be financed?

(A) Revenue Costs NA

(B) Capital Costs NA

Implications of the Proposals:

<p>Resource Implications (Financial, IT, Staffing and Assets): The Pay Policy has been amended and updated to reflect any changes that have occurred since the last report</p>									
<p>Legal Implications: The Council has the following duties under the following sections of the Localism Act 2011:-</p> <p>Section 38- The Council must prepare a Pay Policy Statement for each financial year which sets out its policies relating to the remuneration of its chief officers and its lowest-paid employees and the relationship between the remuneration of its chief officers and its employees.</p> <p>Section 39-The Council’s Pay Policy Statement must be approved by resolution of the authority before it comes into force and prior to 31st March immediately preceding the financial year to which it relates.</p> <p>Section 40- With regard to its functions under sections 38 and 39 [above] the Council must have regard to any guidance issued or approved by the Secretary of State.</p>									
<p>Equality Implications: There are no equality implications.</p>									
<p>Climate Emergency Implications: No implications the Pay Policy for the Council is required by the Localism Act 2011</p>									
<p>The recommendations within this report will</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">Have a positive impact</td> <td style="width: 20%;">No</td> </tr> <tr> <td>Have a neutral impact</td> <td>No</td> </tr> <tr> <td>Have a negative impact</td> <td>No</td> </tr> <tr> <td>The Author has undertaken the Climate Emergency training for report authors</td> <td>No</td> </tr> </table>		Have a positive impact	No	Have a neutral impact	No	Have a negative impact	No	The Author has undertaken the Climate Emergency training for report authors	No
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Have a neutral impact	No								
Have a negative impact	No								
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Contribution to the Council’s Core Purpose: NA

Protect the most vulnerable: NA
Facilitate confident and resilient communities :NA

Commission, broker and provide core services :NA
Place – leadership and influencer: NA
Drivers of change and reform: NA
Facilitate sustainable economic prosperity: NA
Greater income for social investment: NA
Cleaner Greener NA

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD.6647/21) and the Chief Legal and Democratic Officer (LD.4848/21) have been consulted and any comments have been incorporated into the report.

(B) External Consultations N/A

Implementation Date for the Decision

Immediately following the Committee / Council meeting.

Contact Officer:	Lynn Earlam
Telephone Number:	0151 934 3392
Email Address:	lynn.earlam@sefton.gov.uk

Appendices:

Annex A

PAY POLICY FOR CENTRALLY EMPLOYED TEACHING STAFF

Background Papers:

There are no background papers available for inspection.

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1. **Introduction/Background**

1. This report deals with a requirement in the Localism Act 2011 (the Act) which became statute in November 2011. The Act introduced a requirement for Local Authorities to agree and publish an Annual Pay Policy Statement effective from December 2011.
2. In February 2012 the DCLG issued statutory guidance “Openness and Accountability in Local Pay: Guidance under Section 40 of the Localism Act 2011” and required Local Authorities in England to take account of the supplementary guidance when preparing their Pay Policy Statements.
3. To comply with this requirement the Council’s revised Pay Policy statement is attached.

PAY POLICY 2022 / 2023

(As required by the Local Government Transparency code 2015 and the Localism Act 2011)

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Annex A

PAY POLICY FOR CENTRALLY EMPLOYED TEACHING STAFF

Note: Reference is made in this policy to various national and local terms and conditions agreements, and policies.

National Pay Agreements within Local Government

1. JNC Chief Executive Terms and Conditions of Service.
2. JNC Chief Officer Terms and Conditions of Service.
3. Local Government Pension Scheme:
4. NJC Terms and Conditions of Service (Green Book): [Green book](#)
5. Soulbury Terms and Conditions of Service: (Education & Young People)

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6. Youth and Community Workers Terms and Conditions of Service (Pink Book): (Education & Young People)
7. Non-Standard Working Arrangements and Associated Payments: [Non-standard Working Arrangements](#)

A. OPENING STATEMENT

1. The aim of this policy is to help maintain and improve the quality of service provision by ensuring that all employees are valued and receive proper reward for their work and contribution. It also serves to satisfy the requirements of the Localism Act 2011 relative to pay accountability.
2. It is recognised that both financial and non-financial rewards are necessary to attract, retain and motivate employees. As such there needs to be a close link between reward and the overall approach to people management, including workforce planning and development strategies. There needs to be a fair balance between changing organisational needs and the aspirations of individuals. Equally there needs to be recognition of the financial constraints of the current economic climate and the imperative to manage public monies responsibly.
3. This policy will assist in managing pay in a fair, equitable, responsible and transparent manner. The Council supports the principle of equality of opportunity in employment. In this regard every endeavour will be made to ensure that employees receive equal treatment, irrespective of age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marital status, pregnancy or maternity.
4. All pay related decisions will be taken in compliance with the provisions of The Equality Act 2010, The Employment Rights Act 1996, The Employment Relations Act 1999, the Employment Act 2002, The Employment Act 2008, The Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000, The Fixed Term Employees' (Prevention of Less Favourable Treatment) Regulations 2002, all as amended.

B. SCOPE OF POLICY

5. This policy covers all employees other than those in schools.

C. AVAILABILITY OF POLICY

6. This policy is available on the Sefton's Council website

D. DECISION MAKING

7. The pay policy is the responsibility of the Pay & Grading Committee with any recommendations for change being subject to the approval of the Council.
8. The policy will be reviewed by the Committee at least once every municipal year and referred to the Council for consideration prior to the beginning of the subsequent municipal year on 1st April.

9. The authority to make decisions in accordance with the policy and its application, is in accordance with the delegations described in the Council's constitution, which can be found in the documents library on Sefton's website.
10. Since January 2013 the Council has an agreed a mechanism specifically for;
- a. The consideration of severance packages which amount to £100,000 or above. and
 - b. The consideration of new appointments (new posts) which have a remuneration package of £100,000 or above. It was agreed that :
 - o Relative to a) In relation to any severance packages in respect of the Chief Executive, Executive Directors and Heads of Service which amount to £100,000 or above, that Full Council are given an opportunity to vote to determine agreement, following a recommendation from the Pay and Grading Committee.
 - o All other employees' severance packages of £100,000 or above are to be determined by the Pay and Grading Committee and may come before Full Council as part of the Budget process. The reason for utilising the Pay and Grading Committee is to allow operational effectiveness in seeking the approval of such payments, leaving Full Council to deal with severance packages for the Senior Officer positions.
 - o In respect of the definition of a severance payment this is defined as:
 - (a) A redundancy payment
 - (b) Any capital cost to the pension fund
 - (c) Any other contractual payments which are due to the employee
 - (d) Any other payments which the Local Authority may seek to make

Relative to b) The Employment Procedure Committee will decide on the remuneration packages for Senior Officers in cases where the proposed remuneration is over £100,000. This will be debated at the point when the decision to fill the post is made. A recommendation will then be made to the Full Council who will have the opportunity to vote on the remuneration proposed. The remuneration must be agreed prior to an appointment offer being made.

11. It is proposed that the decision making processes for a) and b) above remain in force subject to the following:

In 2020 the Government proposed to implement the Restriction of Public Sector Exit Payment Regulations 2020 which was to impose a cap of £95,000 on exit payments. This Regulation was due to come into force on 4 November 2020. However, on 12 February 2021 HM Treasury published a Treasury Direction disapplying the cap with immediate effect due to "unintended consequences" of the proposed legislation. The regulations were formally revoked with effect from 19.3.2021. No further regulations have been tabled

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however the Government have stated that *“For the avoidance of doubt, it is still vital that exit payments deliver value for the taxpayer and employers should always consider whether exit payments are fair and proportionate. HM Treasury will bring forward proposals at pace to tackle unjustified exit payments.*

The Government are also due to bring out Guidance of Special Exit payments by local Authorities, but at the time of writing, this guidance is not available.

Consequently, as and when legislation is published which has any bearing on the agreed council mechanism for the consideration of severance packages the Pay Policy will be updated accordingly, and, as previously agreed at the Council meeting on 25th January 2018 it is recommended that the Pay and Grading Committee is delegated to deal with any necessary amendment to bring the Authority into compliance with any such statutory measures.

E. SENIOR OFFICERS PAY

12. Senior officers are defined as those currently earning £50,000 and above. The £50,000 threshold is applied as per the Local Government transparency code issued by the Department for Communities and Local Government [CLG]. Individual Senior Management pay is set out in data published on the Council's website in accordance with the Local Government transparency code. It provides details of;
- the number of employees whose remuneration in that year was at least £50,000 - in brackets of £5,000
 - details of the job title of senior employees whose salary is at least £50,000, and
 - identification by name of any employees whose salaries are £150,000 or more.
 - the information is not solely based on salary but will include all remuneration i.e. overtime pay.

Senior Officer Pay data can be accessed through the Sefton Council website [Senior Salary information for period 1.4.20 - 31.3.21](#)

13. In addition, local authorities must provide a list of responsibilities (for example, the services and functions the postholder is responsible for and details of bonuses and 'benefits-in-kind', for all employees whose salary exceeds £50,000.
14. Senior officers (other than those paid under the Soulbury agreement) are paid in accordance with the HAY job evaluation method.
15. Chief Executive (as at 1.4.2021) is paid £158,637. The salary comprises of 5 incremental points within a salary band ranging from £151,083 to £166,197. It will be noted that this pay scale has not been updated since the last report as the pay

award increase which should be agreed each year from 1st April has not yet been finalised.

16. As at 1.4.2021 Executive Directors are paid spot salary payments of £119,952 and the Head of Health and Wellbeing / Director of Public health is paid on a personal grade of NHS Senior Band 9 plus Market supplement providing for a total salary of £90,000. Heads of Service are paid at either HAY 2 (£100,563, HAY 3 £87,597 or HAY 4 £77,157 as spot grades, plus a Market Supplement if appropriate. Senior Management are paid relative to Hay grades 5 & 6. Hay 5 ranging from £63,657 to £70,029 by 5 increments. Hay 6 ranges from £49,881 to £57,765 by 7 increments. All of the above are subject to the pending pay awards outlined in para 15 above.
17. The terms and conditions for the post of Chief Executive are in accordance with the Joint National Council (JNC) Scheme for Chief Executives. In the case of HAY Grades 1 - 5 the terms and conditions are as per the JNC Scheme for Chief Officers. In the case of HAY Grade 6 the terms and conditions are in accordance with the National Joint Council (NJC) Scheme for Local Government services employees (known as the "Green Book").
18. HAY grades are allocated to posts using the HAY job evaluation system. This system enables the factors of a job to be analysed and translated into a points score which, in turn, is related to the appropriate grade associated with the score.
19. Each year the HAY group are consulted as to what is an appropriate pay rise. The HAY Group advise based on predicted awards in the general market (Public and Private Sector), the amount of inflation, and the Retail Prices Index. This is then balanced against the National Joint Council Pay award and the ability of the Council to meet the pay bill. The pay rise to be applied is delegated to the Chief Executive and the Chief Personnel Officer.

F. EDUCATION PROFESSIONALS PAY [Soulbury Agreement]

20. The Soulbury Committee provides national collective bargaining machinery for advisory staff in Local Authorities. Nationally, it covers staff including: education improvement professionals, education psychologists, and young people's/community service managers. In addition to any annual pay increase, the Soulbury Committee also determines the national salary framework.
21. The Soulbury agreement provides separate sets of pay spines for Education Improvement Professionals (EIPs), Educational Psychologists, including Principals, Seniors, Assistants and Trainees as well as Community Service Managers. It will be noted that this pay scale has not been updated since the last report. The pay award increase which should be agreed each year from 1st September 2021 has not yet been finalised. At the time of writing the Soulbury Committee have not confirmed the outcome of the pay negotiations. Consequently, the current payment as detailed below covers pay spines payable from 1st September 2020 (pay award pending).
22. With the exception of Educational Psychologists, the Soulbury salary scales consist of not more than **four** consecutive points. The salary is based on the

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duties and responsibilities of the post and the need to recruit and motivate staff. Minimum starting points are defined in the pay conditions and include an extended range to accommodate up to 3 structured professional assessments (SPA) points.

Education Improvement Professionals (EIPs)

Spine Point	Salary from 1.9.2020
Ranges from spine point 1	£36,419
To spine point 50 inclusive of 3 SPA points	£96,396

Educational Psychologists

Spine Point	Salary from 1.9.2020
Ranges from spine point 1	£38,197
To spine point 11	£56,554

The Salary scale for Educational Psychologists consist of not more than 6 consecutive points based on the duties and responsibilities of the post and the requirement to recruit and retain staff therefore scp 1-6 or 2-7 for 3-8. The full SCP range is from SCP 1 to SCP 11.

Educational psychologists paid on Scale A are also eligible for the award of up to 3 structured professional assessment (SPA) points. The individual six point scale will be supplemented by such SPA points. Within Sefton, the pay rate applied is SCP 3 – 8 with 3 SPA points to a maximum of SCP 11.

Senior & Principal Educational Psychologists

Spine Point	Salary from 1.9.2020
Ranges from spine point 1	£47,889
To spine point 18 inclusive of 3 SPA points	£70,850

The **standard** Salary scale consists of not more than 4 consecutive points* based on the duties and responsibilities of the post and the requirement to recruit and retain staff. The **standard** SCP range is from SCP 1 to SCP 13. There is also the possibility to extend the salary range to accommodate up to 3 SPA points (scps 14 – 16). In addition, there **are 2 further discretionary** scale points (scp 17-18) for the Senior and Principal Educational Psychologists providing for an extended salary range of 6 incremental points.

The minimum start point for a **Principal** Psychologist is **3**.

Trainee Educational Psychologists

Spine Point	Salary from 1.9.2020
Ranges from spine point 1	£24,541
To spine point 6	£33,520

Assistant Educational Psychologists

Spine Point	Salary from 1.9.2020
Ranges from spine point 1	£30,166
To spine point 4	£33,856

Young Peoples Community Service Managers

Spine Point	Salary from 1.9.2020
Ranges from spine point 1	£37,772
To spine point 24	£66,486

23. The Soulbury agreement does not set its own specific conditions of service. Instead it provides that:

“The conditions of service of Soulbury officers shall be not less favourable than those prescribed for the local government services staff of the authority”

***General** – All the above Salary scales consist of not more than 4 consecutive points as a **MAXIMUM**. However, Soulbury staff can be appointed on 2 and 3 point ranges (plus the 3 SPA points) if this is agreed prior to appointment.

Starting SCPs will be defined using the minimum starting point detailed in the scheme (ie. **Principal** Psychologist minimum starting point is scp 3) but can be altered where there is a need to salary match from previous job roles where there is difficulty recruiting to the post.

G. Youth and Community Workers

24. The pay of Youth and Community Workers is determined from pay points prescribed by the Joint Negotiating Committee (JNC). It will be noted that this pay

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scale has not been updated since the last report. The pay award increase which should be agreed each year from 1st September 2021 has not yet been finalised. At the time of writing the National employers have made an offer of 1.75 per cent to the Trade Union Side on all pay points and allowances for Youth and Community Workers but have not confirmed the outcome of the pay negotiations.

Consequently, the current payment as detailed below covers pay spines payable from 1st September 2020 (pay award pending).

There are two ranges of pay points, one for Youth and Community Support Workers and one for Professional staff.

Youth and Community Support Workers

Spine Point	Salary from 1.9.2020
Ranges from spine point 5	£19,308
To spine point 17	£28,787

Professional staff

Spine Point	Salary from 1.9.2020
Ranges from spine point 13	£25,313
To spine point 32	£42,718

H. NATIONAL JOINT COUNCIL (NJC) EMPLOYEES

25. The largest proportion of employees are paid in accordance with the NJC (Green Book) terms and conditions of employment and in conjunction with a locally determined grading structure that is derived from the spinal column points (SCPs) provided by the NJC for Local Government Services pay scales.
26. Grades are allocated to posts using the Local Government Single Status Job Evaluation Scheme which forms part of the NJC (Green Book) terms and conditions of employment.
27. The grading structure and the arrangements for applying the job evaluation scheme are agreed with the local trade unions.
28. The current pay spine for NJC employees has been effective from 1.4.2020. The lowest spinal column point (point 1) is £9.2479 per hour based on a 37 hour week which equates to £9.5049 for Sefton's Councils 36 hour per week standard working. The highest spinal column point for none HAY grade officers (Point 43) is £24.2809 which equates to £24.9555 for Sefton's Councils 36 hour per week standard working. The National Employers pay award payable from 1.4.21 has still

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not been finalised. Consequently, the current payment as detailed below covers pay spines payable from 1st April 2020 (pay award pending).

29. The full National NJC pay spine as at 1.4.2020 is detailed below.

SCP	Annual Salary
1	£17,842
2	£18,198
3	£18,562
4	£18,933
5	£19,312
6	£19,698
7	£20,092
8	£20,493
9	£20,903
10	£21,322
11	£21,748
12	£22,183
13	£22,627
14	£23,080
15	£23,541
16	£24,012
17	£24,491
18	£24,982
19	£25,481
20	£25,991
21	£26,511
22	£27,041
23	£27,741
24	£28,672
25	£29,577
26	£30,451
27	£31,346

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28	£32,234
29	£32,910
30	£33,782
31	£34,728
32	£35,745
33	£36,922
34	£37,890
35	£38,890
36	£39,880
37	£40,876
38	£41,881
39	£42,821
40	£43,857
41	£44,863
42	£45,859
43	£46,845
43	£46,845

I. MARKET SUPPLEMENTS POLICY

30. The Council aims to recruit and retain the best possible employees with the skills, knowledge and experience needed to deliver excellent services and to meet its corporate objectives. There may be times when the grading of a post results in an inability to successfully recruit or retain to particular posts. In such cases it may be appropriate to pay a market supplement in addition to the salary to ensure that appointments can be secured. In these circumstances, the potential for the application of a Market Supplement Rate will need to be objectively justified. Such payments are lawful under the Equality Act 2010 where there is evidence to justify that market factors are the “material factor” for the post attracting a higher rate of pay than other posts with the same score. In order to establish equality of pay the Council needs factual evidence to prove that paying any Market Supplement Rate is “a proportionate means of achieving a legitimate aim”.
31. The Chief Personnel officer is authorised to consider any additional payments to assist with any recruitment and retention difficulties to ensure that the Authority has a balanced and cohesive workforce. Such payments will only be put into operation following appropriate legal advice. Any business cases made for Market Supplement payments will be subject to investigation and scrutiny. The implementation of any additional payments will require the formal approval via the Head of Corporate Resources in consultation with the Chief Executive and formal documentation of the payment principles to be applied. Additional payments will be subject to annual review, and, where necessary, supplementary reviews

following any pay award agreements or incremental advancement. In addition, the Joint Trade Union forum will be provided with details of any positions which have been approved for the Market Supplement Payments.

J. OTHER PAY

32. **Returning officer** The Council has to appoint a Returning Officer for elections. This is usually a senior officer of the Council who performs the role in addition to his/her normal duties. Appointment as a Returning Officer is deemed to be separate remunerable employment.

33. **Acting up payments** Employees are not eligible for honoraria payments under current Council policy. However, an employee who, following a fair selection arrangement, performs the full duties and responsibilities of a higher graded post on a temporary basis, will be paid in accordance with the higher graded post for the specified period and without any commitment to permanency in that post. This is known as “Acting Up”. It is an operationally practical arrangement applied throughout the workforce. It is an expedient measure that should maintain for as short a period as possible – normally less than 12 months.

34. **Advisory Staff in Local Authorities – [Soulbury Agreement]** In each of the separate Soulbury pay spines there is provision for employees to receive up to three further spine points under the Structure Professional Assessment (SPA) system. This element of the pay structure is based on performance assessment and forms part of the overall pay structure. Progression under the SPA system is subject to local assessment against nationally prescribed criteria.

35. **NJC Employees- Non-Standard Working Arrangements and Associated Payments**

In accordance with the NJC provisions the Council pays allowances in respect of employees who are required to work outside “normal” working hours.

36. In February 2011 Cabinet approved a package of “Local” terms and conditions following consultation with the trade unions. These conditions were implemented in April 2011, and have since been adopted as an ongoing contractual arrangement to assist with the budget provision.

37. **Tupe Pay obligations**

The Council can from time to time employ staff on Personal salaries stemming from staff transferring into the organisation via TUPE regulations. In these cases, as and when reviews are conducted the Council would look to transfer employees onto Sefton’s Grading structure and Sefton Terms and Conditions. At the present time there are no staff in receipt of Personal Salaries in this regard.

38. **New Appointments**

New appointments will normally be made at the minimum of the Spinal column point (scp) of the relevant pay scale. Where the candidate is already in receipt of remuneration above the minimum of the relevant pay scale, the appointment will be made at the nearest equivalent scp in the grade.

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39. **Progression through the grade**

An employee's progression through the incremental point on the grade is linked to length of service. Increments are awarded on 1st April each year or for new employees with less than 6 months service in the grade as at 1st April after 6 months completed service.

K. **PAY PROTECTION**

40. In certain circumstances where employees suffer a loss in basic pay as a result of the actions of the employer, 12 months' pay protection is available.

L. **PAY RELATIONSHIPS**

41. The Local Government Transparency Code 2015 Part 2.2 para 51 and Section 38 of the Localism Act 2011 requires local authorities to produce information relative to pay dispersion i.e. the relationship between remuneration of Senior Officers and the remuneration of other staff. The information in this section illustrates the Councils pay dispersion.

42. The highest level of (*full time equivalent – FTE*) employee remuneration in the Council is associated with the post of Chief Executive which is £158,637

43. The lowest level of (FTE) employee remuneration is £17,842 p.a.

44. The median level full time equivalent basic pay for central staff (excluding the Chief Executive) is £24,491p.a.
The median level of full time equivalent basic pay PLUS contractual allowances earned (e.g. overtime, shift pay etc) earned (excluding the chief executive) is £25,481 p.a

As at 1st November 2021 the (FTE) actual pay relationships are:

- Highest pay is 8.89 times greater than lowest pay.
- Median basic pay is 1.37 times greater than lowest pay.
- Median pay including contractual allowances is 1.43 times greater than lowest pay.
- Highest pay is 6.48 times greater than median basic pay and 6.23 times greater than median pay including contractual allowances.

45. In order to achieve this calculation the pay relationships have been based on the lowest level of employee remuneration (using actual pay figures of centrally employed staff payable as at November 2021 and the highest pay applicable as at November 2021.

M. **OTHER TERMS AND CONDITIONS**

46. The normal working week is 36 hours (FTE). This is on the understanding that for those staff defined as senior officers, additional hours will be worked, as necessary, without financial or time off recompense.
47. The Council recognises the importance of the need to balance personal and working demands. Employees are required to be receptive to such needs both in their own case and relative to those for whom they may be responsible. It is considered that an empathetic management approach to controlled attendance will contribute to high performance and outcomes.
48. The Council's terms and conditions of employment generally provide for 27 days leave for employees with less than 5 years' service and 32 days after 5 years have been completed (35 days for HAY 5 and above). The Council also recognises long service by granting an additional 5 days leave (as a one off award) after 25 years' service has been completed and celebrates longer periods of service.
49. The Council also supports officers in the discharge of their duties by reimbursing expenditure, paying subsistence allowances, and operating a Corporate travel scheme for eligible employees offering reduced cost rail travel with deductions being made direct from payroll.

N. PUBLIC HEALTH STAFF

50. The transfer of the Public Health function and its associated employees in 2013 was on a statutory basis as per the Health and Social Care Act 2012. The pay scales applicable at the point of transfer were as per Public Health NHS pay scales and will remain static until such time as the positions become vacant. New appointments to posts within the Public Health function are made on either NJC or JNC HAY grades as appropriate to the role.

O. NATIONAL MINIMUM WAGE / REAL LIVING WAGE

51. The National Minimum Wage (NMW) is the minimum pay per hour most workers under the age of 23 are entitled to by law.

The Government's National Living Wage (NLW) is the minimum pay per hour most workers aged 23 and over are entitled to by law. The NLW previous age of eligibility was 25. The age criteria is to change further and by the year 2024 the NLW will apply to workers aged 21 and over

The rate will depend on a worker's age. The current rates as at 1.4.2021 are:

- £8.91 per hour for ages 23 and over
- £8.36 per hour for ages 21 to 22
- £6.56 per hour for ages 18 to 20
- £4.62 per hour for ages 16-17
- Apprentice rate £4.15 per hour

52. In addition to the above there is a *living wage* determined by the Real Living Wage Foundation. The new National REAL LIVING wage was announced on 15th

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November at a rate of £9.90 per hour (outside of London). This Real Living wage rate is based on the concept that a certain amount of money is needed to ensure that people are able to have a decent standard of living. The Real living wage is different from the National Minimum wage and the Governments National Living Wage. Adoption of the Minimum wage is a legal requirement however the adoption of the Real Living Wage is voluntary. To become a true Real Living Wage employer the rate would need to be applied not only to employees but also be extended to Third party contractors who are defined by the Living Wage Foundation as those who work regularly on Council premises, or premises necessary to the work being carried out, for 2 or more hours a day, in any day of the week, for 8 or more consecutive weeks of the year.

53. Real living wage rates are updated annually in November and should be implemented within 6 months (i.e. by 15.5.2022). The National Joint Council (NJC) rates are updated in April each year. With effect from 1.4.2020 the Council is paying £9.5049 as its lowest rate per hour. As detailed above, the pay award effective from 1.4.21 has not yet been agreed but the Employers final offer with effect from 1 April 2021 was an increase of 2.75 per cent on NJC pay point 1 (and an increase of 1.75 per cent on pay point 2 and above. The 2.75 % increase on the current £9.5049 would bring the lowest rate per hour to £9.7662 a further pay award would then be applicable with effect from 1.4.2022.

P. RE-EMPLOYMENT OF STAFF WHO HAVE BEEN IN RECEIPT OF REDUNDANCY PAY AND/OR PENSION.

54. Subject to compliance with legislative/regulatory requirements:

- An individual may be in receipt of a pension (LGPS or otherwise) in addition to remuneration from their employment with the Council.
- An individual who has left the Council and been in receipt of a severance or redundancy payment and/or pension (LGPS or otherwise) may subsequently be re-employed or engaged under a contract for services. However, given the budgetary pressures currently facing the Council there should be (in most cases) a period of time of at least 2 years from the redundancy date before re-employment occurs and such cases must also satisfy robust justification and the business case in respect of justification must include specific details why the re-employment would be beneficial to the Council or service area. The Council recognises in consideration of the business case that any re-employment must only be after consideration of characteristics of the post and work area (including the ability to attract and retain employees) The business case should also consider the circumstances of the individual that left employment recognising that individuals in low pay jobs may be more readily re-employed.

55. All Local Government Pension Schemes (LGPS) Administrating Funds have the discretion to abate pension upon re-employment to local government. Merseyside Pension Fund discretion stipulates that anyone in receipt of a pension from

the LGPS, re-employed after 25 September 2006, **will not** have their pension adjusted if they return to local government employment, **unless** they were granted Compensatory Added Years when they retired due to redundancy/ interest of efficiency. Merseyside Pension Fund have confirmed that this discretion still applies, however, the members awarded added years will now be of an age (youngest 66 years of age) where it would be highly unlikely that they would be re-employed

Q. GENDER PAY GAP REPORTING

56. The Council is required by law to carry out Gender Pay Reporting under the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017 and to publish the results on both the Council website and a government website. In line with these requirements data is published annually. Ordinarily, the data published reflects the position on 5th April in the previous year.
57. The data published shows the difference between the average earnings of male and female employees but does not involve publishing individual employee data. The pay calculations are based on gross pay calculated before deductions at source. Pay data includes basic pay, paid leave, allowances, and shift pay but not overtime pay, expenses, redundancy or any other termination pay.
58. Gender Pay Reporting information is established each year by using our HR and payroll records and relates to centrally employed staff only and does not include Schools data as only employers with over 250 employees are covered by the legislation.

R. PAY POLICY FOR CENTRALLY EMPLOYED TEACHING STAFF

59. Section 3 of the School Teachers' Pay and Conditions Document places a statutory duty on the Council to have a pay policy for centrally employed teaching staff, including appeals against pay determinations. This policy has been devised in addition to the usual Pay Policy for Teaching staff and is attached as Annex A to this report.

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Annex A

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Statement of Intent

Section 3 of the School Teachers' Pay and Conditions Document places a statutory duty on the Council to have a pay policy for centrally employed teaching staff, including appeals against pay determinations.

The Council seeks to ensure that all centrally employed teachers are valued and receive proper recognition and remuneration for their work and their contribution to education across Sefton.

SECTION 1. INTRODUCTION

1. This policy sets out the framework for making decisions on centrally employed teachers' pay. It has been developed to comply with current legislation and the requirements of the current School Teachers' Pay and Conditions Document ("**the Document**") and has been consulted on with staff and/or the recognised trade unions.
2. In adopting this pay policy, the aim is to:
 - a. maximise the quality of teaching and learning
 - b. support the recruitment and retention of a high-quality teacher workforce
 - c. enable the council to recognise and reward teachers appropriately for their contribution to education across Sefton
 - d. help to ensure that decisions on pay are managed in a fair, just and transparent way.
3. Pay decisions for Centrally Employed Teachers within Sefton are made by the Local Authority who have delegated certain responsibilities and decision-making powers to the Head of Education Excellence as set out in appendix 4. The Head of Education Excellence is responsible for the administration and review of the pay policy, subject to the approval of the relevant body, and has full authority to take pay decisions on behalf of the relevant body in accordance with this policy. The relevant Service Manager is responsible for advising the Head of Education Excellence on their decisions.

SECTION 2. RESPONSIBILITIES/OBLIGATIONS

1. Local Authority

- i. The Local Authority will fulfil its obligations to:
 - a. **Teachers** who are centrally employed as set out in the current School Teachers' Pay and Conditions Document ("**the Document**") and the current Conditions of Service for School Teachers in England and Wales ("**the Burgundy Book**").
- ii. The governing body will need to consider any updated pay policy and assure themselves that appropriate arrangements for linking teacher's appraisal to pay are in place, can be applied consistently and that their pay decisions can be objectively justified.
- iii. The Local Authority will ensure that it makes funds available to support pay decisions, in accordance with this pay policy (see Section 4, Page 8-9) and its budgetary requirements.
- iv. The Local Authority will monitor the outcomes of pay decisions, including the extent to which different groups of teachers who are centrally employed may progress at different rates, ensuring their continued compliance with equalities legislation.

2. Head of Education Excellence Obligations

- i. The Head of Education Excellence will:
 - a. develop clear arrangements for linking teacher appraisal to pay progression and consult with staff and union representatives on the appraisal and pay policies.
 - b. submit any updated appraisal and pay policies to the Local Authority for approval;
 - c. ensure that effective appraisal arrangements are in place and that any appraisers have the knowledge and skills to apply procedures fairly;
 - d. ensure there is sufficient information upon which to make pay decisions.
 - e. ensure that teachers are informed about decisions reached; and that records are kept of recommendations and decisions made.

3. Teachers' Obligations

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- i. A teacher will:
 - a. engage with appraisal; this includes working with their appraiser to ensure that there is a secure evidence base for an annual pay determination to be made;
 - b. keep records of their objectives and review them throughout the appraisal process;
 - c. share any evidence they consider relevant as agreed with their appraiser;
 - d. ensure they have an annual review of their performance.

4. Differentials

Appropriate differentials will be created and maintained between posts within Sefton MBC, recognising accountability and job weight, and the Local Authorities need to recruit, retain and motivate enough employees of the required quality at all levels.

5. Discretionary Pay Awards

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.

6. Safeguarding

Where a pay determination leads or may lead to the start of a period of safeguarding, the Local Authority will comply with the relevant provisions of the Document and will give the required notification as soon as possible and no later than one month after the determination.

7. Procedures

- i. Local Authority body will determine the annual pay budget on the recommendation of the Head of Education Excellence (see appendix 4), considering paragraph 19 of the Document. The Local Authority will aim to ensure that appropriate funding is allocated for pay progression for all eligible teachers in the spirit of this pay policy.

- ii. The terms of reference for the Head of Education Excellence in relations to responsibilities under this policy will be determined from time to time by the Local Authority. The current terms of reference are:
- a. to achieve the aims of the pay policy for centrally employed teachers in a fair and equal manner.
 - b. to apply the criteria set by the pay policy for centrally employed teachers in determining the pay of each member of staff at the annual review.
 - c. to observe all statutory and contractual obligations;
 - d. to minute clearly the reasons for all decisions and report the fact of these decisions to the Local Authority.
 - e. to recommend to the Local Authority the annual budget needed for pay, bearing in mind the need to ensure the availability of monies to support any exercise of pay discretion.
 - f. to keep abreast of relevant developments and to advise the Local Authority when the school's pay policy needs to be revised.
 - g. to work with the relevant Service Manager in ensuring that the Local Authority complies with the Appraisal Regulations 2012 (teachers).
 - h. The report of the Head of Education Excellence will either be received or referred back. Reference back may occur only if the Head of Education Excellence has exceeded its powers under the policy.

8. Appeals procedure

The Local Authority has an appeals procedure in relation to pay in accordance with the provisions of paragraph 2.1(b) of the Document. This is set out at appendix 5 of this policy.

SECTION 3. PAY REVIEWS

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1. The Local Authority will ensure that each teacher's salary is reviewed annually, with effect from 1 September and no later than 31 October each year (31st December for headteachers), and that all teachers are given a written statement setting out their salary and any other financial benefits to which they are entitled in accordance with paragraph 3.4 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. 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 (appendix 3) will be given after any review and where applicable will give information about the basis on which it was made.
3. Where a pay determination leads or may lead to the start of a period of safeguarding, the Local Authority will comply with Section 2 Paragraph 6 of this policy.
4. All pay decisions will be made on objective criteria so that there is no discriminatory effect on any teacher or group of teachers with a particular protected characteristic under the Equality Act 2010.
5. The Local Authority will also comply with the following equalities legislation:
 - a. Employment Relations Act 1999
 - b. Equality Act 2010
 - c. Employment Rights Act 1996
 - d. The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000
 - e. The Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002
 - f. The Agency Workers Regulations 2010

6. The Local Authority will 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.

SECTION 4. BASIC PAY DETERMINATION ON APPOINTMENT

1. The Local Authority will determine the pay range for a vacancy prior to advertising it. On appointment, it will determine the starting salary within that range to be offered to the successful candidate.
2. In making such determinations, the Local Authority may take into account a range of factors, including:
 - the nature of the post
 - the level of qualifications, skills and experience required
 - market conditions
 - the wider business context

This is not exhaustive and may not be applicable to all appointments.
3. The Local Authority can take the decision to honour pay portability, however, it should not be assumed that a teacher will automatically be paid at the same rate as they were being paid in by a previous employer.
4. Pay Ranges can be found at appendix 1

SECTION 5: LEADERSHIP PAY

1. Headteacher Pay - Pay on appointment

- i. For appointments on or after 1 September 2021, the Local Authority will determine the pay range to be advertised and agree pay on appointment, taking account of the full role of the headteacher (Part 7) and in accordance with paragraphs 9.1 to 9.4 of the Document and paragraphs 8 to 28 of its guidance (section 3):
 - a. the Head of Education Excellence will review the head's range in accordance the Document part 2.

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i.the Head of Education Excellence will consider the need to award any temporary payments to a headteacher in line with paragraph 10.1 to 10.3 of the Document and will consider using their discretion, in wholly exceptional circumstances, to exceed the 25% limit on discretionary payments, as set out in paragraph 10.4 of the Document. However, before agreeing to do so, it will seek the agreement of the Local Authority which in turn will seek external independent advice before providing such agreement.

2. Serving Headteachers Pay

- i. The Local Authority will determine the salary of a serving headteacher as follows
 - a. the Head of Education Excellence will review the headteacher's pay in accordance with paragraph 11.1 to 11.2 of the Document
 - b. the Head of Education Excellence may determine the head's range within the group range for the school, as at 1 September 2021 or at any time if they consider it is necessary as determined in accordance with paragraph 4.1 to 4.3 of the Document and paragraph 8 of its guidance (section 3).
 - c. the Head of Education Excellence will consider the use of temporary payments, as per the provisions of paragraph 10.1 to 10.3 of the Document.
- ii. The Head of Education Excellence will consider using its discretion, in wholly exceptional circumstances, to exceed the 25% limit on discretionary payments, as set out in paragraph 10.4 of the Document. However, before agreeing to do so, it will seek the agreement of the Local Authority.

3. Deputy/Assistant Headteachers - Pay on appointment

- i. The Local Authority will, when a new appointment needs to be made, determine the pay range to be advertised and agree pay on appointment as follows:

- a. the Head of Education Excellence will determine a pay range in accordance with paragraph 9.1 and 9.4 of the Document, taking account of the role of the deputy/assistant headteacher set out at paragraphs 48 of the Document;
- b. the Head of Education Excellence will record its reasons for the determination of the deputy/assistant headteacher pay range, in accordance with paragraph 10 of the Document's guidance (section 3).
- c. the Head of Education Excellence will exercise its discretion under paragraphs 27 of the Document where there are recruitment issues.

4. Serving deputy/assistant headteachers

- i. The Head of Education Excellence:
 - a. will review pay in accordance with paragraphs 11 of the Document (pay progression for leadership group members) where there has been sustained high quality of performance having regard to the results of the recent appraisal, and to any recommendation on pay progression recorded in the deputy/assistant head's most recent appraisal report;
 - b. will review and, if necessary, re-determine the deputy/assistant headteachers' pay range where there has been a significant change in the responsibilities of the serving deputy/assistant headteacher in accordance with paragraph 10 of the Documents guidance;
 - c. may determine the deputy headteacher pay range at any time in accordance with paragraph 3.1 of the Document pursuant with the discretionary provisions of that paragraph and to maintain differentials;

5. Leading Practitioner Posts

- i. The Head of Education Excellence will determine a pay range of £42,402 to £64,461 from minimum to maximum for each leading practitioner post in

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accordance with paragraph 16.3 of the Document; and paragraphs 33 to 37 of the Documents guidance at section 3.

- ii. The Local Authority will take account of paragraph 16.1 of the Document when determining the role of leading practitioner in this school. Additional duties will be set out in the job description of the leading practitioner and will include:
 - a. a leadership role in developing, implementing and evaluating policies and practices within Sefton that contribute to school improvement;
 - b. the improvement of teaching within Sefton which impact significantly on pupil progress;
 - c. improving the effectiveness of staff and colleagues, particularly in relation to specific areas as agreed.
- iii. With effect from 1 September 2021 the relevant Service Manager will agree appraisal objectives for the leading practitioner.
- iv. The Head of Education Excellence shall have regard to the results of the leading practitioner's appraisal, including the pay recommendation, when exercising any discretion in relation to their pay, in accordance with paragraphs 11 of the Document.
- v. The head of Education Excellence will take account of other evidence. The evidence should show the leading practitioner:
 - a. has made good progress towards their objectives;
 - b. is an exemplar of teaching skills, which should impact significantly on pupil progress within Sefton.
 - c. has made a substantial impact on the effectiveness of staff and colleagues, including any specific elements of practice that have been highlighted as in need of improvement;

- d. is highly competent in all aspects of the Teachers' Standards;
- e. has shown strong leadership in developing, implementing and evaluating policies and practice in Sefton that contribute to school improvement.

6. Acting Allowances

- i. Acting allowances are payable to teachers who are assigned and carry out the duties of headteacher, deputy headteacher or assistant headteacher in accordance with paragraphs 23 of the Document. The Head of Education Excellence will, within a four-week period of the commencement of acting duties, determine whether 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.
- ii. Any teacher, who carries out the duties of headteacher, deputy headteacher, or assistant headteacher, for a period of four weeks or more, will be paid no lower than the minimum of the respective pay range for as long as the acting allowance is paid.

SECTION 6: PAY PROGRESSION BASED ON PERFORMANCE

1. In the Local Authority, all centrally employed teachers can expect to receive regular, constructive feedback on their performance and are subject to annual appraisal that recognises their strengths, informs plans for their future development, and helps to enhance their professional practice. The arrangements for teacher appraisal is set out in the Local Authorities Appraisal Policy for Teachers.
2. All decisions about pay progression for teachers will be made with reference to the teachers' appraisal reports and the pay recommendations that they contain. In the case of Early Career Teachers ('ECT's), whose appraisal arrangements are different, pay decisions will be made by means of the statutory induction process.

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3. It will be possible for a 'no progression' determination to be made without recourse to the capability procedure. It is expected that in cases of a 'no progression' determination this is supported by the teacher's appraisal reports.
4. In the Local Authority, assessment of performance will be made through the appraisal process and will include assessment of performance against the Teachers' Standards (and/or other relevant standards) and appraisal objectives. Teachers will be eligible for standard pay progression if they are assessed as meeting the Teachers' Standards (and/or other relevant standards) and their appraisal objectives.
5. The evidence to be used for assessment will be made clear to all teachers at the start of the appraisal cycle and may include e.g. self-assessment, progress of a particular group of pupils, lesson observations, feedback on pupils' learning etc.
6. Decisions regarding pay progression will be made to be fair and transparent, assessments of performance will be properly rooted in evidence.
7. In the Local Authority, we will ensure fairness by annual monitoring of the application of the Appraisal Policy, the Pay Policy and of pay decisions and will ensure that appraisal objectives and assessments are consistent. Arrangements for quality assurance and moderation are set out in the Appraisal Policy. We will endeavour to minimise the impact on workload for individual teachers, line managers and headteachers throughout the process.
8. Teachers' appraisal reports will contain pay recommendations. Final decisions about whether to accept a pay recommendation will be made by the Local Authority, having regard to the appraisal report and taking into account advice from the Headteacher.
9. The Local Authority will consider its approach in the light of budget and will take steps to ensure that appropriate funding is allocated for pay progression at all levels.
10. All teachers can expect progression to the top of their pay range as a result of successful appraisal reviews.
11. Classroom teachers
 - a. A classroom teacher paid on Main Pay Range or Unqualified Teachers Pay Range who is assessed as meeting the Teachers' Standards (and/or other

relevant standards) and their appraisal objectives will receive standard progression to the next point on the appropriate pay range.

- b. For teachers on the Upper Pay Range who have been assessed as being highly competent in all elements of the relevant standards; that their achievements and contributions to Sefton are substantial and sustained; and have met their appraisal objectives, standard progression will be made based on two successful, consecutive appraisal reviews in this Local Authority.
- c. A teacher who is assessed as exceeding the requirements detailed in 11a/b above may receive enhanced progression as set out in table (a) below.
- d. A teacher whose performance does not meet the requirements detailed in 11a/b above, may be considered not to be eligible for pay progression. While it is possible for a 'no progression' determination to be made without recourse to the capability procedure, there is an expectation that concerns about a teacher's performance will have been made clear through the appraisal process and that said concerns have not been sufficiently addressed through support provided by the Local Authority.

12. Leadership Teachers

- a. Those on the leadership pay range play a critical role in the life of the school. They inspire confidence in those around them and work with others to create a shared strategic vision which motivates pupils and staff. They take the lead in enhancing standards of teaching and learning and value enthusiasm and innovation in others. They have the confidence and ability to make management and organisational decisions and ensure equity, access and entitlement to learning.
- b. To achieve progression teachers on the leadership pay range are required to demonstrate sustained high quality performance with particular regard to leadership, management and pupil progress at the school and will be

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subject to a review of performance against the Teachers' Standards (and/or other relevant standards) and their appraisal objectives before any performance points will be awarded.

- c. Annual pay progression within the range for these posts is not automatic. The relevant body will consider whether to award one or two pay progression points.

Table (a)

Pay range	Standard progression	Enhanced progression
Main	1 point	2 points
Upper	1 point after two successful consecutive reviews	
Leading practitioner	1 point	2 points
Leadership	1 point	2 points
Unqualified	1 point	2 points

SECTION 7: MOVEMENT TO THE UPPER PAY RANGE

1. Applications and Evidence

- i. Any qualified teacher may apply to be paid on the upper pay range and any such application must be assessed in line with this policy. It is the responsibility of the teacher to decide whether they wish to apply to be paid on the upper pay range.
- ii. One application may be made in an academic year. The closing date for applications is normally 31st October each year; however, exceptions will be made in particular circumstances, e.g. those teachers who are on maternity leave or who are currently on sick leave.
- iii. The process for applications is:
 - a) The teacher must complete the Local Authority's application form (Appendix 2)

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- b) The application form and the supporting evidence must be submitted to the relevant Service Manager by the cut-off date of 31st October.
- c) The teacher will receive notification of the name of the assessor of his/her application within 5 working days;
- d) The assessor will assess the application, which will include a recommendation to the Head of Education Excellence;
- e) The application, evidence and recommendation will be passed to the relevant Service manager for moderation purposes, if they are not the assessor;
- f) The Head of Education Excellence will make the final decision, advised by the headteacher;
- g) The teacher will receive written notification of the outcome of their application by 8th November 2021. Where the application is unsuccessful, the written notification will include the areas where it was felt that the teacher's performance did not satisfy the relevant criteria set out in this policy (see 'The Assessment' below).
- h) Oral feedback which will be provided by the assessor. Oral feedback will be given within 10 working days of the date of notification of the outcome of the application. Feedback will be given in a positive and encouraging environment and will include advice and support on areas for improvement in order to meet the relevant criteria.
- i) Successful applicants will move to the minimum of the Upper Pay Range on 1st September of the academic year that their application is judged as successful, payments will be backdated to 1st September.

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- j) Unsuccessful applicants can appeal the decision. The appeals process is set out at appendix 4 of this pay policy.
- k) If a teacher is simultaneously employed by another school or employer, they may submit separate applications if they wish to apply to be paid on the upper pay range within the Local Authority and the other employers. The Local Authority will not be bound by any pay decision made by another school or employer.

2. The Assessment

- i. The teacher will be required to meet the criteria set out in paragraph 15 of the Document, namely that:
 - a) the teacher is highly competent in all elements of the relevant standards; and
 - b) the teacher's achievements and contribution to the school are substantial and sustained.
- ii. In the Local Authority, this means:
 - a) "highly competent": the teacher's performance is assessed as having excellent depth and breadth of knowledge, skill and understanding of the Teachers' Standards in the particular role they are fulfilling and the context in which they are working.
 - b) "substantial": the teacher's achievements and contribution to Sefton are significant, not just in raising standards of teaching and learning in their own working environment, or with their own groups of children, but also in making a significant wider contribution to school improvement, which impacts on pupil progress and the effectiveness of staff and colleagues.
 - c) "sustained": the teacher must have had two consecutive successful appraisal reports with the Local Authority and have made good progress towards their objectives during this period (see exceptions in the introduction to this section). They will have been expected to

have shown that their teaching expertise has grown over the relevant period and is consistently good to outstanding.

- iii. Further information is contained within the school's appraisal policy.
- iv. Any appeal against a decision not to move the teacher to the upper pay range will be heard under the Local Authority's general appeals arrangements.

SECTION 8. DISCRETIONARY ALLOWANCES AND PAYMENTS

1. Teaching and Learning Responsibility (TLR) payments

- i. A teacher may be awarded a TLR in accordance with paragraph 20 of the Document.
- ii. Having decided to award a TLR, the Local Authority will determine whether to award a first TLR (TLR1) or a second TLR (TLR2) and its value, in accordance with this policy, provided that:
 - a) The annual value of a TLR 1 must be no less than £8,291 and no greater than £14,030;
 - b) The annual value of a TLR 2 must be no less than £2,873 and no greater than £7,017
- iii. A teacher may not hold a TLR 1 and a TLR 2 concurrently.
- iv. The Governing Body may award a fixed term third TLR (TLR3) to teacher for clearly time-limited school improvement projects, or one off externally driven responsibilities.
 - a) The annual value of a TLR3 must be no less than £571 and no greater than £2,833
- v. The duration of the fixed term will be established at the outset. A teacher in receipt of a TLR 1 or a TLR 2 can hold a concurrent TLR 3.

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- vi. The Governing Body should not award consecutive TLR3's for the same responsibility unless that responsibility relates to tutoring to deliver catch-up support to pupils on learning lost during the pandemic.

2. Special Educational Needs (SEN) allowances

A SEN allowance of no less than £2,270 and no more than £4,479 per annum is payable to a teacher in accordance with paragraph 21 of the Document.

3. Other Payments

Any other payments or allowances that the Local Authority may wish to make will be paid in accordance with the School Teachers Pay and Conditions Document.

SECTION 9. OTHER

1. Part-time teachers

Teachers employed on an ongoing basis but who work less than a full working week are deemed to be part-time. The Local Authority will give them a written statement detailing their working time obligations and the standard mechanism used to determine their pay, subject to the provisions of the statutory pay and working time arrangements and by comparison with the Local Authorities timetabled teaching week for a full-time teacher in an equivalent post.

2. Short Notice/Supply Teacher

Teachers employed on a day-to-day or other short notice basis will be paid on a daily basis calculated on the assumption that a full working year consists of 195 days; periods of employment for less than a day being calculated pro-rata.

3. Pay increases arising from changes to the document

All teachers are paid in accordance with the statutory provisions of the Document as updated from time to time.

Main Pay Range, Upper Pay Range, Unqualified Teacher Pay Range and Leadership Pay Range are at Appendix 1

4. Job Descriptions

The relevant Service Manager will ensure that each member of staff is provided with a job description in accordance with the staffing structure agreed by the Local Authority. Job descriptions 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 service. Job descriptions will identify key areas of responsibility. All job descriptions will be reviewed annually as part of the appraisal process.

5. Monitoring the impact of the policy

The Local Authority will monitor the outcomes and impact of this policy each year, including trends in progression across specific groups of teachers to assess its effect and the school's continued compliance with equalities legislation.

An increment may be withheld following an adverse performance report on a member of staff who is subject to formal capability procedure. (The employee would have the right to appeal to the appropriate staffing committee of the Governing Body). Any increment withheld may be paid subsequently and backdated if the employee's performance becomes satisfactory.

Support Staff appointed 1 October - 31 March inclusive receive their first increment 6 months from the date they started and if applicable, a subsequent increment the 1st April each year until the maximum of the scale is reached

Support Staff appointed 1 April - 30 September inclusive receive their first increment on the 1 April the following year.

Appendix 1

Pay Ranges from 1st September 2021 to 31 August 2022

1. Main Pay Range

Reference point 1 (Minimum)	25,714
Reference point 2	27,600
Reference point 3	29,664
Reference point 4	31,778
Reference point 5	34,100
Reference point 6 (Maximum)	36,961

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2. Upper Pay Range

Reference Point 1 (Minimum)	38,690
Reference Point 2	40,124
Reference Point 3 (Maximum)	41,604

3. Unqualified Pay Range

Reference Point 1 (Minimum)	18,419
Reference point 2	20,532
Reference point 3	22,644
Reference point 4	24,507
Reference point 5	26,622
Reference Point 6 (Maximum)	28,735

4. Leadership Pay Range from 1 September 2021 to 31 August 2022 including discretionary reference points

1	42,195
2	43,251
3	44,331
4	45,434
5	46,566
6	47,735
7	49,019
8	50,151
9	51,402
10	52,723
11	54,091
12	55,338
13	56,721
14	58,135
15	59,581
16	61,166
17	62,570
18*	63,508
18	64,143
19	65,735
20	67,364
21*	68,347
21	69,031
22	70,745
23	72,497
24*	73,559
24	74,295

25	76,141
26	78,025
27*	79,167
27	79,958
28	81,942
29	83,971
30	86,061
31*	87,313
31	88,187
32	90,379
33	92,624
34	94,914
35*	96,310
35	97,273
36	99,681
37	102,159
38	104,687
39*	106,176
39	107,239
40	109,914
41	112,660
42	115,483
43	117,197

*These points and point 43 are the maximum salaries for the 8 headteacher pay groups.

N.B The minimum and maximum of each group range are the only statutory points. The reference points within each range are locally agreed.

5. Leadership Group Pay Ranges 2021 - 2022

Group 1	47,735 – 63,508
Group 2	50,151 - 68,347
Group 3	54,091 - 73,559
Group 4	58,135 – 79,167
Group 5	64,143 – 87,313
Group 6	69,031 – 96,310
Group 7	74,295 – 106,176
Group 8	81,942 – 117,197

6. Teaching and Learning Responsibilities (TLR) Allowances

	Minimum	Maximum
TLR1	8,291	14,030
TLR2	2,873	7,017
TLR3	571	2,833

7. Special Educational Needs (SEN) Allowances

	Minimum	Maximum
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SEN	2,270	4,479
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Appendix 2

UPPER PAY RANGE APPLICATION PROCESS

Notes for applicants

The process for applying to be paid on the upper pay range is set out in this Pay Policy

Eligibility

To be assessed you will need to hold Qualified Teacher Status on the date of your request. Any qualified teacher may apply to be paid on the upper pay range. It is your responsibility to decide whether you wish to apply to be paid on the upper pay range.

Timing of application

An application can be made at any point during the current academic year for payment on the upper pay range to be made from the following September.

An application can be made up to 31st October for consideration based on performance in the previous two years and, if successful, payment on the upper pay range will be backdated to 1 September.

Note: Only one application may be made in any academic year.

Process

You must enclose copies of your Appraisal Reports and/or performance management planning and review statements that relate to the 2 years immediately prior to the date on which you submit your request.

Sign and date the form and pass it to your Service Manager by 31st October. You should keep a copy for your records.

Assessment

An application will be successful where the relevant body is satisfied that:

- a) the teacher is highly competent in all elements of the Teachers' Standards (and/or other relevant standards);
- b) the teacher's Appraisal Reports and/or performance management reviews demonstrate that they have worked at the level of the Upper Pay Range Criteria for a sustained period during the two years preceding their application; and

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- c) the teacher's achievements and contribution to Sefton are substantial and sustained.

THE UPPER PAY RANGE CRITERIA CAN BE FOUND IN Appendix 2b.

Assessment will be made by the Service Manager within 10 working days of the receipt of the application or the conclusion of the appraisal process, whichever is later, a recommendation will be made to the Head of Education Excellence and the outcome will be communicated to the teacher in writing.

If your application is unsuccessful you have a right of appeal. The appeal will be heard under the arrangements for pay appeals.

Notes for Service Managers

Actions to be taken:

- ✓ Check that the teacher is eligible to be assessed.
- ✓ Based on the evidence contained in the appraisal reports and/or performance management records confirm that the teacher meets the Teachers' Standards.
- ✓ If the Teachers' Standards are not met, assessment against the Upper Pay Range Criteria should not proceed. The headteacher must write to the teacher setting out the reasons for the judgement.
- ✓ If the Teachers' Standards are met assess whether the teacher meets the Upper Pay Range Criteria set out in Appendix 2b of the Pay Policy, having regard to the evidence contained in the appraisal reports and/or planning and review statements.
- ✓ Make an overall judgement on whether the Upper Pay Range Criteria are met/not yet met.
- ✓ Complete the Service Manager's statement (see Part 2) and provide a copy to the teacher within 10 working days of the decision.
- ✓ Inform the Head of Education Excellence of the relevant body of the decision.
- ✓ If the application is successful and the Head of Education Excellence accepts the Service Manager's recommendation, notify payroll that the teacher should be paid on the upper pay range.
- ✓ If the application is unsuccessful, the teacher has a right of appeal. The appeal will be heard under the arrangements for pay appeals.

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Appendix 2a

Part 1 – Upper pay range application form

This form should always be handled in confidence

To be completed by the teacher		
Name:		
Please give details of previous employers if you are submitting appraisal reports or performance management statements from another school or academy		
Name and address of employer / school / academy	Date(s) of employment	Name of headteacher / Service Manager
Declaration by the teacher		
I confirm that at the date of this request I meet the eligibility criteria and I submit appraisal reports and/or performance management statements covering the two-year period prior to this request for assessment against the Teachers' Standards and the Upper Pay Range Criteria.		
Teacher's signature:		Date:

Part 2 – Upper pay range application - Headteacher's statement

Name of teacher:			
Teachers' Standards			
Met		Not met	

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2.2 Have an extensive knowledge and well-informed understanding of the assessment requirements and arrangements for the subjects/curriculum areas they teach, including those related to public examinations and qualifications.

2.3 Have up-to-date knowledge and understanding of the different types of qualifications and specifications and their suitability for meeting learners' needs.

2.4 Have a more developed knowledge and understanding of their subjects/curriculum areas and related pedagogy including how learning progresses within them.

2.5 Have sufficient depth of knowledge and experience to be able to give advice on the development and wellbeing of children and young people.

3. Professional skills

3.1 Be flexible, creative and adept at designing learning sequences within lessons and across lessons that are effective and consistently well-matched to learning objectives and the needs of learners and which integrate recent developments, including those relating to subject/curriculum knowledge.

3.2 Have teaching skills which lead to learners achieving well relative to their prior attainment, making progress as good as, or better than, similar learners nationally.

3.3 Promote collaboration and work effectively as a team member.

3.4 Contribute to the professional development of colleagues through coaching and mentoring, demonstrating effective practice, and providing advice and feedback.

Appendix 3 Teacher's Pay Statement from 1 September 20[xx]

Complete all relevant sections

Name:			
Job Title:			
Full time:		Part time	FTE:
Basic Pay	Pay Range	Point	Annual value £
Main Pay Range	M1 – M6		
Upper Pay Range	U1 – U3		
Leading Practitioner	LP[x] – LP[x]		

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Unqualified teacher	UQ1 – UQ6		
Assistant Headteacher	L[x] – L[x]		
Deputy Headteacher	L[x] – L[x]		
Headteacher	L[x] – L[x]		
Allowances	Minima-Maxima	End Date	Annual value £
TLR 1	£8,291-£14,030		
TLR 2	£2,873-£7,017		
TLR 3	£571-£2,833		
SEN	£2,270-£4,479		
Additional payments	Reason	End date	Annual value £
Recruitment or Retention Payment			
[Other – insert details]			
Safeguarding	Reason	End date	Annual value £

			Annual value £
		Total salary	
Signed:		Date:	

Appendix 4 – Terms of Reference for the Head of Education Excellence and responsibilities under this policy.

The Head of Education Excellence shall have fully delegated responsibility to consider and decide all matters relating to staff pay in accordance with the relevant legislation and guidance, and in accordance with relevant policies.

The Head of Education Excellence may invite other persons to serve in an advisory capacity should they deem it necessary to support the discharge of their responsibility in respect of certain tasks.

The Head of Education Excellence shall communicate details of all processes relating to specific pay issues to all staff, in writing, in an appropriate manner, and communicate in writing all decisions relating to the pay of individual employees to those individuals privately and personally.

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The Head of Education Excellence shall:

Apply the Pay Policy for Centrally Employed teacher on behalf of the Local Authority and ensure compliance with statutory obligations in respect of pay and conditions of service related to pay.

- ✓ Review the pay of all staff annually.
- ✓ Ensure that job descriptions are provided for all staff.
- ✓ Ensure that every teacher's salary is reviewed with effect from 1 September and no later than 31 October (except in the case of the Headteacher) each year.
- ✓ Provide an Annual Pay Statement for all staff based upon their situation on September 1st and issued before October 31st.
- ✓ Provide an interim Pay Statement for any member of staff whose situation changes during the year.
- ✓ Where a pay determination leads or may lead to the start of a period of safeguarding, the required notification will be given as soon as possible and no longer than one month after the date of determination.
- ✓ Consider and make decisions relating to the levels of pay associated with specific posts, including both existing posts through the process of annual review and any new posts proposed by the Headteacher.
- ✓ Receive recommendations from the relevant Service Manager in respect of all other staff's performance pay reviews including Upper Pay Range Application.
- ✓ Hear and consider any representations from staff regarding pay related decisions prior to a formal appeal.

The Head of Education Excellence and the Annual Pay Review

In conducting the Annual Pay Review the Head of Education Excellence shall:

- Publish the date of the Annual Pay Review meeting to all staff at least 10 working days before the meeting.
- Inform all staff of the process to be followed by any employee wishing to make representations to the Annual Pay Review in view of the ISR and the pay ranges for other members of the Leadership Team.

- Communicate in writing decisions in respect of any representations considered in the Annual Pay Review to the employee making the representation.
- Inform the Local Authority of any budgetary implications of the outcomes of the Annual Pay review.

Appeals

Appeals will be heard by the Local Authority's Appeal Panel.

An employee may seek a review of any determination in relation to their pay or any other decision taken by the head of Education Excellence that affects their pay.

The following list includes the usual reasons for seeking a review of a pay determination:

- ✓ incorrect application of any provision of any relevant policy or regulation, including statutory policies, regulations and guidance and any policies of the Local Authority
- ✓ failure to take account of relevant evidence
- ✓ taking account of irrelevant or inaccurate evidence
- ✓ bias
- ✓ discrimination

This list neither exclusive nor exhaustive

The order of proceedings shall be as follows:

- a. the employee receives written confirmation of the pay determination and where applicable the basis on which the decision was made
- b. if not satisfied, the employee seeks to resolve the matter informally with the decision-maker within 10 working days of the decision. If this is impractical the employee may move onto step c. below
- c. the employee should set down in writing the grounds for questioning the pay decision and send it to the person who made the determination, within 10 working days of the notification of the decision being appealed against, or of the outcome of the discussion referred to in b. above
- d. the person who made the determination should provide a hearing within 10 working days of receipt of the written grounds for questioning the pay decision, to consider this submission, and to provide the employee with an opportunity to make representations in person. Following the hearing the

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employee should be informed in writing of the decision and the right to appeal

- e. an appeal against the original determination will normally be heard within 28 working days of the written appeal notification. The employee will be told of their right to be accompanied by a Trade Union representative or a work colleague

- f. the appeal shall follow the agreed appeals procedure outline at Appendix 5

Appendix 5 - Model Appeals Procedure

The School Teachers' Pay and Conditions Document ("**the Document**") requires schools and local authorities to have a pay policy in place that sets out the basis on which teachers' pay is determined and the procedures for handling appeals.

As part of the overall appraisal process, a pay recommendation is made by the Reviewer (normally the line manager) and discussed with the teacher at the Review Meeting prior to being submitted to the Local Authority's Head of Education Excellence or relevant decision-making body. Written details of and the reasons for the pay recommendation will be given to the teacher.

At this stage of the pay determination process, if the teacher wishes to obtain a better understanding the rationale for the pay recommendation or bring any further evidence to the attention of the Reviewer, they should be given the opportunity to do so before the final pay recommendation is drafted in the Review Statement. The nature of any subsequent appraisal and pay discussion will be informal and therefore representation (on either side) is not necessary nor would it be appropriate. At the conclusion of any further discussion, the pay recommendation may be adjusted, or it may remain the same; the Review Statement will be updated to reflect the discussion.

If a teacher believes that the final pay recommendation falls short of their expectations and they wish to seek a further review of the information that affects their pay, they may wish to formally appeal against the decision, utilising the formal Appeal Hearing Procedure. Appeal Hearings against pay decisions must satisfy the dispute resolution requirements of employment law (i.e. Part 4 of the Trade Union and Labour Relations (Consolidation) Act, 1992) and the ACAS Code of Practice.

1. Appeal Hearing Procedure

It is the intention that the Appeals Procedure will be dealt with promptly, thoroughly and impartially.

2. Guidance

- When a teacher feels that a pay decision is incorrect or unjust, they may appeal against that decision, especially when there is new evidence to consider.
- Teachers / Headteachers should put their appeal in writing to either the Headteacher or the Governing Body; their appeal should include sufficient details of its basis.
- Appeals should be heard without unreasonable delay and at an agreed date, time and place.
- Employees have a statutory right to be accompanied at any stage of an appeal hearing by a companion who may be either a work colleague or a trade union representative.

Appeal Procedure Steps: Informal Stage

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As part of the pay determination process, the line manager (“the recommendation provider”) will make a recommendation to the “the decision maker” (the person/s or committee responsible for approving the pay recommendation) supported by relevant assessment evidence. On determining a teacher’s pay, “the decision maker” will write to the teacher advising them of the pay decision, the reasons for it and will, at the same time, confirm their right to appeal the decision to “the decision maker”.

If the teacher wishes to appeal the decision, they must do so in writing to “the decision maker”, normally within 10 school working days or within a mutually agreed alternative timescale. The appeal must include a statement, in sufficient detail, of the grounds of the appeal. In the event that an initial appeal is raised, “the decision maker” must then arrange to meet the teacher to discuss the appeal. “The recommendation provider” should also be invited to the meeting to clarify the basis for the original recommendation.

“The decision maker” will reconsider the decision in private and write to the teacher to notify them of the outcome of the review and of the teacher’s right of appeal to the Local Authority. If the teacher wishes to exercise their right of appeal, they must write to the Clerk of the Local Authority at the earliest opportunity and normally within 10 school working days, including a statement of the grounds of the appeal and sufficient details of the facts on which they will rely.

This will invoke the Formal Stage of the Appeal Procedure.

Appeal Procedure Steps: Formal Stage

On receipt of the written appeal a meeting of will be convened for the appeal to be heard at the earliest opportunity and no later than 20 working days of the date on which the written appeal was received. Both “the recommendation provider” and “the decision maker” will be required to attend the meeting.

The Chair of the Appeal Panel will invite the employee to set out their case. Both “the recommendation maker” and “the decision maker” will also be asked to take the panel through the procedures that were observed in their part of the pay policy determination process.

Following the conclusion of representations by all relevant parties, the Appeal Panel will then consider all the evidence in private and reach a decision. The Appeal Panel will write to the teacher notifying them of their decision and the reasons for it. Other attendees at the meeting will also be notified of the decision. The decision of the Appeal Panel is final.

The Modified Procedure

There will be no entitlement to invoke the appeal procedure in relation to a pay decision if the centrally employed teacher has left the employment of the Local Authority.

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Where a teacher has, whilst employed centrally at the Local Authority, lodged an appeal against a pay decision but has then subsequently left the employment before any appeal hearing is held, the following steps will be observed:

1. The teacher must have set out details of their appeal in writing;
2. The teacher must have sent a copy of their appeal to the Local Authority's Chief Personnel Officer.
3. The Chief Personnel Officer will consult with Head of Education Excellence and the Relevant Service Manager and provide the teacher with an appropriate written response on behalf of the Local Authority.

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