

Ormiston Academies Trust

Ormiston SWB Academy Support Staff Pay Policy

Policy version control

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In consultation with:	ASCL, ATL, GMB, NAHT, NASUWT, NUT, Unison
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Name and date of executive approval:	Carmel Brown – OAT HR June 2019
Review date	June 2020
Academies transferring to OAT after 01/09/2014	Academies are required to adopt OAT policies Academies should inform staff and Governors that this policy has been adopted and fully consulted with unions at national level prior to release.
Academies that transferred before 01/09/2014	The Principal should issue the policy to all staff and academy representatives for consultation over a calendar month. Once adopted, any further changes consulted with the JCC will follow the process of informing not consulting

This pay policy applies to all staff recruited from 1st September 2019 and any new posts advertised for existing staff after 1st September 2019

Staff recruited prior to 1st April 2019 will be managed under this policy but will retain any previous pay related contractual terms that are in place and or which transferred under TUPE.

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1. Introduction

- 1.1 The Trust and the Governing Body are committed to taking decisions in accordance with the 'key principles of public life': objectivity, openness and accountability. It recognises the requirement for a fair and transparent policy to determine the pay and grading for all staff employed in the academy, which takes account of the conditions of service under which staff are employed and relevant statutory requirements.
- 1.2 The procedures set out in this policy seek to ensure that this is achieved in a fair equitable and transparent way.
- 1.3 The Governing Body/Trust recognises its responsibilities under relevant legislation including the Equality Act 2010, the Employment Relations Act 1999, the Part-time workers (Prevention of Less Favourable Treatment) Regulations 2000, the Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002, The Employment Rights Act 1996, The Employment Act 2002, and will ensure that all pay related decisions are taken equitably and fairly, in compliance with statutory requirements.
- 1.4 The Governing Body will ensure that appropriate funding is allocated for pay progression for all eligible staff. Pay decisions outside of the incremental progression within grades will need to take account of academy financial resources.
- 1.5 The academy staffing structure will support the academy improvement plan, it will be published as an appendix to this policy. See **Appendix A**. (alternatively the academy may signpost their website)

2. Aims of the policy

- 2.1 The governing body aims to use the academy pay policy to:
 - Maintain and improve the quality of teaching and learning at the academy;
 - Support the academy's improvement plan;
 - Underpin the academy's Appraisal policy;
 - Ensure that all staff are valued and appropriately paid for their work contribution in the academy;
 - Demonstrate that decisions on pay are fair and equitable and recognise the principle of equal pay for like work and work of equal value;
 - Provide flexibility to recognise individual staff performance linked to pay decisions;
- 2.2 The Trust and the Governing Body pay due regard to advice issued by the LGA, NJC scales and recognised trade unions and other National bodies as appropriate, along with relevant statutory legislation.
- 2.3 OAT have chosen to continue to use the Local Government Services National Agreement on Pay and Conditions of Service (the "Green Book").
- 2.4 This policy covers pay arrangements for all support staff in our schools and has been drawn up following consultation with OATs Joint Consultative Committee of the recognised trade unions for support staff.
- 2.5 This policy applies to all staff employed after 1st September 2019. A separate pay policy covers arrangements for teachers.

3. General principles

Definitions

3.1 The term “relevant body” has been used throughout this policy, within OAT this is the pay committee of the Governing Body.

Modification Order and Continuation of Service

3.2 Under the Employment Rights Act 1996, continuity of service is maintained if an employee moves to a new job with an ‘associated employer’ within a statutory week (Sunday to midnight on Saturday inclusive). Generally, local authorities are not considered ‘associated employers’. However, the Redundancy Payments (Continuity of Employment in Local Government etc) (Modification) Order 1999 has the effect of making local government, including maintained schools and academies, associated employers for the purpose of redundancy, maternity, holiday and sick pay. For service to be recognised as *continuous service* the school should verify the employment dates with the employee at appointment.

4. Monitoring and evaluation

4.1 The relevant body will monitor the outcomes and impact of this policy. The Pay Committee will prepare an annual written report on the operation of the pay policy for support staff, including trends in progression across specific groups of employees to assess its effect and the school's continued compliance with equalities legislation. Template at **Appendix B**

4.2 This policy sets out the framework for making decisions on support staff pay. It has been developed to comply with current legislation and the requirements of the Local Government Services National Agreement on Pay and Conditions of Service (the “Green Book”).

4.3 OAT is responsible for the review of the pay policy for support staff annually and will share this information in an anonymised format with the Trust and the Unions through the JCC. The Principal is responsible for advising the Pay Committee on any updates to the policy. The policy is reviewed annually or when other changes occur to either legislation or the Green Book, to ensure that it reflects the latest position.

5. Pay determination

5.1 The academy will use the relevant pay scale for the post they are recruiting for, using the OAT standard job roles.

5.2 Pay rates for any other roles the academy may need to have in order to meet the needs of their specific academy, must be evaluated and agreed with the Trust before the post is advertised.

5.3 It is recommended that job descriptions are reviewed annually through the appraisal process to ensure they are up to date. If there are significant changes in an employee's duties it may be necessary to re-assess the grade, if this is the case a job evaluation should be carried out by HR/EPM. This may or may not result in a change to staff pay and will be dependent on the outcome of the evaluation.

6. Recruitment

6.1 Advertisements for vacant posts in the academy will be approved by the Principal.

6.2 All posts will be advertised internally or externally, locally or nationally as appropriate ensuring that staff are given equal opportunity to apply.

6.3 The advertisement will include the relevant pay range for the post in line with the OAT support

staff pay policy and will specify the expected level of skills and experience for appropriate candidates relevant to the post.

6.4 Where the post is on a temporary basis, the advertisement will specify the reason for this and duration of the post.

7. Payment of salary

7.1 Each grade consists of a number of pay points. It is usual practice for a new employee to commence on the bottom point of the grade and to move incrementally through the grade until the top point is reached. See **Appendix C**

7.2 Increments occur annually on a time served basis in April unless the employee is under formal action by way of capability. Pay progression will be automatically applied unless the payroll company are advised otherwise.

7.3 A new employee must have been in employment with the academy for at least six months before an increment occurs, before 1st October in the annual cycle. For new starters after 1st October the increment will be reviewed the following April.

7.4 Once the top of the grade is reached, progression ceases.

7.5 If an increment is withheld as a result of capability, staff have the right of appeal to the Pay Committee. The appeal procedure can be found at **Appendix F**

7.6 Inflation award, also referred to as '*cost of living*', is applied 1st April each year based on the NJC recommendations and will be automatically applied centrally by the Trusts payroll provider.

8. Pay date

8.1 All OAT staff are paid on the 19th of each month.

8.2 The standard weekly hours for a full-time role are 37.

8.3 Term time only weeks are 38 per annum plus up to 5 INSET days, (staff training days) the number of INSET days required will be agreed by the academy.

8.4 Any additional weeks worked will be agreed by the academy and directed by the relevant Line Manager.

8.5 For all term time-only employees, a pro rata annual leave entitlement is included within the pay calculation as set out in the contract of employment. The statutory entitlement to annual leave coincides with periods of school closure and is therefore considered to be taken during this time. There is no entitlement to take leave during term time for term time staff.

9. Leave

Public Holidays

9.1 Employees shall, irrespective of length of service, be entitled to a holiday with a normal day's pay for each of the statutory, general and public holidays as they occur (8 days per year pro rata for part time and term time)

All Year Round, Employees Holiday

9.2 An all year-round employee should request to take his/her annual leave in advance to the school. Annual leave is normally expected to be during school holidays unless agreed in advance by the manager and employee. There is no entitlement to leave during term time.

9.3 The annual leave year runs from 1st April to 31st March, AYR staff are expected to manage their leave within the holiday year, if in exceptional circumstances leave cannot be used in full, then the academy may agree to allow a carry forward of no more than 5 days.

Annual Leave

Length of service	Holiday entitlement
Less than 5 years	25
Over 5 years	28

10. Pay on leaving

10.1 If a term time only employee is due to leave employment on a Friday, he/she will be paid until the Sunday.

10.2 If an employee works until the end of a term (having worked the whole term) he/she will be paid until the notional end of the following holiday period (e.g. 31st August). This is to preserve the continuity of employment between educational establishments. The academy reserves the right to ask for confirmation of the new education establishment post and start date.

10.3 If a term time employee is starting a new role before this or leaving education, then normal notice provisions and pay will apply. Notice requirements are included individual contracts of employment.

10.4 If an all year-round employee is due to leave employment on a Friday, he/she will be paid until the Sunday, however, there is no right to be paid until the notional holiday end date as for term time only staff.

11. Other payments

Sickness Scheme

11.1 The scheme is intended to supplement Statutory Sick Pay and Incapacity Benefit so as to maintain normal pay during defined periods of absence on account of sickness. Details can be found in contracts of employment.

12. Additional payments

Voluntary additional hours

12.1 The academy may offer the opportunity for staff to work more hours on a voluntary basis, a rate of pay for the work will be offered or alternatively time off in lieu. Staff can choose if they wish to do this voluntary work.

12.2 Time off in lieu should be used within the academic year and cannot be carried forward

Overtime

12.3 From time to time the academy may need staff to work over their contracted hours. Reasonable notice will be given. The rate of pay for overtime hours is as follows; up to 37 hours this will be at the employee's normal rate of pay and over time thereafter at time and a half.

12.4 Any additional hours, overtime, must be approved by the Principal or his/her delegated representative/Line Manager **before** it is undertaken.

First Aid

12.5 Where this forms part of a job description, no additional payment is expected.

12.6 Where the school seeks a volunteer to undertake these duties in addition to their job description it is appropriate to make an additional payment of £130, pro rata for term time only, in recognition of the work and training requirements.

12.7 The level of training required to be eligible is the Health and Safety Executive approved First Aid at Work training. To receive the allowance an individual must have undertaken training and obtained a first-aid qualification approved by the Health & Safety Executive. They must have a current first aid at work certificate to receive the allowance. Recertification will be required at three years. A refresher course must be started before certificates expire, if a certificate lapses it will be necessary for the individual to complete the full initial first-aid course before reinstatement of the allowance,

Honoraria Payments

12.8 From time to time there may be an opportunity to receive additional payment for specific time bound pieces of work.

12.9 The award of honoraria payments is at the discretion of the Principal. A record of the agreement to make the payment and the terms should be completed and a copy placed on the employee file. See **Appendix D**

- Payment should not exceed £2500 per annum without Trust HR approval.
- Payment can be made for a fixed period up to 12 months, if the requirement extends beyond this schools can extend for a further 12 months.
- There is no safeguarding on these payments.

Recall to work/ call-out payments

12.10 Call out payments will be made when an individual required to attend to an out of hours call out this will be subject to a minimum payment of 2 hours standard rate. Payment is only paid when the callout falls outside their planned working hours

Non-Standard Working

12.11 No additional payments will be made for split shifts or weekend work, if the role requires this type of flexible working this will be built into the salary for the job at the point of evaluation.

Recruitment and Retention Supplement

12.12 Where there is clear evidence of difficulties in recruiting and/or retaining employees in a particular job because the evaluated grade for the job is below the 'going rate' in the local job market, a recruitment and retention supplement may be paid for a fixed period of time.

12.13 This will be paid as an allowance, not as part of the substantive pay. Any supplement paid is for a fixed term and is subject to annual review. It may be renewed for a further period where circumstances require it.

12.4 The academy should record the details of the agreement and place a copy on file using **Appendix E**

12.15 Evidence of the need for a supplement will include one or more of the following:

- failure to recruit satisfactorily following a recruitment process
- turnover of staff due to inadequate pay relative to other local employers
- local advertisements for similar jobs which repeatedly show a higher rate of pay

- a good and identifiable reason to pay a retention allowance to retain an existing member of staff

13. Probation period/ Notice period

13.1 All new starters are subject to a probationary period as detailed in the contract of employment. The probationary policy can be found on the academy website.

14. Pay protection

14.1 Where a pay determination through job evaluation or redeployment leads to the start of a period of safeguarding, the relevant body will give the required notification as soon as possible and no later than one month after the date of the determination. Pay protection period, if appropriate is 12 months

15. Pay appeals

15.1 The arrangements for considering appeals are set out in **Appendix F**

15.2 The employee may seek a review of any determination in relation to their pay or any other decision taken by the relevant body (or a committee or individual acting with delegated authority) that affects their pay.

15.3 The following list, which is not exhaustive, includes the usual reasons for seeking a review of a pay determination; that the person or committee by whom the decision was made:

- incorrectly applied any provision of the Green Book or the school's Pay Policy for support staff;
- failed to take proper account of relevant evidence;
- took account of irrelevant or inaccurate evidence;
- was biased; or
- otherwise unlawfully discriminated against the employee.

16. Other pay references/policies

- Maternity, Adoption, Parental, Paternity and Shared Parental Leave
- Leave of Absence, Managing attendance
- Reorganisation
- Probation

Appendices

Appendix A
Academy structure chart

Appendix B
Monitor and evaluation

Appendix C
Pay scales, grades

Appendix D
Honorarium request for approval form

Appendix E
Recruitment and retention form

Appendix F
Pay appeal procedure

Appendix A

The Academy staffing structure can be viewed in the Staff Handbook.

Annex B

Pay policy Impact Assessment Review

The aim of the equality impact review is to highlight for discussion, any areas of concern and to provide a narrative for Governors as to the position for the school in terms of evidence that policies are working effectively, supporting and evidencing our equality statement.

Name of school	
Support staff head count	
Number at top of scale	
Number of staff on spot point or fixed rate for role	
Total number eligible for progression	

Impact Assessment

This chart measures the impact on staff with incremental opportunity only

	Number	How many incremented	Comments
Number eligible for progression			
Part time Support staff (to include TTO)			
Full time AYR			
Temporary staff			
Fixed term staff			
Male staff eligible			
Female staff eligible			
Number of Trade Union Reps			
Number of staff on maternity leave			
Number of staff on adoption leave			
Number of staff on shared parental leave			
Number of staff on long term sick			
Under 25			
25 to 29			
30 to 34			
35 – 39			
40-44			
45-49			
50-54			
55-59			
Over 60			
Number of appeals		Number of appeals upheld	

Any other academy specific comments about the data being provided

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Annex C

Pay scale

OAT Support Staff	Apr-19	new FTE
Grade 1	1	17364
	2	17771
Grade 2	3	18065
	4	18426
	5	18795
Grade 3	6	19171
	7	19554
	8	19945
	9	20344
Grade 4	10	20751
	11	21166
	12	21589
	13	22021
	14	22462
Grade 5	15	22911
	16	23369
	17	23836
	18	24313
	19	24799
Grade 6	20	25295
	21	25801
	22	26317
	23	26999
	24	27905
	25	28785
Grade 7	26	29636
	27	30507
	28	31371
	29	32029
	30	32878
Grade 8	31	33799
	32	34788
	33	35934
	34	36876
	35	37849
	36	38813
Grade 9	37	39782
	38	40760
	39	41675
	40	42683
Grade 10	41	43662
	42	44632
	43	45591
	44	46541

Job roles and Grades, new starters post Sept 2019

Grade 1	Premises 1
	Lunch Time Supervisor
	Early Years 1
	TA 1
	SEN Personal Care Assistant
	Technician 1
	Catering 1
	Finance 1
	Exams 1
Grade 2	Premises 2
	ICT 1
	Senior Lunch Time Supervisor
	TA 2
	SEN school TA1a
	Technician 2
	Admin 1
	Catering 2
	Finance 2
	Library 1
Grade 3	Premises 3
	Early Years 2
	SEN school TA 1b
	Exams 2
Grade 4	Premises 4
	ICT 2
	TA 3
	Mentor 1
	Attendance 1
	Admin 2
	Library 2
Grade 5	Premises 5
	Early Years 3
	Cover Supervisor
	SEN school TA 2
	Technician 3
	Mentor 2
	Attendance 2
	Catering 3
	Finance 3
	Breakfast/After School Club Manager
Grade 6	HLTA
	SEN school TA 3
	Mentor 3
	Admin 3
	Catering 4
	Behaviour 1
Grade 7	Premises 6
	ICT 3
	Early Years 4
	Head of House

	Technician 4
	Business Manager 1
	Finance 4
	Library 3
	Safeguarding officer non-teach DSL
Grade 9	Business Manager 2
Grade 10	Business Manager 3

Appendix D

Application Form for Managers when requesting to pay Honorarium for Support Staff

This form should be used to make an application to pay a one off or temp payment to staff who are carrying out additional duties on a temporary basis. It should not be paid for acting up. Payment should not exceed 12 months and the value should be relative to the work and responsibilities being undertaken. Speak to your EPM HR advisor if you need any guidance.

Employee name	
Job Title	
Department	

Payment Terms

Value of Honorarium

Annual payment	
Monthly payment	
Funded by/ charge to	

One off payment	To be paid on			
Ongoing Payment	Start date		End date	

Honorarium payment for, summarise additional work to be completed

Recommendation by _____ Date _____

Approved by (Principal) _____ Date _____

Pass to Finance/HR for addition to the portal

Copy to employee file

Appendix E

Recruitment and Retention Supplement

Where there is clear evidence of difficulties in recruiting and/or retaining employees in a particular job because the evaluated grade for the job is below the 'going rate' in the local job market a recruitment and retention supplement may be paid for a fixed period of time.

This will be paid as an allowance not as part of the substantive pay. Any supplement paid is for a fixed term and is subject to annual review. It may be renewed for a further period where circumstances require it.

Requests to use this supplement will need to be agreed by your EPM advisor and be signed off by OAT HR

Evidence of the need for a supplement will include one or more of the following:

- failure to recruit satisfactorily following a recruitment process
- turnover of staff due to inadequate pay relative to other local employers
- local advertisements for similar jobs which repeatedly show a higher rate of pay
- a good and identifiable reason to pay a retention allowance to retain an existing member of staff

Academy name	
Senior Manager proposing the payment	
Role that requires a retention/recruitment payment and standard pay rate	
Evidence of the need for a supplement	
Supplement/additional payment being proposed	
Period of payment recommended	
Proposal agreed by Principal/Gov Staffing Committee	
Date of proposal	

EPM HR Advisor	
Date agreed by EPM	
OAT HR authorisation, name and date	

Copy to EPM and staff personnel file

Appendix F

Pay Appeals

The employee receives written confirmation of the pay determination and where applicable the basis on which the decision was made.

If the employee is not satisfied, he/she should seek to resolve this by discussing the matter informally with the Principal or decision maker within ten working days of the decision.

Where an informal discussion is not possible, or where the employee continues to be dissatisfied, he/she may follow a formal process.

The employee should set down in writing the grounds for questioning the pay decision and send it to the Pay Committee, within ten working days of the notification of the decision being questioned or of the outcome of the informal discussion referred to above.

The Pay Committee should arrange a meeting to consider the employee's concerns and give the employee the chance to make representations in person. Following the meeting the employee should be informed in writing within three working days of the outcome of the review and his/her right to appeal.

If the employee wishes to appeal he/she should provide written notification to the Clerk of Governors of the grounds for his/her appeal, within ten working days of notification of the outcome of the review.

Any appeal should be heard by a panel of three governors who were not involved in the original determination, normally within 20 working days of the receipt of the written appeal notification. The employee will be given the opportunity to make representations in person. The decision of the appeal panel will be given in writing, and where the appeal is rejected will include a note of the evidence considered and the reasons for the decision.

For any formal meeting the employee is entitled to be accompanied by a union representative or work colleague

Pay Policy Appeal Hearing

Procedure

(a) Establish that the meeting is to hear an appeal against a decision taken under the Pay Policy.

All evidence submitted for consideration should have been circulated in advance (Chair to check that all involved have been provided with identical evidence).

Conduct of the Appeal

(a) The Chair introduces those present.

(b) The Chair invites the employee to identify areas of appeal.

(c) The Chair invites the employer to ask questions of the employee.

(d) The Chair invites members of the Appeal Panel to ask questions of the employee.

(e) The Chair invites the employer to respond to the case presented.

(f) The Chair invites the employee to ask questions of the employer.

(g) The Chair invites members of the panel to ask questions of the employer.

- (h) The Chair invites the employee to summarise the case.
- (i) The Chair invites the employer to summarise the case.
- (j) Both parties withdraw while the panel considers the evidence.

Pay Policy Appeal Panel Considerations

The Appeal Panel considers the evidence, decides whether the case is proven and whether the decision made is appropriate and if it is not what decision applies.

Panel Decision

The Chair communicates the decision of the Appeal Panel. A copy of the decision letter is sent to all involved within three working days.

Pay Policy Appeal

