

Model Pay Policy for Support Staff in Schools

Introduction

It is recommended that all schools should have a pay policy which sets out the basis on which they determine pay for support staff and procedures to address staff grievances in relation to pay.

It is recommended that Academies that have chosen to continue to use the Local Government Services National Agreement on Pay and Conditions of Service (the “Green Book”) and Oxfordshire County Council’s Job Evaluation scheme, also adopt this model policy.

This policy covers pay arrangements for all support staff in schools and has been drawn up in consultation with the recognised trade union Unison. A separate model pay policy is available for teachers.

General principles underlying this policy

The Director for Children’s Services for Oxfordshire County Council, will discharge his responsibilities in relation to this policy through the HR Business Partner.

Schools can seek advice on the application of this policy from their HR Adviser.

Definitions

The term “relevant body” has been used throughout this policy. In maintained schools this is the governing body. The differing structures of academies mean that the Academy Trust will need to define the relevant body for the purposes of pay decisions.

Equality and Fairness

All procedures for determining pay should be consistent with the principles of public life – objectivity, openness and accountability.

The relevant body is committed to ensuring consistency of treatment and fairness and will abide by all relevant equality legislation including the Equality Act 2010, Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000 and Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002.

Delegation

Normal rules apply in respect of the delegation of functions by relevant bodies, head teachers and local authorities.

Monitoring and Evaluation

The relevant body and headteacher will monitor the operation and effectiveness of the school’s pay policy for support staff.

Model Pay Policy for School Support Staff 2018 - 2019

The relevant body of _____ School / Academy
adopted this policy on _____ following consultation
with staff and representatives of the recognised Trade Union.

Background

1. This policy sets out the framework for determining pay for support staff. 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”). It should be used in conjunction with the Green Book and guidance published by Oxfordshire County Council. In the event of any inadvertent contradictions, the Green Book and county council’s guidance will take precedence.
2. Pay decisions at this school are made by the relevant body which has delegated certain responsibilities and decision making powers to the Pay Committee as set out in **Annex A**. The Pay Committee is responsible for the establishment and review of the Pay Policy for Support Staff, subject to 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 headteacher is responsible for advising the Pay Committee on its decisions.
3. The relevant body should review the policy each year, or when other changes occur to the Green Book to ensure that it reflects the latest position.
4. In determining pay levels for support staff, in accordance with the Job Evaluation Scheme, the relevant body should also ensure these are set in accordance with the school’s staffing structure. A copy of the school’s staffing structure should be attached to the pay policy.

Pay determination – Job Evaluation Scheme

5. The Pay Committee will determine the job descriptions, pay and grading of support staff within the framework of grades used by Oxfordshire County Council, in accordance with its Job Evaluation Scheme. Where the Local Authority is the employer, the Pay Committee must consider and respond in writing to any representations made by the HR Business Partner on behalf of the Director for Children’s Services.
6. The Green Book Job Evaluation Scheme ensures grades for jobs are decided objectively and fairly and must be applied to all Green Book staff. It is important to grade jobs appropriately to maintain morale among colleagues and to avoid unnecessary expenditure of school budgets, loss of valued employees and the risk of equal pay claims.

7. Job evaluation is undertaken by a Joint Moderation Panel appointed by Oxfordshire County Council. It is a systematic process for defining the relative worth of jobs within an organisation. It is a rational way of comparing jobs of different sorts within the organisation. It does not compare jobs with other organisations. The demands of the job are assessed against thirteen factors. Each factor is assessed and assigned a level. The levels are given a score; the total score equates to the evaluated grade for the job. [The Guide to Evaluated Grades for School Support Staff](#) gives details of grades for 'standard' school support staff jobs. New or changed jobs can be considered by completing the [Job Evaluation form](#).
8. The Job Evaluation Scheme is managed by Oxfordshire County Council Corporate HR. Contact 01865 816650 or county.hr@oxfordshire.gov.uk.

Payment of Salary (including holiday entitlement)

9. Salary grades consist of three or four points. It is usual practice for a new employee to commence at the bottom point of the grade, moving incrementally each year, until the top of the grade is reached. Increments normally occur automatically each April, together with any annual inflationary award, where agreed. A new employee has to have been in employment for at least six months before an increment occurs.
10. Once the top of the grade is reached, automatic progression ceases.
11. An increment can only be withheld as a result of a formal procedure and will be subject to the right of appeal.
12. Salary for all Green Book employees is paid in arrears at the end of each calendar month and is divided into twelve equal monthly payments.
13. Term Time Only employees are typically paid for 38 or 39 working weeks.¹ Employees can be appointed on contracts for term time only plus any specific number of additional working weeks.
14. For all term time only employees a pro rata annual leave entitlement is included within the pay calculation as set out in the contract. Annual leave entitlement depends upon length of service and salary grade. Statutory and contractual entitlement for annual leave is deemed to coincide 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.
15. If a term time only employee is due to leave employment on a Friday they will be paid until the Sunday. If an employee works until the end of a term (having worked the whole term) they will be paid until the notional end of the following holiday period e.g. 31st August.

¹ 38 working weeks is equivalent to the 190 days that the school is open to pupils. 39 working weeks includes the additional 5 in-service training days

16. Where a term-time employee leaves during a term rather than at the end of the term, either the employee or the school may request a calculation of time worked and salary paid taking into account start and leave dates where it is thought that there is a substantial imbalance and either salary paid/repaid or hours worked to rectify the imbalance.
17. Employees that work throughout the year must submit requests for annual leave in advance by following the school's procedures for requesting time off. Annual leave is normally expected to be taken during school holidays unless agreed in advance by the line manager. The annual leave year runs from 1st April to 31st March.
18. If a throughout the year employee is due to leave employment on a Friday they 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.

Other Payments

19. **Extra Duties** - Support staff who undertake extra duties outside of their designated working hours are entitled to additional payments at the appropriate hourly rate. Enhanced overtime payments will only be made for any hours worked above the standard full time hours i.e. 37 hours. Any casual work or overtime must be approved by the headteacher or delegated representative **before** it is undertaken.
20. **Qualification Allowance** - A Qualification Allowance is payable to Teaching Assistants who are paid on Grade 4 (Grade 6 in special schools) and have an accepted qualification at Level 3 NVQ or equivalent or qualified teacher status. It may be paid on a discretionary basis to other staff as decided by the headteacher.
21. **Shift Allowance** - Employees who are required to work a pattern of shifts, may be eligible to be paid a shift allowance. The allowance is calculated as 10% of scale point 6 on the National Green Book Pay Scale or as otherwise set out in the Green Book.
22. **First Aid** - Where the requirement to act as a qualified first aider is included in the job description, this will form part of the job evaluated grade and no additional payment will be made. Where the school seeks a volunteer to undertake these duties, in addition to their job description, an additional payment of £100 per annum will be paid. The level of training required to be eligible is the Health and Safety Executive approved First Aid at Work training.
23. **Recruitment and Retention Supplement** - Where there is evidence of recruitment or retention difficulties for a particular job, and evidence that the evaluated grade is below the local market rate, a [recruitment and retention supplement](#) may be paid for a fixed period. An additional supplement of up to 20% of the job evaluated grade may be paid. Any supplement will only be agreed for a fixed period and will be subject to annual reviews. Clear evidence must be obtained to support the case for a market supplement such as local pay rates and evidence of attempts to recruit.

Pay Protection

24. 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 reviews and the right to appeal

Reviewing the job grade

25. It is recommended that job descriptions are reviewed annually as part of the employee's performance review or at other times where there are changes to the role. If there are significant changes to the duties of the job, a re-evaluation of the grade should be carried out through the Job Evaluation Scheme.
26. **Annex B** sets out the accepted grounds for seeking a re-evaluation of a job's grade, and the procedure that will be followed.
27. If an employee is not satisfied with the outcome of a grade review, they should raise this informally first with their headteacher.
28. If an employee remains dis-satisfied, after discussions with the headteacher, they may formally appeal to the Job Evaluation Moderation Panel in writing, within one month of being notified of the grading outcome. Further information about the appeal procedure is provided in **Annex B**.

Other pay matters

29. Where an employee has a concern about their pay, that is not related to the evaluated grade, such as concern about an additional payment, they should raise this in the first instance with the headteacher.
30. Where the matter is related to a decision made by the School's Pay Committee, the employee may raise a formal appeal, in writing within 10 days of receiving the pay decision.
31. Employees must send their appeal to the headteacher in the first instance. The headteacher will arrange for the matter to be heard by a panel of the Pay Committee not previously involved in making the decision.
32. The employee will be given the right to make personal representations to the Pay Committee and to be accompanied by a trade union representative or work colleague.
33. Annex C sets out the proceedings for a Pay Committee appeal hearing.

Monitoring the impact of the policy

34. The relevant body will monitor the outcomes and impact of this policy on a regular basis. 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.

35. This policy is reviewed annually.

September 2013 (Updated October 2018)

Annex A - Remit for the Pay Committee of the relevant body

The Pay Committee will comprise at least three governors. All governors, including those employed at the school, will be eligible for membership of the Pay Committee and will be eligible to take part in any discussions (including those relating to individuals), where their interest is no greater than that of the generality of employees at the school.

Establishment of the policy

The Pay Committee is responsible for establishing the Pay Policy for Support Staff and Teachers, in consultation with the headteacher, staff and trade union representatives, and submitting it to the relevant body for approval.

The relevant body is responsible for formal approval of the policy.

Monitoring and review of the policy

The Pay Committee is responsible for reviewing the policy annually and preparing a report to assess its effect and the school's continued compliance with equalities legislation.

The relevant body is responsible for considering an annual report on the outcomes and impact of the pay policy.

Application of the policy

The headteacher is responsible for:

- ensuring that pay recommendations for the Deputy and Assistant Headteacher(s), classroom teachers and support staff are made and submitted to the Pay Committee in accordance with the terms of the policy;
- advising the Pay Committee on its decisions; and
- ensuring that staff are informed of the outcome of decisions of the Pay Committee and of the right of appeal.

The Pay Committee is responsible for:

- decisions regarding the pay of the Deputy and Assistant head teacher(s), classroom teachers and support staff following consideration of the recommendations of pay reviewers and the advice of the headteacher;
- decisions regarding the pay of the headteacher following consideration of the recommendations of the governors responsible for the headteacher's performance review;
- submitting reports of these decisions to the relevant body; and
- ensuring that the headteacher is informed of the outcome of the decision of the Pay Committee and of the right of appeal.

The relevant body is responsible for establishing an Appeals Committee to take decisions on appeals against the decisions of the Pay Committee in accordance with the terms of the appeals procedure of the policy.

Summary of decisions in relation to specific pay provisions

_____ **School / Academy**

In this School / Academy the relevant body is _____ (e.g. the *Governing Body or the Academy Trust*)

The Pay Committee of the relevant body should review these provisions and record their decisions annually. Any award(s) should be communicated to the member of staff in writing.

Support Staff

Recruitment and Retention Supplements

The rules around payments are explained on page 6 of the Pay Policy

The relevant body will pay recruitment awards to [] of **[X percent]** for a maximum of three years in the following circumstances.

The relevant body will pay retention awards to [] of **[X percent]** for a maximum of three years. This may be extended for a further period where circumstances require.

[The relevant body should specify clearly here the basis on which such incentives may be paid e.g. after one/two advertisements have failed to produce a suitable candidate for appointment or to those with particular expertise as defined by the school]

Annex B – Job Evaluation Grading Review and Appeal Procedure

This procedure applies to all staff employed under the terms and conditions of the National Joint Council for Local Government Services (“The Green Book”). It may be used by individual employees or collectively by groups of employees.

Background

The grades of all posts under the terms and conditions of the National Joint Council for Local Government Services (“The Green Book”) are determined by the National Joint Council Job Evaluation scheme. This is a systematic process for defining the relative size of jobs of different sorts and ensures employees are receiving equal pay for equivalent work. Each job is assessed from the point of view of 13 factors and each factor is assessed for the job and assigned a level. The assigned factor levels equate to the relevant grade.

All new posts must be job evaluated. School managers should refer new posts to the County HR Team, [hradvicedesk@oxfordshire.gov.uk](mailto:hRADVICEDesk@oxfordshire.gov.uk). Each job is assessed by a moderation panel, which is chaired by either a County HR Officer or County HR Manager and attended by the HR Business Partner for the relevant area and a representative from the Council’s recognised trade Union, UNISON

Grounds for Re-evaluation or Appeal

A post may be re-evaluated by a Moderation Panel where one or more of the following grounds apply (Reasons A-C are set out in the Green Book Part 4.1, Section 6.4):

- a) The job evaluation scheme has been wrongly applied e.g. factor levels have been wrongly allocated, the evaluation panel has failed to follow guidance etc.
- b) The information given to the moderating panel was incomplete.
- c) It is believed that an equivalent job is graded more highly and paid.
- d) It is believed that the job has been wrongly matched or clustered to a generic job evaluation and the job is unique.
- e) Where it is claimed that there has been a substantial and significant change to its content since its original evaluation.

An informal or formal appeal may be lodged if the employee remains dissatisfied after completing the appropriate level of the process.

Re-evaluation procedure

1. A post holder who wishes to request a re-evaluation of their post due to a substantial and significant change to their duties and responsibilities should firstly agree an updated job description and person specification with their line manager and headteacher.
2. The updated job description and person specification must be submitted together with a job evaluation request form and structure chart to the County HR Team.
3. A review of the information will be carried out by the County HR Team, meeting with the manager if appropriate before referring the details to the Job Evaluation Moderation Panel.

4. The post will be re-evaluated at the relevant Moderation Panel.
5. The outcome of the panel will be notified to the employee's manager by the Job Evaluation Team within five working days and a job overview will be provided if requested.

Informal Appeal

It is standard job evaluation practice to allow appeals against an initial evaluation exercise. The purpose of an informal appeal is so that errors of scoring, obvious evaluation errors or obvious errors of allocation to the wrong benchmark job can be corrected without resorting to a formal appeal. Potential appeals arising from lack of understanding or misunderstanding of the scheme or outcome can also be resolved through provision of the required information through this process. Where possible, it will be the same Job Evaluation Panel that will relook at the role.

The informal appeal procedure does not preclude a job from progressing to the formal appeals procedure.

1. Where there are grounds for appeal the manager / headteacher must notify the County HR Team within one month of the evaluation of their intent to appeal. In extraordinary circumstances an appeal may be submitted after the one month deadline.
2. Further information must be provided by completing the appeal form which will be sent following the notification of the intent to appeal. The form requires the post holder and line manager to state where the post holder/ line manager believes the job overview does not adequately reflect the post.
3. If there is a disagreement between the post holder and the line manager over the content of the job, the appeal should proceed with the post holder's and line manager's comments included. However, more weighting will be given to the line manager's views as it is a management responsibility to set the expectations of a role.
4. The post will be re-moderated at the next relevant moderation panel.
5. The outcome of the panel will normally be notified to the post holder/line manager within ten working days of the meeting. Where this timetable cannot be adhered to the appellant will be notified and reasons given. If changes are made an amended job overview will be provided

Formal Appeal

1. After following the steps above, where a post holder/ line manager continues to believe that there are grounds for appeal they must notify the Job Evaluation Team within one month of the notification of the outcome of the informal appeal of their intention to formally appeal the decision, unless exceptional circumstances apply.
2. Following a formal appeal request an acknowledgement letter will be sent to the appellant together with copies of the information submitted, the factor levels allocated by the moderation panel and a claimed factor level form.

3. The completed claimed factor level form and any further information the appellant wishes to submit must be received by the deadline stated in the acknowledgement letter unless extraordinary circumstances apply. Information submitted after this date cannot be considered by the appeal panel.
4. It is not necessary for an appeal to have managerial support but where an appellant does not have the support from their line manager or more senior manager, the manager must also complete a claimed factor level form. In instances where there is a disagreement between the post holder and the line manager over the content of the job, the appeal should proceed. However, more weighting will be given to the manager's views as it is a management responsibility to set the expectations of a role.
5. The original Job Evaluation Panel will also complete a response to the appeal outlining why factors were allocated as they were. This document will be shared with the appeal panel.
6. A date, normally within three months of the acknowledgement letter, will be set for the formal appeal and will be notified to the appellant. Where this timetable cannot be adhered to the appellant will be notified and reasons given.
7. The formal appeal panel is made up of the County HR Manager in the chair, a HR Business Partner from a Directorate other than that of the appellant and a Unison representative. All panel members are trained in the job evaluation scheme.
8. There is no requirement for the appellant to attend the panel hearing but the panel may find it useful to ask questions of the appellant at the hearing. Appellants have the right to be represented at the appeal by a Trade Union representative or colleague. This should not be the same Trade Union representative making up part of the formal appeal panel.
9. A representative of the original Job Evaluation Panel will also attend the appeal hearing to present a response to the appeal. The appeal panel may find it useful to ask questions relating to the original decision.
10. The Job Evaluation Panel's response to the appeal will be added to the information submitted by the appellant to form the appeal pack. This will be sent to the panel members and the appellant at least five days before the appeal hearing.
11. Following the formal appeal panel, the appellant will be notified of the outcome within ten working days.

Job Evaluation Formal Appeal Hearing

This is a typical outline of a Formal Appeal Procedure, however, depending on the information submitted, or the nature of the appeal, the Chair may seek agreement to alter the approach taken.

1. The Chairman invites the appellant to introduce his/her case statement and to make any relevant comment on the written observations of the management submission. Each challenged factor will then be taken in turn.
2. The Chairman invites the Job Evaluation Panel representative(s) to address questions to the appellant on his/her submissions.

3. The Chairman invites the Job Evaluation Panel representative(s) to introduce the Panel side's written observations and to make any relevant comment on the appellant's submissions.
4. The Chairman invites the appellant to address questions to the Job Evaluation Panel representative(s) on the Panel submissions.
5. The Chairman invites the members of the Committee to address questions to either party. The opportunity is given to either party to address to the Chairman any comment arising from the question or on the replies given.
6. The Chairman invites the Job Evaluation Panel representative(s) to summarise the Panel case.
7. The Chairman invites the appellant to summarise his/her case.
8. When the case has been heard the Chairman will advise the appellant that full consideration will be given to the evidence and a decision will be communicated in writing at a later date.

County HR Manager

July 2018

Annex C – Pay Committee 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.