



# ASPIRATIONS

## PAY POLICY

Version control	
Aspirations Pay Policy [2019-09-01]	<b>Update to align with revised job titles and changed governance arrangements.</b>
AAT Pay Policy [2018-09-01(proposed)]	<p><b>This version incorporates changes to section 4 concerning Equal Opportunities (including addition of new Appendix A) and to section 14 concerning appeals, drafted following feedback from the ESFA. This version remains subject to consultation with the recognised trade unions and is anticipated to become live with effect from 1 September 2018.</b></p> <p>Earlier version control details are shown on “consultation version 2016-01-07” available from the Trust’s Director of HR.</p>

<b>Date of last review:</b>	September 2018	<b>Review period:</b>	1 year
<b>Date of next review:</b>	September 2021	<b>Owner:</b>	Director of HR and Compliance
<b>Type of policy:</b>	Network	<b>Approving Body:</b>	Board

## **1. Introduction**

- 1.1 The Aspirations Academies Trust (Aspirations/the Trust) pay and conditions for teaching staff based in primary and secondary establishments broadly reflect the pay structure set out in the School Teachers' Pay and Conditions Document (STPCD). However, flexibility is retained in the Pay Policy to determine variations to the provisions set out in the STPCD where this is considered to support the Trust's strategic aims, most particularly to secure the best possible standards of education.
- 1.2 Aspirations pay and conditions for teaching staff based in sixth form college establishments broadly reflect the pay structure set out in the agreement concerning pay made by the National Joint Council for Sixth Form Colleges (Sixth Form College NJC). However, flexibility is retained in the Pay Policy to determine variations to the pay provisions set out in agreements of the Sixth Form College NJC where this is considered to support the Trust's strategic aims, most particularly to secure the best possible standards of education.
- 1.3 Aspirations operational staff are generally paid with reference to a pay spine derived from agreements reached by the National Joint Council for Local Government Services (LGSNJC). Furthermore, for academies based in London, the Aspirations pay spines take account of the regional variation to the national agreement made through the Greater London Provincial Council (GLPC). Within the pay spines, pay grades are determined within each academy on the basis of internal and external benchmarks and with reference to the Regional pay scale/grading structure. Generally for each Aspirations Regional the pay scales/grades structure was first established with reference to the grade structure used by the Local Authority in which the Regional is based at the time of the Regional first operating. Flexibility is retained in the Pay Policy to determine variations to the pay provisions set out in agreements of the LGSNJC and GLPC where this is considered to support the Trust's strategic aims, most particularly to secure the best possible standards of education.
- 1.4 Aspirations shall review the Pay Policy on an annual basis (and more frequently if necessary) to take into consideration relevant matters whenever a revised STPCD is issued and/or there is a new pay agreement made by the relevant national/regional bodies referred to in 1.2 and 1.3. The applicable pay scales and grading structures shall be appended to this policy.

## **2. Purpose**

- 2.1 The purpose of the Pay Policy is to provide a clear framework in relation to the pay of employees and in particular the use of any discretionary pay elements.
- 2.2 The Policy provides a structure for determining salaries on appointment and during the annual review for teachers and operational staff. It outlines the principles that will apply to all salary decisions and establishes pay review as a whole school consideration. It also provides a mechanism for employees to appeal pay decisions.
- 2.3 Aspirations has a separate policy concerning working time which also has relevance to pay, most particularly in the context of calculating the appropriate pro rata salary payable to part time employees.

## **3. Scope**

- 3.1 This Policy applies to all employees (teaching and operational staff) employed on Aspirations pay and conditions.

- 3.2 Where members of staff are still subject to TUPE protected terms and conditions, contractual pay terms continue and reference should be made, as applicable, to the STPCD, the Green Book, and any other local arrangements in place, as specified by employees' contracts.

#### **4. Equal Opportunities**

- 4.1 Aspirations' commitment to Equal Opportunities is set out in its Equal Opportunities Policy. The extract from the Equal Opportunities Policy set out in Appendix A (page 16) confirms this commitment and identifies legislation that Aspirations recognises as relevant to its responsibilities concerning Equal Opportunities.

- 4.2 This pay policy must always be applied fairly and in accordance with employment law and Aspirations' Equal Opportunities Policy. Through its governance arrangements, Aspirations will monitor the outcomes and impact of this policy on an annual basis. Such monitoring will include trends in progression across specific groups of staff to assess its effect and the Academy's continued compliance with equalities legislation. Monitoring information shall also be reported to the recognised trade unions, generally through Aspirations National Joint Council.

#### **5. Responsibilities**

- 5.1 The Aspirations Board is responsible for maintaining fair, consistent and objective policy and procedures for matters relating to pay. Accordingly it shall arrange for the Pay Policy to be reviewed periodically consulting as appropriate, including with unions in accordance with the Aspirations Trade Union Recognition Agreement.

- 5.2 Within each academy, the Principal has overall responsibility for the internal organisation, control and management of the Pay Policy. This is subject to monitoring and oversight undertaken by the Aspirations central management team and through governance arrangements (e.g. through Regional Boards).

#### **6. Timing**

- 6.1 Matters relating to pay should normally be conducted within the timescales laid down in this policy. However, if there is a valid reason to do so, timescales can be varied. If this is initiated by management, any employees affected should be given an explanation and informed about the rescheduled arrangements.

#### **7. Staffing Structure**

- 7.1 The Principal is responsible for ensuring that their academy has a staffing structure in place for both teaching and operational staff. The staffing structure will show the pay range for each role (and for teaching roles any associated TLRs). The structure also provides clarity for the appropriate line management of all employees.

#### **8. Pay reviews**

- 8.1. Reviews undertaken as set out in this section shall be undertaken with reference to the provisions in sections 9 to 13 of this policy, as appropriate.

- 8.2 For executive staff, including principals, pay is reviewed annually by the Remuneration, Risk and Finance (RRF) committee of the Trust Board. Each September, with reference to the Aspirations Appraisal Policy, performance targets are set for executive staff and reviewed the following September judged against the relevant KPI and national benchmarks. Performance management of the Managing Director and Deputy

Managing Director is managed directly by the RRF committee. For all other executive roles, performance management is managed by the Managing Director with recommendations made to the RRF committee. The RRF committee reviews performance and makes recommendations to the Trust board for ratification. Any pay adjustments or performance related pay arising from the Trust Board's ratification will be administered for payment in January. Where the decision concerns a performance related salary scale progression, an arrears payment will be made to the relevant 1<sup>st</sup> September date. For non-executive staff in the Trust's central team, the review decision will be made by the Managing Director no later than one month following the completion of the appraisal cycle (undertaken in accordance with the Aspirations Appraisal Policy). The effective date will be 1<sup>st</sup> September, other than in circumstances such as where the review relates to a contractual change taking effect after 1<sup>st</sup> September.

- 8.3 Annually within each academy, the Principal shall review every teacher's salary. The review decision, to be effective from 1<sup>st</sup> September (other than in circumstances such as where the review relates to a contractual change taking effect after 1<sup>st</sup> September), shall be made by one month following the completion of the appraisal cycle. The review outcomes shall be reported to the Aspirations central management team in such a way as to enable overview responsibilities to be carried out effectively.
- 8.4 The Principal will review every member of operational staff's salary on an annual basis, subject to the member of staff having completed at least six months' service. For operational staff, pay review timings will be as outlined above for teaching staff, unless at academy level there are TUPE reasons for alternative timescales (see paragraph 3.2). The review outcomes shall be reported to the Aspirations central management team in such a way as to enable overview responsibilities to be carried out effectively.
- 8.5 Each employee will be provided with an annual written statement setting out their salary and any other financial benefits to which they are entitled. A copy will be retained on their personnel file.
- 8.6 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 will be given after any review and where applicable will give information about the basis on which it was made.

## **9. Use of discretions in basic pay determination**

### **9.1 Leadership Pay (primary and secondary academies, including studio schools)**

#### **Leadership Pay Scale**

- 9.1.1 Originally with effect from September 2012, Aspirations established a Leadership Pay Spine for each of its Regions that were identical to corresponding provisions in the STPCD that were applicable at that time. The structure of the spine (i.e. the individual scale points) has remained unaltered since September 2013 but the salary values corresponding to each spinal point have been subject to review by the Aspirations Board whenever a new STPCD has been published and, in accordance with this Policy, will continue to be subject to such review in the future.

#### **Determination of pay ranges on the Leadership Spine**

- 9.1.2 For each Academy, the Aspirations Board will determine the pay range for the Principal and Regional CEO and any further discretionary payment to be made as part of the normal salary payment when it is proposed to make a new appointment or if there has been a significant change in the responsibilities of an existing post holder. In making

any such determination, the Aspirations Board will consider the provisions for Headteachers in the STPCD that is current at the time of the determination and also the particular context of the academy at which the appointment is to be made. In circumstances it considers appropriate, the Aspirations Board also reserves the right to establish pay scales for leadership group members that exceed the maximum point of the Aspirations leadership spine. For posts that are contractually defined as holding status equivalent to that of Headteacher as published in the STPCD the pay range determined shall be of 7 consecutive spinal points. The Aspirations Board will determine the starting point on the scale for new appointees to Principal and Regional CEO posts.

- 9.1.3 Within each academy, the Principal, in consultation with the Regional CEO will determine the pay range for those on the leadership pay scale when new appointments are proposed or when there is a significant change in the responsibilities of the serving member of the leadership group. The Principal in consultation with the Regional CEO shall also determine the starting point on the scale for new appointees.
- 9.1.4 In determining the pay ranges for these other leadership positions, other than with the written approval of the Aspirations Board, the Principal will act within the provisions for deputy and assistant headteachers as set out in the STPCD that is current at the time of the determination but with reference to the Aspirations leadership spine. For posts that are contractually defined as holding status equivalent to that of Deputy Headteacher or Assistant Headteacher as published in the STPCD the pay range determined shall be of 5 consecutive spinal points.

## **9.2 Leading Practitioner (LP) Pay**

- 9.2.1 Staff appointed to a LP post will be paid with reference to the first 18 points of the Aspirations leadership spine as referred to in 9.1.1.
- 9.2.2 In appointing an LP, the Principal shall select a pay range of five consecutive points from the LP spine and the point within this range to which the teacher will be appointed. When determining the pay range, the principal will consider:
- i) The nature of the work to be undertaken, including any work with teachers from other academies;
  - ii) The scale of the challenges to be tackled;
  - iii) The professional competencies required of the teacher; and
  - iv) Such other criteria as may be appropriate.

## **9.3 Pay scales for teaching posts (primary and secondary academies, including studio schools)**

### **Main Scale**

- 9.3.1 Originally with effect from September 2012, Aspirations established a Main Scale for each of its Region to be applicable for qualified teachers who do not hold a leadership post or leading practitioner post and are not paid in accordance with the Upper Pay Range. The Aspirations Main Scale was identical to corresponding provisions in the STPCD that were applicable at that time. The structure of the Main Scale (i.e. the six individual scale points) has remained unaltered since September 2012 but the salary values corresponding to each scale point have been subject to review by the Aspirations Board whenever a new STPCD has been published and, in accordance with this Policy, will continue to be subject to such review in the future.

## **Upper Pay Scale**

9.3.2 Originally with effect from September 2012, Aspirations established an Upper Pay Scale for each of its Regions to be applicable for qualified teachers who do not hold a leadership post or leading practitioner post and are not paid in accordance with the Main Scale. The Aspirations Upper Pay Scale was identical to corresponding provisions in the STPCD that were applicable at that time. The structure of the Main Scale (i.e. the six individual scale points) has remained unaltered since September 2012 but the salary values corresponding to each scale point have been subject to review by the Aspirations Board whenever a new STPCD has been published and, in accordance with this Policy, will continue to be subject to such review in the future.

### **Determination of Scale and starting point**

9.3.3 When appointing a qualified classroom teacher, the principal shall determine the appropriate scale to use and the point at which the teacher shall be placed.

9.3.4 In determining the starting point for a qualified teacher newly appointed by the AAT, account shall be taken of:

- i) The nature of the post;
- ii) The level of qualifications, skills and experience required;
- iii) Market conditions;
- iv) The wider academy context;
- v) Such other criteria as may be appropriate.

9.3.5 Principals will be mindful of the preferred candidate's previous salary, but there is no automatic requirement to match that salary.

## **Pay scale for Unqualified Teachers**

### **Unqualified Teacher Scale**

9.3.6 Originally with effect from September 2012, Aspirations established an Unqualified Teacher Scale for each of its Regions to be applicable for those appointed to teaching positions but not holding qualified teacher status. The Aspirations Unqualified Teacher Scale was identical to corresponding provisions in the STPCD that were applicable at that time. The structure of the Unqualified Teacher Scale (i.e. the six individual scale points) has remained unaltered since September 2012 but the salary values corresponding to each scale point have been subject to review by the Aspirations Board whenever a new STPCD has been published and, in accordance with this Policy, will continue to be subject to such review in the future.

### **Determination of scale and starting point**

9.3.7 When determining on which point to place unqualified teachers on the unqualified teachers' pay scale when they are appointed, the Principal will take account of any relevant qualifications and experience. The Principal shall also consider if any allowance should be paid in accordance with 11.3 of this policy.

9.3.8 In respect of a graduate teacher or a teacher on the employment-based teacher training scheme, the Principal shall determine if the employee is to:

- (a) be paid and be eligible for allowances as a qualified teacher; or
- (b) be paid and be eligible for allowances as an unqualified teacher.

## **9.4 Sixth Form College Teaching and Management Posts**

- 9.4.1 With effect from September 2015, Aspirations established pay provisions for teaching staff employed to work in Sixth Form Colleges. In so doing it has established a Sixth Form College Main Scale of six scale points, a Professional Standards Payment (PSP) Range of three points and three management scales each of 5 points. Each of these pay ranges is identical to corresponding provisions made by the Sixth Form Colleges NJC as at that date. The Aspirations pay scales for teaching and management posts shall be reviewed by the Aspirations Board in the future in accordance with this Policy whenever a new agreement is reached by the Sixth Form Colleges NJC.
- 9.4.2 While generally one of the management scales referred to in 9.4.1 will be applicable for leadership positions in Sixth Form Colleges, the Principal pay range will normally be determined with reference to provisions as set out in 9.1. Subject to approval of the Managing Director, a college Principal may also determine senior leadership positions for which the pay determination is also with reference to 9.1.
- 9.4.3 In determining the relevant scale and starting point for appointees to posts paid in accordance with 9.4.1, the Principal will refer to the provisions set out in 9.3.3 to 9.3.5.

## **9.5 Operational Staff**

### **Support Staff Pay Spine**

- 9.5.1 Originally with effect from 1 April 2013, Aspirations established a Support Staff Pay Spine for each of its Region to be applicable for those appointed to operational staff positions. These were identical to the pay spines as agreed either by the NJC for Local Government Services or, for London Academies, the Greater London Provincial Council with the exception that locally determined spinal points above point 49 for establishments outside London were based on the pay spines established at the relevant local authority at that time. The structure of the Support Staff Pay Spines have remained aligned with the structure of the NJC/LPC spines since 2013, (including adoption of the revised NJC/LPC spines in 2019). Each year the salary values corresponding to each scale point have been subject to review by the Aspirations Board whenever a new agreement has been reached by the NJC or LPC and, in accordance with this Policy, will continue to be subject to such review in the future. Within the Spine each Aspirations Region has an established pay scale structure, generally this was established taking account of equivalent pay scale arrangements in the relevant local authority. The Aspirations Board may from time to time review the Regional pay scale structures in consultation with relevant parties, including the recognised trade unions.

### **Determination of scale and starting point**

- 9.5.2 The Principal will, when determining the grade of operational staff roles, take account of the features of the post, most particularly in terms of qualification, knowledge and skills requirements and responsibility level (e.g. supervisory level and scope and discretion of decision making). Where, taking account of market forces, the Principal does not consider the indicative grade is sufficient for recruitment or retention purposes, a market supplement may be determined. Such supplements will only be applied in exceptional circumstances and the reasons for such an award will be kept on the individual's personnel file.
- 9.5.3 The starting salary for a new appointment will normally be at the minimum of the appropriate scale. However, when appointing a member of operational staff, the Principal may choose to offer a higher starting salary dependent upon the existing salary, experience or qualifications of the applicant having due regard for the need to

appoint the best person for the post and for the current salary levels of other staff at the academy.

- 9.5.4 If staff are temporarily appointed to cover the absence of a member of the operational staff they will be paid normally at the minimum of the appropriate grade for the post.

## **10. Pay Progression**

The provisions set out in this section are within the context of pay reviews as set out in section 8.

### **10.1 Funding**

- 10.1.1 The academy budget will be approved through Aspirations governance arrangements determined by the Aspirations Board. Annually when the budget is approved appropriate funding will be allocated for pay progression. Funding will not be used as a criterion to determine progression, other than in exceptional circumstances and subject to the approval of the Managing Director which shall only be given after taking into consideration reports from the Principal and/or Regional CEO and Director of Finance, and being satisfied that:

- a) the financial sustainability of the academy is seriously jeopardised
- b) all other reasonable efforts to improve financial sustainability have failed
- c) the measure is assessed to have a tangible impact on the financial situation and has been subject of an equality impact assessment
- d) recognised unions have been consulted

### **10.2 Progression**

- 10.2.1 All decisions about progression are based on assessed performance, undertaken in accordance with the Aspirations Appraisal Policy (other than as set out in 10.2.2), and annual pay progression is not automatic. Accordingly, there shall not be any movement up the pay spine unless there has first been a review of the performance of the staff member in accordance with the Aspirations Appraisal Policy (or other relevant Aspirations policy as appropriate) and it is judged, taking into consideration the recommendations made in accordance with the Appraisal Policy (or other relevant Aspirations policy as appropriate), that performance *meets required standard*.
- 10.2.2 Recommendations in respect of pay progression shall arise from the appraisal process (see section 12 of the Appraisal Policy) other than for newly qualified teachers where recommendations shall arise from the induction process and for staff whose appointment is subject to a probation process. Where a teacher's induction period coincides with a progression review date, the successful completion of induction shall be interpreted as a recommendation that performance *meets required standard*. Where the end of a probation period coincides with a progression review date, the passing of probation shall be interpreted as a recommendation that performance *meets required standard* unless a clear recommendation has been made to the contrary.
- 10.2.3 Progression for both teachers and operational staff *recommended* for pay progression is normally by no more than one point until the top of the pay range/scale is reached but this may be increased in exceptional circumstances to reward outstanding performance. Teachers on the Upper Pay Scale (or PSP Range in respect of teachers in Sixth Form Colleges) will normally progress by no more than one point every two years. The process for progression to the Upper Pay Scale is set out under 10.3. Progression within the Upper Pay Scale (and PSP Range in respect of teachers in Sixth Form Colleges) shall be based on considerations equivalent to those set out

under 10.3 except there is no requirement for a teacher to apply for progression to the second and third points of the Upper Pay Scale or PSP Range. Teachers will automatically be assessed for progression on the second pay review after having first been paid by Aspirations on point 1 or point 2 of the Upper Pay Scale or PSP Range, as the case may be. In the event that a teacher does not progress to upper pay scale point 2 or point 3 at the first time they are considered for such progression the matter will be reconsidered at each subsequent pay review that they remain employed by Aspirations in a relevant post until such time that they do progress.

10.2.4 It is possible for a 'no progression' determination to be made without recourse to the capability procedure.

### **10.3 Progression to the Upper Pay Scale (UPS) (and PSP Range for teachers in Sixth Form Colleges)**

10.3.1 Applications for progression onto the UPS (or PSP Range) shall normally only be considered from teachers who are on point 6 of the relevant main scale in the academic year prior to the 1<sup>st</sup> September date from which they would progress to the UPS if the application is successful.

10.3.2 Teachers who wish to apply must inform the Principal in writing of their wish and may do so at any time in the period commencing on the 1<sup>st</sup> September date that is one year prior to the date from which they would progress to the UPS if the application is successful and ending on the 30<sup>th</sup> September date falling at the end of the month in which they would progress to the UPS if the application is successful. For example, for a teacher to apply for progression to the UPS with effect from 1<sup>st</sup> September 2019, he/she would normally need to have been paid on point 6 of the Main Scale in the 2018/19 academic year and would need to submit a written application to the Principal within the period 1<sup>st</sup> September 2018 to 30<sup>th</sup> September 2019.

10.3.3 By the 31<sup>st</sup> December date following the 1<sup>st</sup> September date that the teacher's UPS application relates to, the Principal shall conclude whether or not there is evidence to validate a conclusion that:

- the teacher is highly competent in all elements of the relevant standards [as at January 2019 these being the Teachers Standards (England) that were effective from 1 September 2012]
- the teacher's achievements and contribution to an educational setting or settings are substantial and sustained

10.3.4 In reaching such a conclusion the Principal shall refer to the Aspirations Teacher Career Stage Descriptor as set out in the Appraisal Policy, appraisal records (or "performance management" records) relating to the teacher that are available within the academy and other relevant information within the academy the Principal considers relevant (e.g. relevant data concerning student outcomes). Normally the records that shall be considered will cover the two academic years immediately preceding the date to which the application relates. In order to be satisfied that the teacher's achievements and contribution have been substantial and sustained the Principal will expect:

- the teacher's practice to have been demonstrably in line with the Teachers' Standards throughout the two year period and in the most recent year corresponds with the High Value Stage of the Aspirations Career Stage Descriptor, and
- the teacher to have been assessed as having met expectations with reference to appraisal objectives relating to the whole two year period

- 10.3.4 Where the Principal is of the view that there are insufficient records available within the academy from which to make a secure judgement (e.g. because the teacher is a recent appointee), the Principal will consult with the teacher with a view to identifying other sources of evidence that either the teacher can provide or otherwise authorise the Principal to access. Examples of the latter include: agreeing for the Principal to contact a previous employer of the teacher to ask for information relevant to the teacher's application; agreeing for the Principal to refer to relevant information concerning the teacher's performance, such as lesson observation outcomes, for the four month period commencing on the 1<sup>st</sup> September date to which the teacher's application relates.
- 10.3.5 Within 10 working days of reaching a conclusion, the Principal shall provide written confirmation to the teacher of the outcome of the application. The written conclusion shall include relevant feedback. A teacher who is unsuccessful may appeal in accordance with section 14 of this policy.

## **11. Discretionary Allowances and Payments**

### **11.1 Teaching and Learning Responsibility Payments (TLRs) (primary and secondary academies, including studio schools)**

- 11.1.1 A TLR may be awarded to teachers on the Main scale or the Upper pay scale for undertaking a sustained additional responsibility in the context of the academy's staffing structure.
- 11.1.2 Having decided to award a TLR, the principal will determine the level within the ranges set out by Aspirations.
- 11.1.3 An award of a TLR1 would normally only apply where the responsibilities require line management of a significant number of staff.
- 11.1.4 The exact criteria for the award of a TLR will be determined within each academy by the Principal and will be linked to the responsibilities of the post.
- 11.1.5 Only one TLR1 or TL2 may be awarded to a teacher at any one time. TLRs will reflect the responsibilities of a particular post and are normally awarded for the duration of the post to which they are attached. TLRs will be reviewed at a minimum annually to ensure that the responsibilities that they were awarded for are still undertaken. TLRs may also be awarded on a short term temporary basis where a teacher is covering for a colleague's absence e.g. maternity leave. For short term increases in responsibility where a TLR is appropriate a TLR3 is normally awarded. Clear criteria for the award, level and duration of time-limited TLR3 payments will be set out<sup>1</sup>. A TLR3 may be awarded to a teacher while they continue to hold a TLR1 or TLR2 responsibility.

### **11.2 Special educational needs allowances (SEN) (primary and secondary academies)**

- 11.2.1 Where a SEN allowance is to be paid, the principal will determine the spot value of the allowance within the range determined by Aspirations, taking into account the structure of the academy's SEN provision and the following factors:
- i) whether any mandatory qualifications are required for the post

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<sup>1</sup> Determination of the level of a TLR 3 payment shall be undertaken in the understanding that the pro-rata principle for part time teachers does not apply in the same way as TLR1 and TLR2 awards (with reference to 37.1 of the STPCD'13).

- ii) the qualifications or expertise of the teacher relevant to the post; and
- iii) the relative demands of the post.

Teachers who meet the criteria for the non-discretionary award of a SEN allowance as set out in the STPCD 2018 will receive an SEN allowance at least equal to the minimum of the SEN range.

### **11.3 Allowance payable to unqualified teachers**

11.3.1 The Principal may determine that such additional allowance as is considered appropriate be paid to an unqualified teacher where the Principal considers that, in the context of the academy's staffing structure and with reference to the Pay Policy, the teacher has:

(a) taken on a sustained additional responsibility which:-

- (i) is focused on teaching and learning; and
- (ii) requires the exercise of a teachers' professional skills and judgment;

or

(b) qualifications or experience which bring added value to the role being undertaken.

### **11.4 Additional Responsibility (AR) Allowances (Sixth Form Colleges)**

11.4.1 An AR Allowance may be awarded to teachers on the Sixth Form Main Scale or the PSP Range for undertaking a sustained additional responsibility in the context of the academy's staffing structure.

11.4.2 Having decided to award an AR Allowance, the Principal will determine the level of the Allowance within the range set out by Aspirations.

11.4.3 The exact criteria for the award of an AR Allowance will be determined within each academy by the Principal and will be linked to the responsibilities of the post.

11.4.4 Only one AR Allowance may be awarded to a teacher at any one time. AR Allowances will reflect the responsibilities of a particular post and are normally awarded for the duration of the post to which they are attached. TLRs will be reviewed at a minimum annually to ensure that the responsibilities that they were awarded for are still undertaken. AR Allowances may also be awarded on a short term temporary basis where a teacher is covering for a colleague's absence e.g. maternity leave.

## **12. Other payments**

### **12.1 Teachers - Out of school hours learning activities and other work outside the standard year**

12.1.1 Subject to the provisions set out under the Working Time Policy and 12.1.2 below, the Principal may make such payments as they see fit to a teacher, in respect of participation in an out-of-school hours learning activity or other approved work undertaken outside the standard year. Such payments will not usually exceed the usual hourly rate of the teacher but may be based on a standard rate, either determined within the Academy or more widely within the Aspirations network.

12.1.2 Additional payments shall not be made for activities such as taking sports matches, school trips or attending planning meetings before the start of the academic year as these are considered standard parts of relevant staff responsibilities.

## **12.2 Teachers and Operational Staff - Recruitment and retention incentives and benefits (R&R)**

12.2.1 Aspirations may make such payments or provide other financial assistance, support or benefits as considered necessary as an incentive for the recruitment of new staff and the retention of existing staff.

12.2.2 Recruitment and retention incentive and benefits will only be paid in exceptional circumstances and always for a defined period.

## **12.3 Teachers and Operational Staff - Acting allowance**

12.3.1 An acting allowance will be paid to any employee who, for a period of four weeks or more, is required to carry out the full range of duties of a more senior member of staff. The allowance will be such that the acting employee's total remuneration will represent at minimum the lowest point within the range for the post.

## **12.4 Teachers and Operational Staff - Bonus Provision**

12.4.1 In addition to the annual determination of salary, each academy may, at its discretion, award one-off bonuses based, either on outstanding performance in the past year or in recognition of the completion of a project or some other exceptional contribution to the success of the academy and its students. An academy may also choose to award a nominal honorarium to all staff where the academy has met its key educational targets.

12.4.2 Each academy may award nominal bonuses for perfect attendance throughout the year.

12.4.3 Such awards will be entirely discretionary and subject to ratification by the Regional Board which will consider advice from the Managing Director prior to agreement.

## **12.5 Overtime and additional working time payments**

12.5.1 For teaching staff, relevant provisions in respect of out of school learning activities and work outside the standard year are set out in 12.1 above. In addition to the provisions of 12.1, there may be circumstances when part time teaching staff agree to additional teaching on a day-to-day or other short notice basis. Where this is the case, the additional payment shall normally be calculated in line with the provisions set out below under 13.1.2 and 13.1.3.

12.5.3 For support staff, extra time worked additional to normal working time shall normally be at the employee's discretion and shall not, unless agreed in advance, warrant time off in lieu, overtime or other additional payment. Notwithstanding this, there may be occasions when there is prior agreement for additional time to be worked, either on the basis that the employee takes time off in lieu (TOIL) of the extra time worked (i.e. the employee would take compensatory time off at a time they would normally have worked, subject to the timing of this being agreed with their manager) or they are paid an "additional hours" payment. Where TOIL is agreed, this will be on the basis that for each unit of extra time worked an equivalent unit of time may be taken as time off. Where an "additional hours" payment is agreed this will normally be based on the standard hourly rate of pay though by prior arrangement in exceptional circumstances, such as when extra work is necessary at night time (10pm to 5.30am) a premium overtime rate may apply (e.g. time and a half payment). Premium rate overtime may only be paid in circumstances when the normal full time working hours for the week (37 or 36 for London Academies) would otherwise be exceeded. Furthermore,

premium rate overtime shall not be applicable to support staff paid at or above point 26 of the Aspirations Support Staff pay spine.

## **12.6 Any other payments**

12.6.1 Aspirations acknowledges that from time to time circumstances may arise which are not covered in this document, e.g. Government initiatives. In such circumstances the Principal, subject to approval from the Aspirations Managing Director, will be responsible for identifying appropriate payments and applying measures to ensure these are suitably applied.

## **13. Staff working other than full time**

### **13.1 Part-Time Teachers and Teachers Employed on a Short Notice Basis**

13.1.1 Teachers in regular part-time service shall be paid a proportion of the remuneration that would be appropriate if they were employed as full-time teachers at the academy. The proportion shall correspond to the proportion of the school week that the Principal deems the teacher to be normally employed as a school teacher (breaks between school sessions being excluded).

13.1.2 Teachers employed on a day-to-day or other short notice basis shall be paid in accordance with the provisions of this document on a daily basis calculated on the assumption that a full working year consists of 195 days (or 205 in studio schools and sixth form colleges), periods of employment for less than a day being calculated pro rata.

13.1.3 A teacher to whom paragraph 13.1.2 applies and who is employed by Aspirations throughout a period of 12 months beginning in August or September shall not be paid more by way of remuneration in respect of that period than he/she would have received had he/she been in regular service throughout the period.

### **13.2 Part-Time Operational Staff Working to a Year Round Working Pattern**

13.2.1 For operational staff employed on an all year round working arrangement who work fewer than 37 hours per week (36 in London establishments), annual salary shall be calculated on a pro rata basis. For example, an employee (outside London) working 18.5 hours per week on a year round working arrangement would be considered to be engaged on a 0.5 FTE basis and the salary would be calculated on the basis of 0.5 of the salary that would have applied to the employee if he/she had worked on a full time basis.

### **13.3 Operational Staff – Term Time Based Working Patterns**

13.3.1 Staff engaged to work on a term time based (TTB) contract will be paid a pro rata salary through a formula which takes into account leave entitlement and public holidays normally observed in England and Wales. In such cases, the formula shown in Appendix A will determine the pro rata salary. Appendix B also clarifies the calculation of the annual working hours to be worked by operational staff with a TTB contract.

## **14. Appeals**

14.1 An employee may appeal against any determination in relation to his/her pay or any other decision taken that affects his/her pay, as set out below.

14.2 The following list which is not exhaustive includes the usual reasons for appealing against a pay determination.

That the person by whom the decision was made:

- i) incorrectly applied any provision of this policy;
- ii) failed to have proper regard for statutory guidance;
- iii) failed to take proper account of relevant evidence;
- iv) took account of irrelevant or inaccurate evidence;
- v) was biased; or
- vi) otherwise unlawfully discriminated against the employee.

Note: an appeal cannot be raised under this appeal process in respect of (iii) and (iv) where this concerns information contained in an appraisal review statement. The relevant process for such an appeal is in the Appraisal Policy.

### **Informal Appeal Process**

14.3.1 If an employee is dissatisfied about a matter concerning their pay, normally he/she should seek to resolve this first by raising the matter informally.

14.3.2 Where the dissatisfaction concerns a specific pay decision, e.g. a decision concerning pay progression on their pay scale or a specific decision to re-grade their post, the matter should be raised within ten working days of the decision being communicated to the employee. Such concerns should be raised with the manager responsible for the decision being appealed.

14.3.3 Where the dissatisfaction relates to something other than a specific decision, e.g. where the employee feels that the duties of their role have changed and are no longer appropriately recognised by the pay scale or value of TLR associated with their role then they may raise the matter informally at any time, subject to not raising the same matter more than once within a rolling 12 month period. Such concerns should be raised in the first instance with the Principal.

14.3.4 To initiate the informal process the employee should write to the relevant manager to set out the details of their dissatisfaction. Normally the manager would arrange to meet with the employee to discuss the concerns within 5 working days of the informal appeal being received. Normally within 10 working days of the meeting the manager would write to the appellant to confirm the outcome of the informal appeal. Where the manager considers there to be good reason for these timescales to be varied, they should write to the employee to explain the delay and identify the alternative timescale that is proposed.

14.3.5 If the employee is dissatisfied by the outcome of their informal appeal or considers there to have been unreasonable delay in the matter being concluded they may follow the formal appeal process.

14.3.6 There may be some circumstances where an employee considers they have good reason to by-pass the informal process. Where this is the case they may request for the matter to be immediately considered as a formal appeal. Any such request should be directed in writing to:

- the Principal (where the Principal was not the original decision maker); or
- the Regional CEO (where the Principal was the original decision maker); or

- in exceptional circumstances, where the Regional CEO was the original decision maker, the appeal should be communicated in the first instance to the Aspirations' Director of HR and Compliance.

The relevant manager shall consider the request and, normally within 5 working days of receiving the request, notify the employee if it is accepted that they may progress the matter in accordance with the formal appeal process or otherwise that they should take the matter up first through the informal process.

## **Formal Appeal Process**

14.4 The employee should set out in writing the grounds for questioning the pay decision and send it to the Principal, within ten working days of the outcome of the informal appeal process as referred to above (or within ten working days of being notified they may raise the matter formally as set out in 14.3.3).

14.5 The appeal will be referred to a panel of no less than two members that would incorporate at least one member of the Regional Board or a representative of the Aspirations Central Management Team. The members of the panel would not have had any prior involvement in the pay matter that was subject to appeal. The appeal hearing would be convened, normally within 20 working days of the receipt of the written appeal notification. Normally the panel would arrange for the appeal hearing to be attended by the employee and the original decision maker at the same time in order for them to make representations. In exceptional circumstances (e.g. because of absence) the panel may determine other arrangements, e.g. for the employee and the decision maker to make their representations in person separately or make their representations in writing. Where the employee attends the hearing in person, he/she would have the right to be accompanied by a trade union representative or work colleague.

14.6 Where the hearing proceeds with both the appellant and the decision maker in attendance to make their representations, the order of the hearing would generally be:

- Introductions made by the panel chair
- Representations by or on behalf of the appellant
- Questions by the panel and the decision maker to the appellant
- Representations by the decision maker
- Questions by the panel and appellant to the decision maker
- Summing up by the appellant (not introducing new information)
- Summing up by the decision maker (not introducing new information)

However, the panel chair may allow minor exceptions to the above, e.g. allowing questioning during representations, subject to the presenting speaker not being unreasonably interrupted.

14.7 The panel may adjourn a hearing part heard where it determines there is a need for more information to be obtained. Where this is the case the panel would either arrange a date for the hearing to be re-convened or make alternative arrangements, e.g. for the further information to be submitted in writing by a specified deadline.

14.8 Following the conclusion of the hearing the panel would consider the matter, with no one else in attendance, with a view to reaching conclusions and a decision. The decision of the appeal panel will be given in writing within five working days to the employee. Where the appeal is not upheld this will include a note of the evidence considered and the reasons for the decision. The decision of the panel is final and there is no further right of appeal.

## **Extract from the Aspirations Academies Trust Equal Opportunities Policy**

### **1. Introduction**

- 1.1 The Aspirations Academies Trust (Aspirations/ the Trust) is committed to encouraging and achieving a working environment which is underpinned by fairness to all individuals, where equality and diversity is recognised, encouraged and valued, and the concept of individual responsibility is accepted by all.
- 1.2 It is unlawful to discriminate directly or indirectly in recruitment or employment on grounds of sex, gender history or gender reassignment, pregnancy, age, colour, race, nationality, ethnic or national origin, sexual orientation, religion or belief, or because someone is married or is a civil partner. It is also unlawful to discriminate unjustifiably on grounds of disability or to fail to make reasonable adjustments to overcome barriers to employment caused by disability.

### **2. Legal enactments**

- 2.1. A person may complain of being harassed and or unfairly treated under UK and EU legislation. The following are relevant UK statutes:
  - The Equality Act 2010
  - The Employment Relations Act 1999
  - The Employment Rights Act 1996
  - The Employment Act 2002
  - The Work and Families Act 2006
  - The Part-time Workers Regulations (Prevention of Less Favourable Treatment) 2000
  - The Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002

### **3. Purpose**

- 3.1 Aspirations is committed to eliminating discrimination and encouraging diversity amongst its workforce. Our aim is that our workforce will be truly representative of all sections of society and each employee feels respected and able to give of their best. To that end the purpose of this policy is to provide equality and fairness for all in our employment and not to discriminate on grounds of gender, marital status, race, ethnic origin, colour, nationality, national origin, disability, sexual orientation, religion or age. We oppose all forms of unlawful and unfair discrimination.
- 3.2 This policy aims to promote an inclusive culture and working environment where:
  - The diversity of all employees is respected and valued

- All employees have the opportunity to receive fair treatment in an environment free from discrimination and harassment
- Opportunities for promotion, training, and continued employment are provided to all staff based on merit and ability in relation the role criteria.
- No employee or job applicant shall be disadvantaged by requirements that cannot be shown to be relevant to the job they applied for or hold.
- All employees will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the organisation.
- No form of intimidation, bullying or harassment will be tolerated.

## Appendix B

### Formula for determining holiday entitlement and full time equivalent rate of operational staff with term time based contracts

With reference to 13.3.1 of the Pay Policy the following formula shall be used.

$$[A \times (B+C)] \div [D \times E] \times I = \text{Term Time Based Salary Inclusive of Annual Leave}$$

Where:

- A = Contracted weekly working hours for the TTB employee
- B = Contracted number of weeks to be worked per year by the TTB employee (not including holiday time)
- C = TTB employee's holiday entitlement calculated by:  $(B \div H) \times (F+G)$
- D = Standard contracted weekly working hours for a full time employee (37 hours other than for employment based in London where it would be 36 hours)
- E = Weeks in a calendar year (52.1429)
- F = Annual leave entitlement (in weeks) for a comparable full time employee working year round
- G = Bank/public holidays normally observed in England and Wales (in weeks)
- H = Annual working weeks of a full time, year round employee calculated by:  
 $E - (F+G)$
- I = Full time salary rate equating to the salary scale point at which the TTB employee is paid

Example:

- A = 30
- B = 40
- C =  $(40 \div 45.7429) \times (4.8 + 1.6) = 5.5965$
- D = 37 *[this example is based on an employment other than in London]*
- E = 52.1429
- F = 4.8
- G = 1.6
- H =  $52.1429 - (4.8 + 1.6) = 45.7429$
- I = £21,552

$$[30 \times (40 + 5.5965)] \div [37 \times 52.1429] \times £21,552$$

$$= 1367.8950 \div 1929.2873 \times £21,552$$

$$= £15,280.71$$

Note: The hours to be worked over the course of the year by operational staff on a term time based contract will be determined by A x B. This may involve working across more calendar weeks than is indicated by B. This is due to the possibility that some working weeks during term time may be less than a full calendar week (e.g. where a term starts or finishes mid-week). For example, for an employee whose normal working week is five days (Monday to Friday) of equal length; where, due to a term commencing on a Tuesday, the employee works only 4 days in a particular week, that week will count as 0.8 of a week towards the weeks they are required to work over the year.