



## Pay Policy – Central Based Employees 1<sup>st</sup> September 2015

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# Pay Policy

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## **1. Introduction**

1.1 The purpose of the policy is to provide an open and transparent framework that enables Northern Education Trust (NET) to manage pay issues and ensure that staff are paid on a fair and equitable basis. This document also ensures consistency of treatment in dealing with the administration of pay matters including pay appeals.

This pay policy should be read in conjunction with the Trust's appraisal procedure for central staff, which outlines the procedures for determining pay.

## **2. Scope of Policy**

2.1 The policy applies to all central based staff who have contracts of employment with Northern Education Trust.

Centrally employed teachers shall have their performance managed in accordance with the approved academy pay policy. However, all matters in the academy policy referred to the governing body will instead be referred to the Chief Executive, nominated officer or relevant committee of the Trust in accordance with this policy.

## **3. Aims of the Policy**

- To operate pay arrangements in accordance with Equal Pay legislation.
- To show clearly the central team staffing structure and the graded value for each post.
- To demonstrate that the Trust is managing its policy on pay in a fair, consistent and transparent way.
- To ensure that job descriptions and person specifications are available for all posts and that job descriptions are formally updated and agreed with existing staff on a yearly basis as part of the annual appraisal.
- To ensure the staffing structure provides realistic career development opportunities for staff where possible.
- To respond to recruitment and retention problems where they exist.

## **4. Responsibility**

4.1 **In applying this policy the Trust will have due regard to the following:**

- The National Joint Council (NJC) for Local Government Services National Agreement of Pay and Conditions of Service (Green Book).
- The School Teachers Pay & Conditions Document (STP&CD) in force at the time
- Locally agreed conditions of service recognised by the Trust for central based staff.
- The contract of employment between the Trust and employee.
- The Trust delegates authority to the Corporate Coordination Group (CCG) to administer the Pay Policy.

#### 4.2 The Corporate Coordination Group (CCG) remit is:

- To administer the pay policy on behalf of the Trust Board;
- To agree the salary of the Chief Executive. Any pay progression for the Chief Executive will be based on performance assessed via the Trust's appraisal policy. The Chair of the Audit and Risk Committee will oversee the appraisal of the Chief Executive. The Chair of the Trust will have strategic oversight of this process.
- To make decisions on pay progression for all other central Trust employees based on recommendations made by the Chief Executive
- To consider initial representations made by an employee where there is a dispute regarding pay (this can be delegated to a nominated officer where appropriate).
- To ensure that statutory and contractual requirements are applied to all staff groups.
- To ensure that adequate records of decisions are kept.

#### 4.3 The Chief Executive's or nominated officer's remit is:

- To recommend annual pay progression linked to performance managed through the appraisal process.
- To consider reviews at other times in the year to reflect any changes in circumstances or job description(s) that lead to a change in the basis for calculating an individual's pay and report any findings to the CCG.

### 5. Equality of Opportunity and Employment Legislation

The Trust supports equality of opportunity and will abide by all relevant legislation and codes of practice. In particular the Trust will not discriminate on the grounds of any protected characteristic, i.e. race, nationality, ethnic or national origin, gender, sexual orientation, religious belief, marital status, disability, age, fixed term or part time working.

### 6. Right to Representation

6.1 Employees have the right to be accompanied by a recognised Trade Union representative or work colleague during the initial representation to the CCG or nominated officer and the Appeal Hearing with the Pay Appeals Committee.

6.2 The employee should make their own arrangements to be represented or accompanied. Where the chosen representative or colleague is not available at the proposed time and date, the employee may propose an alternative date as long as the date is within 5 working days of the original date.

### 7. Appraisal

Under the appraisal arrangements the appraiser and appraisee will seek to agree the objectives, but where this is not possible; the appraiser will determine objectives against which the appraisee's performance will be assessed. The objectives will, wherever possible, be linked to the Trust business plan. The appraiser will make a recommendation on performance related pay to the Chief Executive. The Chief Executive will quality assure the recommendation and then base their recommendation on the evidence presented to the CCG. If this is not the same recommendation as the appraiser the Chief Executive or

nominated officer will meet with the employee and give reasons for the change. The employee concerned will be given the opportunity to discuss this matter.

## **8. Pay Relativity**

The Trust will seek to ensure that there is pay relativity between posts within the Trust. Where possible, appropriate differentials will be created and maintained, following the appropriate guidelines and recognising accountability, job size and the need to recruit, retain and motivate sufficient employees of the required quality at all levels.

## **9. Conditions of Service for Support Staff**

The Trust will comply with the National Joint Council for Local Government Services National Agreement of Pay and Conditions of Service (Green Book); and any local agreements recognised by the Trust on employees' conditions of service. Where there are differences in the contract of employment to the content of the Green Book, the contract of employment will prevail. The Trust has discretion to award additional benefits as deemed appropriate to staff with specialist skills and expertise, although the reasons for this should be minuted appropriately.

All pay progression is linked to performance. All staff will, in addition, receive the nationally agreed NJC 'cost of living' pay award.

The Trust has adopted the national NJC pay scale up to Spinal Column Point (SCP) 49. The Trust has approved locally agreed additional points on this pay spine for centrally based employees and also specific leadership SCP. With effect from 1<sup>st</sup> September 2015 all staff will be moved over onto an NJC SCP or Trust leadership SCP.

## **10. Pay Safeguarding**

Where the Trust determines a change to the pay policy or to the central team structure, which means employees' posts are downgraded or they are redeployed into a suitable comparable post at a lower grade to avoid a redundancy situation, they will be eligible to 'protected pay' for 1 year at full salary protection and 1 year protection at 50% of the difference in salary from the date of appointment to the new post.

An eligible employee who is redeployed to a post with a lower pay band shall be appointed above the minimum of the new pay band to the extent to which pay protection becomes unnecessary or is minimised.

Safeguarding for centrally employed teachers will be in accordance with the STP&CD in force at the time.

## **11. Appeals against Pay Determination**

An employee may appeal against any decision relating to his/her pay and the Trust has adopted a policy for dealing with pay appeals, which is attached at Appendix 1. The employee should make initial representations to the Corporate Coordination Group (CCG) or their nominated officer.

If the employee is still dissatisfied with the outcome of the initial representations, there is a further right of appeal to the Pay Appeals Committee (see Appendix 2).

## **12. Monitor and Review of the Policy**

The Trust are committed to monitoring and reviewing the effectiveness of the pay policy with recognised trade unions. As the employer, the trust will monitor salary decisions and take appropriate remedial action if it is felt there is a potential equal pay issue. There is also commitment to monitor the workload impact of the policy through regular professional dialogue and feedback from appraisers and appraises.

## **APPENDIX 1**

### **Appeal against Pay Decisions**

The Trust has adopted the following procedure for dealing with appeals against pay decisions.

The grounds for appeal that are Appraiser or Committee making the decision:

- a) Incorrectly applied any provision of the NJC document, STP&CD or contract of employment
- b) Failed to take proper account of relevant evidence
- c) Took account of irrelevant or inaccurate evidence
- d) Was biased
- e) Unlawfully discriminated against the member of staff.

### **Process**

The Pay Appeals Committee will consist of three board members who are not members of the CCG. Employees will be able to appeal to the Pay Appeals Committee if they are not satisfied with the decision of the CCG for any of the reasons outlined above and they wish to advance their case for consideration.

Upon receipt of the decision of the CCG the member of staff should give the Chair of the CCG written notice of the intention to appeal and the grounds for the appeal within 5 working days.

The Chair of the CCG will then arrange for the appeal to be heard within 20 working days following receipt of the written notice of appeal.

The appellant will be given at least 5 working days' notice of the appeal hearing and will be required to submit his/her case in writing to the Pay Appeals Committee at least 2 working days before the hearing.

The appellant has the right to be accompanied by a work colleague or a trade union representative.

The Chair of the CCG or nominated officer will be required to submit their case in writing at least 2 working days before the appeal hearing and will be required to attend the hearing to present the management case.

The decision of the Pay Appeals Committee will be given to the appellant in writing within 5 working days of the hearing.

Where an appeal is rejected the Pay Appeals Committee will inform the appellant in writing of the evidence that the committee considered and the reasons for the decision.

The person who made the original pay recommendation will be notified of the outcome of the appeal hearing and the Corporate Coordination Group will also be informed.

The decision of the Pay Appeals Committee will be final and binding on both parties.

## **Appendix 2**

### **Procedure for Appeal Hearing**

1. The employee or his/her representative to put his/her case and to call such witnesses as he/she wishes.
2. The Management Representative (Chair of the CCG or nominated officer) to have the opportunity to ask questions of the employee or his/her representative and witnesses.
3. Members of the Committee to have the opportunity to ask questions of the employee or his/her representative, or the witnesses.
4. Management Representative to present the facts of the case and may call witnesses
5. The employee or his/her representative to have the opportunity to question the Management Representatives and any witnesses about the facts provided.
6. Members of the Committee to have the opportunity to question the Management Representative and any witnesses.
7. The employee or his/her representative to have the opportunity to sum up his/her case. (No new evidence should be submitted at this point)
8. The Management Representative to have the opportunity to sum up his/her case. (No new evidence should be submitted at this point)
9. The Management Representative and the employee and his/her representative to withdraw.
10. The members of the Appeals Committee to consider the facts presented to them.

**The appeal hearing may also be adjourned at the deliberation stage, in order to allow for further investigation if the Committee feels that there are points that need clarification. An opportunity may be given to re-examine the evidence/witnesses.**

**Please note: A HR representative should be present at the hearing.**



## **Contacts**

**For advice on the content of this policy please contact:**

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Employees are also encouraged to contact their trade union representative for advice and support where appropriate.