

CAEDMON COLLEGE WHITBY
Pay Policy 2018-19, based on the NYCC model policy



PAY POLICY

Based on the model policy produced by North Yorkshire County Council (NYCC)

College Governance Status

This policy was first created in May 2014 and was adopted by the Governing Body. It is reviewed annually and based on guidance received from NYCC.

Review dates	By Whom	Approval date
Autumn Term 2014	NYCC, Staff and Governors	6.11.2014
Autumn Term 2015	Staff and Governors	15.10.2015
Autumn Term 2016	Staff and Governors	26.09.2016
Autumn Term 2017	Staff and Governors	25.09.17
Autumn Term 2018	Staff and Governors	11.10.18
Autumn Term 2019		

Signed by the Chair:

Pen Cruz

Please note that text in italics represents the guidance given to schools and colleges by the Local Authority.

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Policy	Guidance
<p>1. Opening Statement</p> <p>The aim of this policy is to help maintain and improve the quality of education provided for pupils in the College by ensuring that the contribution of all staff, both teaching and support, is valued and that staff receive recognition for their work in relation to their performance.</p> <p>This policy will assist the Governing Body in managing pay and grading issues within the College in a fair and transparent manner, whilst having due regard to the constraints exercised by the annual budget allocation.</p> <p>The Governing Body supports the principle of equality of opportunity in employment. In its operation of this policy it will endeavour to ensure that staff receive equal treatment irrespective of their age, gender, race, colour, ethnic origin, family commitments, marital status, sexual orientation, disability or religious beliefs.</p> <p>All pay related decisions will be taken in compliance with the provisions of The Equality Act 2010, The Employment Rights Act 1996, The Employment Relations Act 1999, The Employment Act 2002, The Employment Act 2008, The Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000, The Fixed Term Employees' (Prevention of Less Favourable Treatment) Regulations 2002, The Agency Workers Regulations 2010, all as amended.</p> <p>Adjustments will be made to take account of special circumstances e.g. absence on maternity or long-term sick leave. The exact adjustments will be made on a case-by case basis according to the circumstances but may include taking a longer time period into account to gather evidence of performance.</p>	
<p>2. Scope of the Policy</p> <p>The Policy will cover all staff employed on the payroll of Caedmon College Whitby, irrespective of grade or conditions of service. It will have reference to those statutory instruments and other conditions of service which affect pay and grading, including, as issued and revised: -</p> <p>The School Teachers Pay and Conditions Document (The Document); The Conditions of Service for School Teachers in England and Wales (the 'Burgundy Book'); The NJC for Local Government Services National Agreement on Pay and Conditions of Service (the 'Green Book' for support staff); The North Yorkshire County Council/Unison Collective Agreement and The JNC for Youth and Community Workers (the 'Pink Book').</p> <p>Any significant changes to this policy, other than those resulting from changes to the documents listed above, will be the subject of consultation between the Governing Body and the appropriate trade unions and professional associations represented within the College.</p> <p>Where changes are made to this policy they should be communicated promptly to all staff in a manner designed to draw their attention to the changes. The policy is subject to review annually or as otherwise required.</p> <p>The implementation, review and operation of this policy will be the responsibility of the Governing Body of the College, through its Resources Committee (henceforward known as 'the Committee'), and advised by the College's Principal.</p>	
<p>3. Implementation</p> <p>It is intended that the College staffing budget will include an annual allocation to cover the total cost of existing and any additional planned salaries and any likely performance progression within Governors' discretion. Alterations to the College's Pay Policy will be proposed by the Committee to the Governing Body for final approval. The Committee, with delegated responsibility, will conduct an annual review of the salary structure of the College, with any changes normally taking effect from 01 September each year.</p> <p>The Committee will consider all matters relating to pay and grading within the College, for all staff. The</p>	

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Committee will be advised by the Principal, who will be required to withdraw when matters pertaining to his or her own grading and salary are being considered. This may include matters which could have a direct 'knock-on' effect on the Principal's pay, for example, the determination of the pay range for Deputies and/or Assistant Principals or other members of the leadership group. Governors employed at the College cannot be members of this Committee and any Governor with a financial or personal interest in the matters being considered will be required to withdraw from such deliberations.

The Committee will determine pay and grading for staff within the parameters set by this policy in as fair and equitable a manner as possible, observing all statutory and contractual requirements. The Committee will determine the pay of each member of staff annually, and more frequently if appropriate, within the College's allocated staffing budget. All decisions of the Committee in relation to pay and grading will be clearly minuted. Decisions of the Committee will be communicated to those individuals affected, in writing.

The full Governing Body will receive the report of the Committee in the confidential section of the agenda and will endorse or refer back any proposals made. Teachers, staff and any other Governors with a direct or indirect pecuniary interest may be required to withdraw if any matters contained in the report are to be debated. It may also be appropriate, in some circumstances, if members of the Appeals Committee also withdraw.

The Governing Body will ensure that every teacher's salary is reviewed annually with effect from 01 September and no later than 31 October (or 31 December in the case of the Principal) and give them a written statement setting out their salary and any other financial benefits to which they are entitled. Reviews may take place at other times of the year to reflect any change in the basis for calculating an individual's pay. Any such revision should be accompanied by a revised pay statement within one month of the determination being made.

4. Staffing Structure and Implementation Plan

The Governing Body will publish a whole College staffing structure. Should it subsequently be necessary to propose amendments to the staffing structure, consultation will take place, as appropriate, in line with the College's Reorganisation, Redundancy and Redeployment Policy and Procedure.

Where changes to the staffing structure affect teachers' pay, they will be issued with a revised salary statement together with details of safeguarding (where appropriate, see section 5) as per the requirements of the Document.

5. Salary Safeguarding for Teachers

The Governing Body is required to review the duties of any teachers who are entitled to safeguarded sums that in total exceed £500 and allocate appropriate additional responsibilities, commensurate with the safeguarded sum, for the period of safeguarding. The Governing Body will ensure that appropriate notice is issued of any new responsibilities which are being given to the teacher as work commensurate with their safeguarded sum. All such additional responsibilities allocated will be kept under review until the safeguarding period ends, when a decision will be taken about the future allocation of those responsibilities. Where a teacher unreasonably refuses to carry out additional responsibilities the safeguarded pay may be removed subject to at least one month's notice being given.

6. Pay Progression for Teachers based on Performance (including members of the Leadership Group and Leading Practitioners)

Performance appraisal will be carried out in line with the Education (School Teachers' Appraisal) (England) Regulations 2012 including reference to the Teachers' Standards 2012. The arrangements for teacher and support staff appraisal are set out in the College's Performance Management (Appraisal) Policy.

In the case of Newly Qualified Teachers (NQTs), whose appraisal arrangements are different, pay decisions will be made by reference to the outcome of the statutory induction process.

In determining what, if any, incremental increase to recommend the appraiser will take into account progress against **appraisal objectives** and performance against the **Teachers' Standards**. For those teachers with additional responsibilities, eg, TLRs and SEN allowances an assessment will also be made of the extent to which

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these responsibilities have been met.

There is a responsibility on teachers and appraisers to work together. **The College will establish a firm and objective evidence base in relation to the performance of all teachers.** Teachers should also gather any evidence that they deem is appropriate to demonstrate the meeting of objectives, the Teachers' Standards and any other criteria (including application to be paid on the upper pay scale).

The evidence to be considered should be made clear to teachers from the outset as should any weighting given to particular objectives. The Principal and senior managers will need to consider arrangements for the moderation of target setting and appraisal outcomes, taking into account the degree of challenge of different targets and the possible weighting given to key targets, eg, student progress. Progress should be reviewed during the appraisal cycle and any risk to pay progression should be signalled at an early stage. Appraisal reports will include pay recommendations to be taken forward by the Principal to the Committee.

The Governing Body wishes to recognise good and excellent performance in its teachers and will apply performance related pay under the following terms:

"At the end of the cycle, assessment of performance for objective one will be judged as either 1. Exceptional performance, 2 met securely, the vast majority are met and at least making good progress to those not met, 4 while some are met, a significant number of the standards are not met, 5 clearly not met.

In order to be recommended for pay progression a teacher's performance must be judged to be at least meeting objective one and must not be limited for objectives two and three. In extraordinary circumstances, the Governors' Pay Committee will consider use of its discretion to award more than one full point, up to a maximum of 2 full points, in one year. We are absolutely clear that we do not want an objective setting system which discourages setting ambitious objectives. We dismiss the idea of a graduated descriptor grid against each Standard and sub-standard; instead we want to rely upon the professional judgement of the ST reviewers.

The professional judgement of reviewers and lesson observers will be central to appraisal against the Teachers' Standards. To that end, the Strategic Team members who undertake all Performance Development assessments at the College will be well-trained and the consistency of their judgements will be maintained through systematic moderation procedures which will include the moderation of objective setting and judging evidence against the Teachers' Standards, and observation of Performance Development Review conversations.

So that no-one is unclear about the standard of performance expected at the College, the following statement is designed to clarify what is expected of College teachers so that:

- there is no doubt about the level of performance required by our teachers;
- the need to reduce performance measures to overly specific and inflexible numerical targets is obviated.

It is a given that the assessment of a teacher's performance during the Performance Development Review meeting will be rooted in the mandatory evidence outlined above. However, it is important to be clear that the final judgement of a teacher's performance for objective one on our 1-5 grading system will be made within the context of our College, where:

- students enter the College at attainment levels around the national average
- we expect students to make progress above the expected progress nationally
- we expect students to achieve at the end of Key Stage 3, 4 and Key Stage 5 with attainment levels above the national average
- teachers have the highest expectations of our all students, reflected in our growth mind-set culture.

Judgements will be made with professional wisdom and will take into account a teacher's contextual analysis of the academic performance of students in his/her individual classes."

Performance which meets requirements will receive a one-point increase within the pay scale, if headroom allows. A performance which fails to meet requirements will not receive an incremental pay increase. Teachers will not receive pay progression if their performance in the previous year did not meet requirements, taking into account identified conduct or capability issues and the outcome of the performance management review.

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The Local Authority have also advised that the following statement about attendance is included in this policy which would create equity in the way that both support staff and teaching staff are performance managed.

Teachers will not normally receive an increment if their sickness absence exceeds the following stated limits during the performance management cycle period, ie, the academic year for teaching staff and from mid-March for support staff to tie in with the annual awarding of increments on 1 April:

Max days in year **3 year total no of days' limit**

7

21

Only if the maximum sickness absence is exceeded for the period then the 3-year total will be considered (current year plus previous 2 years).

Taking into account performance against the stated criteria, staff with headroom within the pay band will have pay progression withheld. Performance evidence will be shared with postholders during the year to avoid any surprises at the end of year review. Increments will not be granted where staff do not meet the above criteria. However, exceptions will be considered for:

- A one-off absence of normally **not more** than three months where the individual has an otherwise excellent attendance record.
- Staff whose illness prevents them from attending their usual place of work and whose offer to work in a different capacity/location is unable to be accommodated by their manager.
- Where an individual is injured in the course of their duties this will be taken into consideration, unless the individual has been negligent of their own safety or wellbeing. Where the sickness absence is work related consideration may be given to it being exempt.
- Disability-related sickness absence.
- If a target was unattainable due to unexpected circumstances, beyond the postholder's control. If this becomes apparent, a different objective should be set for the postholder as soon as possible.

If the cause of sickness absence was related to pregnancy then this must not be taken into account in the employee's sickness absence total figure for assessment against the target figures. If a period of warning/under-performance crosses two appraisal years pay progression would be withheld only once (in the first year) provided that conduct/performance was acceptable in the remainder of the second year.

7. Grading and Salary Determination

Salaries will be determined in September 2018 in relation to the arrangements specified in the 2017 Document. Therefore, the performance related pay arrangements will be effective from September 2018, based on performance in the academic year 2017/18.

All pay scales referred to in this document reflect the mandatory increases to the minima and maxima of the pay scales and TLR and SEN allowances from 01 September 2018.

i) Leadership Group

All teachers paid on the Pay Spine for the Leadership Group are not eligible for Special Needs Allowances (SEN) or for Teaching and Learning Responsibility Payments (TLR).

Leadership Group Pay Spine

L1	39,965
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L2	40,966
L3	41,989
L4	43,034
L5	44,105
L6	45,213
L7	46,430
L8	47,501
L9	48,687
L10	49,936
L11	51,234
L12	52,413
L13	53,723
L14	55,064
L15	56,433
L16	57,933
L17	59,264
L18 *	60,153
L18	60,755
L19	62,261
L20	63,805
L21 *	64,736
L21	65,384
L22	67,008
L23	68,667
L24*	69,673
L24	70,370
L25	72,118
L26	73,903
L27*	74,985
L27	75,735
L28	77,613
L29	79,535
L30	81,514
L31*	82,701
L31	83,528
L32	85,604
L33	87,732
L34	89,900
L35*	91,223
L35	92,135
L36	94,416
L37	96,763
L38	99,157
L39*	100,568

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L39	101,574
L40	104,106
L41	106,892
L42	109,383
L43	111,007

* Note: Scale points to be applied **only** to headteachers at the top of the school's headteacher group range.

Principal groups

Group 1	L6 (£45,213) – L18* (£60,153)
Group 2	L8 (£47,501) – L21* (£64,736)
Group 3	L11 (£51,234) – L24* (£69,673)
Group 4	L14 (£55,064) – L27* (£74,985)
Group 5	L18 (£60,755) – L31* (£82,701)
Group 6	L21 (£65,384) – L35* (£91,223)
Group 7	L24 (£70,370) – L39* (£100,568)
Group 8	L28 (£77,613) – L43 (£111,007)

Head Teachers/Principals

Upon planning to appoint a new Principal, the Governing Body will review the College's Principal pay range within, or exceptionally above, the appropriate school group on the Pay Spine for the Leadership Group. Upon appointment, the Governing Body will determine a pay point within the pay range for the Principal, in accordance with the provisions of the Document. This decision will have reference to the pay of other leadership group and upper pay scale teachers in the College, so that appropriate differentials are maintained. Only in exceptional circumstances will the Principal pay range overlap with any other leadership pay range. A new Principal will normally be appointed to the first point on the Principal pay range but may be appointed to a higher point if circumstances make a higher point appropriate. However, headroom for performance related pay progression will remain available within the range. The Principal pay range for this College is Group 6.

The Committee will agree performance objectives with the Principal, after receiving the advice of their external adviser, in accordance with the prevailing performance management/appraisal legislation.

The Committee will review performance against objectives set for the preceding year and other stated performance criteria, again receiving advice from their external adviser. The Principal must demonstrate sustained overall high quality of performance in order to be considered for a performance point(s) increase. To be fair and transparent, judgements must be properly rooted in evidence and be made having regard to the most recent appraisal or reviews.

Taking such performance into account, the Committee will determine whether no, one or two pay points are to be awarded for progression within the Principal's pay range.

Progression within the Principal's pay range will be effective from 1 September each year.

Where a Principal is appointed to be responsible for more than one school, the following arrangements will apply

Permanent Arrangement - eg, a federation with a single governing body or permanent collaboration:

The remuneration in such cases should be based on the calculation of the total number of pupil units across all schools, which will give a group size for the federation. The relevant body should then determine the Principal's pay range and appropriate starting point in that range according to paragraph 9 of the Document. The Principal's pay range may exceed the maximum of the group where the governing body determines that circumstances specific

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to the role or candidate warrant a higher than normal payment. The governing body must ensure that the maximum of the Principal's pay range and any additional payments made under paragraph 10 of the Document does not exceed the maximum of the Principal group by more than 25% unless in exceptional circumstances and where supported by a business case and where suitable independent external advice has been first taken.

Temporary Arrangement – eg, a Principal takes on the post of Acting Principal at another school in addition to his/her existing post. In such cases, a fixed term variation of contract must be issued by the providing school.

Where appropriate, the Principal may be awarded an additional payment as detailed on page 13 of this policy.

Remuneration of other teachers affected

In all cases, consideration needs to be given to the remuneration of other teachers who as a result of the Principal's role are taking on additional responsibilities. This will be based on any additional responsibilities attached to the post (not the teacher). The additional responsibilities and their duration should be recorded. An increase in remuneration should only be agreed where the post accrues extra responsibilities as a result of the head teacher's enlarged role; it is not automatic.

Deputy Principals and Assistant Principals

The Committee will determine a pay range of a number of consecutive points from the Pay Spine for the Leadership Group for each Deputy Principal and Assistant Principal. The individual pay ranges set will reflect the relative responsibilities and job weight of the roles concerned. A new Deputy or Assistant Principal will normally be appointed to the first point on their pay range but may be appointed to a higher point on their pay range if circumstances make this appropriate. However, headroom for performance related pay progression will remain available within the range. In this College, the Assistant Principal's pay ranges are from points 6 to 16. The Committee will be advised by the Principal of performance against objectives agreed for the preceding year and other stated performance criteria, and must have regard to the recommendation on pay progression recorded in the teacher's most recent planning and review statement. The Committee will take this into account when determining whether to award pay point progression (if any) of one or two points within the individual range. Progression within the range will be based on evidence of sustained high quality of overall performance. To be fair and transparent, judgements must be properly rooted in evidence and be made having regard to the most recent appraisals or reviews.

The Committee will be advised by the Principal of performance against objectives agreed for the preceding year and other stated performance criteria, and must have regard to the recommendation on pay progression recorded in the teacher's most recent planning and review statement. The Committee will take this into account when determining whether to award pay point progression (if any) of one or two points within the individual range. Progression within the range will be based on evidence of sustained high quality of overall performance.

To be fair and transparent, judgements must be properly rooted in evidence and be made having regard to the most recent appraisals or reviews.

ii) Leading Practitioners

Schools may appoint Leading Practitioners (LPs) within their staffing structures. The primary purpose of such posts is the modelling and leading improvement of teaching skills. This may include outreach work for the benefit of the wider teaching community.

There is no minimum service criterion for a Leading Practitioner. Leading Practitioners are not eligible for Special Educational Needs Allowances or for Teaching and Learning Responsibility Payments. The Committee will select an appropriate pay range from the LP pay spine. Different Leading Practitioners in the College may be placed on different individual ranges in accordance with the responsibilities of their Job Descriptions. The range will be reviewed where there is significant change in the responsibilities of an existing LP. The Committee will have regard to the recommendation on pay progression recorded in the teacher's most recent appraisal statement when determining whether to award no, one or two pay points for progression within the individual range, effective from 01 September

In this College, the pay scale and pay range(s) applicable to Leading Practitioners are as follows: -

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Leading Practitioners Pay Scale

Spine point	£
1	40,162
2	41,167
3	42,195
4	43,246
5	44,322
6	45,432
7	46,656
8	47,733
9	48,925
10	50,180
11	51,484
12	52,670
13	53,987
14	55,333
15	56,710
16	58,238
17	59,554
18	61,055

The Committee will be advised by the Principal of performance against objectives agreed for the preceding year and other stated performance criteria including the Teachers' Standards, and must have regard to the recommendation on pay progression recorded in the teacher's most recent planning and review statement. The Committee will take this into account when determining whether to award pay point progression (if any) of one or two points within the individual range.

iii) Main Pay Scale Teachers (MPS)

In this College, MPS teachers will be paid in accordance with the following pay scale:

Scale point	£
1	23,720
2	25,344
3	27,380
4	29,488
5	31,811
6	35,008

Upon Commencement

The salary of teachers new to the College will be assessed and notified prior to commencement. In this College, newly qualified teachers will be paid on the Main Pay Scale, starting at point 1. Continuing on the Main Pay Scale will be subject to gaining Qualified Teacher Status in the induction year. The school reserves the right to set a maximum starting salary for teaching posts prior to advertising. Subject to any maximum starting salary, this College will normally honour pay portability and hence teachers with previous teaching experience will normally be paid at the pay level of their most recent teaching post. In certain circumstances, teachers may be paid at a higher or lower level than their previous teaching post.

The College reserves the right to set a maximum starting salary for teaching posts prior to advertising. Subject to any maximum starting salary, this College will normally honour pay portability and hence teachers with previous teaching experience will normally be paid at the pay level of their most recent teaching post. In certain

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circumstances teachers may be paid at a higher or lower level than their previous teaching post.

Existing teachers in the same school

The point on the pay scale of teachers continuing to be employed at the same school may not be reduced and any pay progression is permanent while teaching in the same school.

Pay Progression

The salary of main pay scale teachers will be reviewed with effect from 1 September each year and each teacher will be issued with a salary statement by 30 November. Governors will take advice about the performance of teachers from the Principal and must have regard to the recommendation on pay progression recorded in the teacher's most recent appraisal statement.

A recommendation for no pay progression in any particular year will not necessarily imply that a teacher is or should be subject to formal under-performance procedures.

Special Educational Needs Allowance

A SEN allowance of no less than £2,149 and no more than £4,241 per annum is payable to a classroom teacher if that teacher:

- is in any SEN post that requires a mandatory SEN qualification
- is in a special school
- teaches students in one or more designated special class or units in a school
- is in any non-designated setting (including any PRU) that is equivalent to a designated special class or unit where the post

(i) involves a substantial element of working directly with children with special educational needs;

(ii) requires the exercise of their professional skills and judgement in the teaching of children with special needs;
and

(iii) has a greater level of involvement in the teaching of children with special educational needs than is the normal requirement of teachers throughout the school or unit.

Where the allowance is payable, the College will determine the spot value of the allowance for each relevant teacher taking in to consideration the structure of the SEN provision and the following factors:

- whether any mandatory qualifications are required for the post;
- the qualifications and expertise of the teacher relevant to the post; and
- the relative demands of the post.

In this College, the SEN Allowance(s) is not applicable.

Teaching and Learning Responsibility Payments (TLRs)

TLRs may be awarded for undertaking a sustained responsibility in the context of the College's staffing structure that is needed to ensure continued delivery of teaching and learning. Before awarding a TLR, the Governing Body must be satisfied that the teacher's duties include a significant responsibility that is not required of all classroom teachers, and that -

- is focused on teaching and learning;
- requires the exercise of a teacher's professional skills and judgement;
- requires the teacher to lead, manage and develop a subject or curriculum area; or to lead and manage student development across the curriculum;

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- has an impact on the educational progress of students other than the teacher's assigned classes or groups of students; and
- involves leading, developing and enhancing the teaching practice of other staff.

TLR 1 and 2

Before awarding a TLR1, the Governing Body must be satisfied that the significant responsibility referred to in the previous paragraph includes, in addition, line management responsibility for a significant number of people.

Where the Governing Body has approved a TLR post, in conformity with the criteria stated in the Document, the postholder will receive an appropriate TLR payment (from the implementation date) in accordance with the following levels of responsibility: -

TLR 1 range = £7,853 - £13,288

TLR 2 range = £2,721 - £6,646

At the College, the TLR pay structure is as follows:

TLR2a £2,721

TLR2b £4,529

TLR2c £6,340

TLR1a £7,853

TLR1b £9,663

TLR1c £11,474

The levels of TLR payments will be kept under review in accordance with changes in the Document, and consulted on as appropriate.

TLR 3

TLR 3s are temporary fixed-term and may be awarded for the following purposes: -

- 1) Clearly, time-limited College improvement projects
- 2) One-off externally driven responsibilities.

The annual value of a TLR3 is between £540 and £2682, payable monthly for a fixed duration determined at the outset.

At the College, any TLR3 payments will be assessed and based on the level of responsibility required for the additional project/responsibility and will be considered against the responsibility required for the TLR2 criteria and levels before the amount is agreed with the postholder.

No safeguarding will apply to a TLR3 post.

iv) Threshold and Post-Threshold Teachers

Main pay scale teachers are eligible to apply to cross the 'Threshold' to the upper pay scale.

In this College, the following requirements will apply to 'Threshold' applications:

From 01 September 2018 a teacher may apply to be paid on the Upper Pay Scale once reaching the top pay point of MPS. Successful applications made in the academic year in which a teacher first reaches the top point of MPS (deadline 31 October) will apply from the following 1 September. Teachers in their second or subsequent years at the top of MPS may apply by 31 October of any year (deadline) and, if successful, their progression will be backdated to 1 September of the same academic year.

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Applications will be made to the Principal, who will appoint an assessor (this may be the Principal) to make a determination and give feedback to applicants. Where the Principal is not the assessor, the Principal will moderate the process. Recommendations for progression will be made to the Committee.

Applications will not be accepted more than once per academic year.

All applications should include the results of the last two available appraisal reviews together with a succinct summary of evidence against the assessment criteria.

An application from a qualified teacher will be successful where the Committee is satisfied that:

- (a) the teacher is highly competent in all elements of the relevant standards; and
- (b) the teacher's achievements and contribution to the College are substantial and sustained.

If a teacher is simultaneously employed at another school(s) they may make separate applications to each school. This College will not be bound by any pay decisions made by another school.

The Principal should notify the Committee of the recommendation at the appropriate meeting when teachers' pay is considered. The committee, on receiving notification of a successful threshold application, will move the teacher to point 1* of the Upper Pay Scale at the appropriate time.

Teachers who are unsuccessful in their Threshold applications may appeal against the decision in accordance with section 13 of this document.

Upper Pay Scale

Teachers who are successful in their Threshold Assessments will move to point one of the Upper Pay Scale* and may be considered for further progression after an additional two years' service unless exceptional performance merits progression after one year** in line with the College's Performance Management/Appraisal Policy. Teachers will be assessed in accordance with the College's Performance Management/Appraisal Policy to determine whether their contribution to the College has been **substantial and sustained**.

The Committee will receive a recommendation from the Principal based on appraisal outcomes in this regard and will decide whether or not to award an additional point or points to eligible teachers. Once awarded, points on the upper pay scale cannot be removed during the teacher's employment in the same school.

Post-threshold teachers are eligible for the same allowances as other Qualified Teachers.

In this College, Upper Pay Scale (UPS) teachers will be paid in accordance with the following pay scale:

Scale point	£
U1	36,646
U2	38,004
U3	39,406

v) **Unqualified Teachers**

The following categories of unqualified teachers are allowed by law: -

- persons giving instruction in any art, skill, subject or group of subjects (including any form of vocational training) who have special qualifications and/or experience;
- overseas trained teachers;

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- persons granted a licence under the provisions of Part II of Schedule 2 to the Education (Teachers) Regulations 1993⁽¹⁾ ;
- student teachers, teacher trainees who have yet to pass the skills test and those undertaking employment based teacher training leading to QTS; or
- assistant teachers at a nursery school or teachers of a nursery class, who were employed as teachers under the Education (Teachers) Regulations 1982 before 1 September 1989.

In this College, the pay scale for unqualified teachers is: -

Scale point	£
1	17,208
2	19,210
3	21,210
4	23,211
5	25,214
6	27,216

Unqualified teachers may not receive Teaching and Learning Responsibility Payments or SEN Allowances but may receive points for other relevant experience as per qualified teachers (see section iii above)

The Committee will determine at which pay point a newly appointed unqualified teacher will enter the Unqualified Teachers Pay Scale, having regard to any previous experience, or any qualifications which they possess which are relevant to the post. Once awarded, pay points for Unqualified teachers are permanent for employment within the same school.

The Committee will take advice about the performance of unqualified teachers from the Principal and must have regard to the recommendation on pay progression recorded in the teacher's most recent appraisal statement.

If deemed appropriate, an allowance, of discretionary amount, may be paid to an unqualified teacher, in the context of the staffing structure and pay policy, if it is considered that the unqualified teacher has:

- (a) taken on a sustained additional responsibility which is:
- (i) focused on teaching and learning; and
 - (ii) requires the exercise of a teachers' professional skills and judgment; or has
- (b) qualifications or experience which bring added value to the role being undertaken.

Where an unqualified teacher becomes qualified the Committee will re-determine salary in accordance with the arrangements relating to qualified teachers in accordance with Paragraph 13 of the Document. The salary paid must be at least equivalent to that paid prior to qualification, while the teacher remains employed at the same school.

8. Part-Time Teachers

The proportion of time a part-time teacher works is calculated against the school's timetabled teaching week (STTW). The STTW refers to the school's session hours that are timetabled for teaching, including PPA time and other non-contact time but excluding;

- break times
- registration; and
- assemblies.

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The STTW of a full-time classroom teacher is used as the figure for calculating the percentage of the STTW for a part-time teacher at the College. The same percentage will be applied to the proportion of directed time required of a part-time teacher. Where an allowance is paid to a teacher, the same percentage of the full-time allowance will be payable. A part-time teacher may be requested (but not required) to voluntarily work on a day or part of a day they do not normally work and, if agreed, a pro rata additional payment should be made, or time off in lieu agreed, where appropriate.

9. Teachers Employed on a Short Notice Basis

Teachers employed on a day-to-day or other short notice basis will be paid in accordance with the provisions of the Document on a daily basis calculated on the assumption that a full working year consists of 195 days, periods of employment for less than a day being calculated pro rata. In this College, supply teachers will normally be paid on the Main Pay Scale

10. Other Provisions Relating to Teachers

All types and grades of teachers, **excluding** Principals and other members of the Leadership Group, are eligible to be considered for the payments detailed below: -

Recruitment and Retention Incentives and Benefits

Such incentive allowances may be awarded by the Committee only to aid the recruitment and/or retention of teachers. The Committee will determine whether an annual allowance will be paid with monthly salary or as a lump sum at the end of a fixed period.

The governing body should make clear at the outset the expected duration of any such incentives and benefits, and the review date after which they may be withdrawn.

Where a teacher is given an incentive or benefit under paragraph 27 of the Document, written notification given at the time of the award should state:

- whether the award is for recruitment or retention;
- the nature of the award
- the amount of the award
- when/how it will be paid (as applicable);
- unless it is a 'one-off' award, the start date and duration of the incentive
- the basis for any reviews which will be applied
- the basis for any repayment should an individual leave the College.

Schools may make payments or provide financial assistance or benefits to aid recruitment or retention. An advance of salary for a rental deposit is one of a number of tools that schools may wish to consider as an incentive for the recruitment of new teachers and the retention of service of existing teachers. Other examples of assistance are transport season ticket loans for travel costs, a one-off payment such as a contribution to removal costs, or a time-limited allowance.

All types and grades of teachers, **excluding** Principals are eligible to be considered for the payments detailed below: -

Continuing Professional Development

For any CPD activities taking place at weekends or during College holidays, the Committee will give consideration to payment, consistent with the teachers' pay spine position, in the individual circumstances of the case. No additional payment will be made for such activities which take place within the defined working year.

Initial Teacher Training Activities

Consideration will be given to payment for activities related to providing routine initial teacher training activities in accordance with the provisions of the Document.

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Payment for out of College hours' learning activities

Consideration will be given to payment for involvement in out of College hours' learning activities which fall outside a teacher's directed time. Examples of such activities may include homework clubs, summer schools and sporting activities. All such activities should require the exercise of a teacher's professional skills or judgement.

In each of the above three categories, payment will usually be made at the teacher's normal hourly rate, where it is felt appropriate to pay for this time.

Additional Responsibilities

Additional responsibilities and activities due to, or in respect of, the provision of services by the Principal relating to the raising of educational standards to one or more additional schools.

Payment for work undertaken for other institutions

The College will abide by the following operating principles:

- a. Any services provided by the Principal (or other staff member) of one school to another school must be authorised formally by the Governing Body and where the work extends over more than a 12 month period, the agreement of the governing body must be formally reviewed annually, or sooner if appropriate. The Governing Body should also agree arrangements for terminating such work.
- b. Before such work is undertaken, the Governing Body and the Principal must take into account:
 - the needs of the College and its students;
 - the benefits that the activity would bring to the College;
 - the impact of any absence on other staff, including their workload; and
 - the workload and work-life balance of all the individuals concerned.
- c. In particular, before reaching a view the governing body should satisfy itself that these matters have been fully considered within the College's leadership team.
- d. Arrangements for payment for external work, including personal remuneration, must be clearly stated and formally incorporated into a protocol by the governing body (or the finance committee) and decisions duly minuted.
- e. The Principal and governing body should monitor the operation of the arrangements and their impact on staff and students and take action where arrangements prove to be unsatisfactory.
- f. The disposition of any payment, including personal remuneration, for external services must be agreed in advance in accordance with the determinations of the Governing Body. The terms of such an agreement must be set out in a memorandum signed by the Chair of Governors and the Principal and any other members of staff involved.
- g. Any income derived from external sources for the work of the College's staff should accrue to the College. The Governing Body should decide whether it would be appropriate for individual members of staff to receive additional remuneration for these activities, and if so, determine the appropriate amount.
- h. The Governing Body should ensure that any expenses incurred by the individual as a result of taking on additional work are reimbursed, unless they are accounted for elsewhere

Newly Qualified Teachers Advanced Payment

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NYCC offers a NQT Advanced Payment scheme to schools giving the option to allow an advance payment to Newly Qualified Teachers starting employment in September 2018 with a minimum contract of 12 months. The advance would be for the value of £900 which is recovered from the teacher's salary over twelve months at £75 per month. (This will be pro-rata basis for part time teachers).

11. Support Staff

Support staff will be appointed to a post covered by the appropriate LA scheme of conditions of service and be allocated to a pay band from the scales contained within those conditions, in compliance with the established NYCC job evaluation scheme. Each post will have a designated job description and pay band. The pay band allocation will normally remain static, other than for annual incremental rises within it, unless a significant increase in the duties and responsibilities attached to the post takes place. Other payments, such as lettings fees, will be payable in line with the appropriate national or LA agreements.

Applications for re-grading will be dealt with under the NYCC Job Evaluation scheme.

The College recognises the grading scheme introduced by the Authority in April 2007 through the NJC and Hay job evaluation systems. The College will adhere to this grading structure for support staff and will grade new/changed posts accordingly through the NYCC process.

Increments

For support staff who have not yet reached the top of their grades, incremental progression will not be automatic. Support staff will not receive increments if their manager considers their performance in the previous year was not satisfactory, taking into account identified conduct or capability issues and appraisal outcome.

Additionally, support staff will also not receive an increment if their sickness absence exceeds stated limits:

<u>Period</u>	<u>Max days in year</u>	<u>3 yr total limit</u>
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01.04.18 – 31.03.19	7	21
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Only if the maximum sickness absence is exceeded for the current review period, then the 3-year total will be considered (current year plus previous 2 years).

Taking into account performance against the stated criteria, those at the top of the pay band who do not meet the criteria as outlined for increments will have their pay reduced by one spinal column point only. Staff with headroom within the pay band will continue to have their increments withheld. If an increment has been removed the employee is then eligible the following year for an increment subject to meeting the criteria.

Increments will not be granted where staff do not meet the above criteria. However, exceptions will be considered for:

- One-off absence of normally **not more** than three months where the individual has an otherwise excellent attendance record.
- Staff whose illness prevents them from attending their usual place of work and whose offer to work in a different capacity/location is unable to be accommodated by their manager.
- Where an individual is injured in the course of their duties this may be taken into consideration or where the sickness absence is work related consideration may be given to it being exempt.
- Disability Related Sickness Absence

If the cause of sickness absence was related to pregnancy then this must not be taken into account in the employee's sickness absence total figure for assessment against the target figures.

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Recruitment and Retention Payments

Where posts are difficult to fill or staff turnover is particularly high it may be appropriate to introduce a Recruitment and/or Retention Payment.

Recruitment Payment – is a one-off discretionary payment of up to 10% of annual salary, payable upon commencement of employment. This payment is not available to existing staff or previous staff who recommence employment within six months of leaving. An employee who leaves during their Probationary Period will be required to repay the full Recruitment Payment. An employee who leaves within two years will be required to repay 1/24 of the Recruitment Payment for each month not completed up to two years' service.

Retention Payment – is a discretionary payment of an amount paid at set intervals, subject to satisfactory performance, but not less than quarterly. Payments may be set at between 3% and 8% of annual salary and should be reviewed at regular (at least annual) intervals in line with market conditions. Retention Payments are not permanent and may be ended or amended by the giving of one month's notice.

Other Pay and Reward Matters for Support Staff

A number of pay and reward issues relating to support staff are contained in the Green Book and the NYCC pay policy and guidance for support staff.

These include the following premium payments:

Night Work, Stand By, On Call, Sleeping-in Duty, Weekend Working, Work on Public Holidays.

The College recognises the NYCC single status agreements and will make premium payments accordingly.

Overtime is paid at flat rate.

12. Additional Matters

Members of Staff Temporarily Undertaking the Duties of More Senior Posts

Members of staff who agree to cover all of the duties associated with a post of a higher grade than their own for a temporary period of normally at least four working weeks will be paid an additional sum. This will be equivalent to the difference between their normal salary and the salary or a point on the salary range of the more senior post for as long as the temporary acting-up arrangements apply, backdated to the start of the period of cover. The pay of support staff who undertake a part of the duties of a more senior post for a temporary period of at least four weeks may be awarded a pro-rata sum, if the particular circumstances of the case make this appropriate in the view of the Committee.

An employee appointed to cover a temporary vacancy, e.g. an Acting Principal, will be paid at a point on the pay range of the vacant post.

Payments for Residential Staff

These will be made in line with the provisions of the appropriate national or LA scheme of conditions of service.

Salary Sacrifice Arrangements

The College will allow teachers to participate in salary sacrifice schemes which are permitted under Paragraph 28 of the Document and available through the Local Authority. It will also allow support staff to access salary sacrifice schemes available through the Local Authority. The salary sacrifice provisions in place for teachers are currently limited by national regulations to:

- Childcare vouchers/childcare benefit schemes
- Cycle or cyclists safety equipment scheme
- Mobile phone scheme (not currently being run at NYCC)

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Participation in any salary sacrifice arrangement shall have no effect upon the determination of any safeguarded sum to which a teacher may be entitled under any provision of the Document.

13. Pay Hearings and Appeals (Teaching staff)

Teachers, including Principals, may appeal any determination in relation to their pay or any other decision taken by the governing body (or a committee or individual acting with delegated authority) that affects their pay.

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

That the person or committee by whom the decision was made –

- a) incorrectly applied any provision of the Document or College Pay Policy;
- b) failed to have proper regard for statutory guidance;
- c) failed to take proper account of relevant evidence;
- d) took account of irrelevant or inaccurate evidence;
- e) was biased; or
- f) unlawfully discriminated against the employee.

A key aspect of the process is the opportunity for a teacher to discuss a pay recommendation prior to it being confirmed by the governing body. This stage in the process will help to ensure that pay decisions and pay policies are seen as transparent and fair. The opportunity to discuss a pay decision may mitigate the need for the more formal stages two and three.

The procedure is as follows:

Stage 1 – Informal discussion with the appraiser or Principal prior to confirmation of pay recommendation (see above)

1. The employee receives confirmation of the proposed pay recommendation in a timely manner, usually within 10 working days and where applicable the basis on which the recommendation will be made.
2. If the employee is not satisfied, they should seek to resolve this by discussing the matter informally with the appraiser or Principal within five working days of receipt of the recommendation and before it is put forward to the person or governors committee who will make the pay determination.
 1. If the employee is still not satisfied after informally discussing the recommendation with the appraiser or Principal, then the appraiser or Principal should summarise the rationale as to why the employee does not agree with the recommendation and this should be considered by the person or governors pay committee prior to making their determination

Stage 2 – Formal Representation Hearing to the person or governors' committee who made the pay determination

1. If, having gone through stage 1, the teacher believes that an incorrect determination has been made, he/she may make representation to the person (or governors' committee) who made the decision. To begin the process, the employee should submit a formal written statement to the person (or governors' committee) making the determination, setting down in writing the grounds for not agreeing with the pay determination. This should be done within 10 working days of receiving confirmation of the pay determination.
2. The teacher should be given the opportunity to make representations at a formal hearing with the person (or governors committee) who made the pay determination. The outcome of this hearing will then be communicated to the teacher in writing within 10 working days. The employee will be informed that they may be accompanied by a trade union representative or work colleague at the hearing. Having heard the representation, the person or committee must reach a decision, which it must relay to the employee in writing, including the rationale for reaching the decision. The employee should be notified of their right of

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appeal if necessary.

Stage 3 – Formal Appeal Hearing

1. If the employee continues to be dissatisfied with the pay determination following the representation hearing, they should set out in writing the grounds for appealing the determination and should send it to the Chair of the appeal committee or Principal within 10 working days of receipt of the written outcome of the stage 2 decision
2. Any appeal should be heard by a panel of governors (minimum two but recommend three) who were not involved in the original determination normally within 20 working days of the receipt of the written appeal notification, where possible.
3. Having heard the appeal, the panel must reach a decision, which it must relay to the teacher in writing within 10 working days, including the rationale for reaching the decision. This decision will be final and there is no recourse to the general staff grievance procedure.

14. Monitoring of the Policy

The Governing Body, through its Pay Committee, will monitor the effectiveness of this policy including the outcome of pay decisions to ensure the College's compliance with equalities legislation.

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Appendix A – Guidance on Pay Progression Decisions

The awarding of two incremental points for members of the Leadership Group, Main Pay and Upper Pay Scale Teachers and Leading Practitioners

Leadership Group

A Principal/Deputy/Assistant Head may be awarded one or two additional points within the Principals' Pay Range or individual pay range if they have demonstrated a sustained high quality of performance, having regard to the results of their most recent appraisal review and any pay recommendations arising therefrom.

The possibility of awarding two additional points raises the question of what standard of performance would justify the maximum award?

There is no guidance in the STPC&D but the following pointers may be considered:

- *Have they met the National Professional Standards in every respect and excelled in relation to particular Standards?*
- *Have they met or exceeded their performance targets while at the same time achieving an excellent level of overall performance?*
- *Is there clear evidence of their impact in terms of pupil outcomes? For example, have rigorous measurable outcomes for pupils (and/or staff and the wider School community) in the School Improvement Plan been fully achieved or exceeded?*
- *Has the School been judged 'outstanding' by Ofsted and/or 'highly effective' by the Local Authority?*

Main Pay and Upper Pay Scale Teachers

It is recommended that the pay progression for main pay scale teachers is addressed in the following manner: -

*A performance which **meets requirements** will receive a one-point increase within the pay scale, if headroom allows.*

*A performance which **fails to meet requirements** will not receive an increase.*

Schools may also consider recognising excellent performance in the following terms but should be aware of the need to have sound objective evidence to justify differentiated pay progression:

*A performance which **significantly exceeds requirements** will receive a two-point increase within the pay scale, if headroom allows.*

In addition, schools may wish to insert one or more of the following policy statements: -

1. *Teachers will not receive pay progression if their performance in the previous year did not meet requirements, taking into account identified conduct or capability issues and appraisal outcome.*

If a period of warning/under-performance crosses two appraisal years pay progression would be withheld only once (in the first year) provided that conduct/performance was acceptable in the remainder of the second year.

Schools may wish to consider adding the attendance criteria below to bring teachers in line with support staff. However, this element is at particular variance with the Professional Associations stance and may therefore be robustly challenged.

2. *Additionally, teachers will also not receive an increment if their sickness absence exceeds stated limits:*

Period Max days in year 3 yr total limit

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Only if the maximum sickness absence is exceeded for the current period then the 3-year total will be considered (current year plus previous 2 years).

In relation to the awarding of a two point increase we suggest that the following questions be considered:

- *Have they excelled in relation to the Teachers' Standards?*
- *Have they met or exceeded their performance objectives while at the same time achieving an excellent level of overall performance?*
- *Is there clear evidence of their impact in terms of pupil outcomes? For example, have the majority of pupils they taught made progress that is above expectation based on prior attainment?*

Upper Pay Scale

Teachers will be assessed in accordance with the College's performance management policy to determine whether their contribution to the College has been **substantial and sustained** in addition to meeting the criteria for main pay scale teachers stated above.

*A performance which **significantly exceeds requirements** will receive a two-point increase within the pay scale, if headroom allows.*

*'**substantial**' means - of real importance, validity or value to the school; play a critical role in the life of the school; provide a role model for teaching and learning; make a distinctive contribution to the raising of pupil standards; take advantage of appropriate opportunities for professional development and use the outcomes effectively to improve pupils' learning; and*

*'**sustained**' means - maintained continuously over a period of at least two school years. They will be able to demonstrate that their teaching expertise has grown over the relevant period and is consistently at least good.*

Leading Practitioners (LPs)

An LP may be awarded one or two additional points within their individual pay range if they have demonstrated a sustained high quality of performance, having regard to the results of the most recent appraisal review and any pay recommendations arising therefrom.

The possibility of awarding two additional points raises the question of what standard of performance would justify the maximum award?

There is no guidance in the STPC&D but the following pointers may be considered:

- *Has the LP completed outreach work - or planning for outreach - for at least 90% of the time available for this purpose?**
- *Has the outreach work received consistently excellent evaluations?**
- *Has the LP successfully undertaken a strategic leadership role?*
- *Is there evidence of highly successful outcomes for teachers and pupils as a result of the LPs interventions?*

** If outreach work is part of the responsibilities of the post*

Schools should be aware of the need to apply consistent judgements to the evidence.

Appendix B

Template Pay Statements

It is a requirement of the School Teachers' Pay and Conditions Document that all teachers are issued with an annual pay statement from 01 September and whenever a change is made to salaries at any other time. Pay statements to be issued within one month of any change in salary.

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APPENDIX C

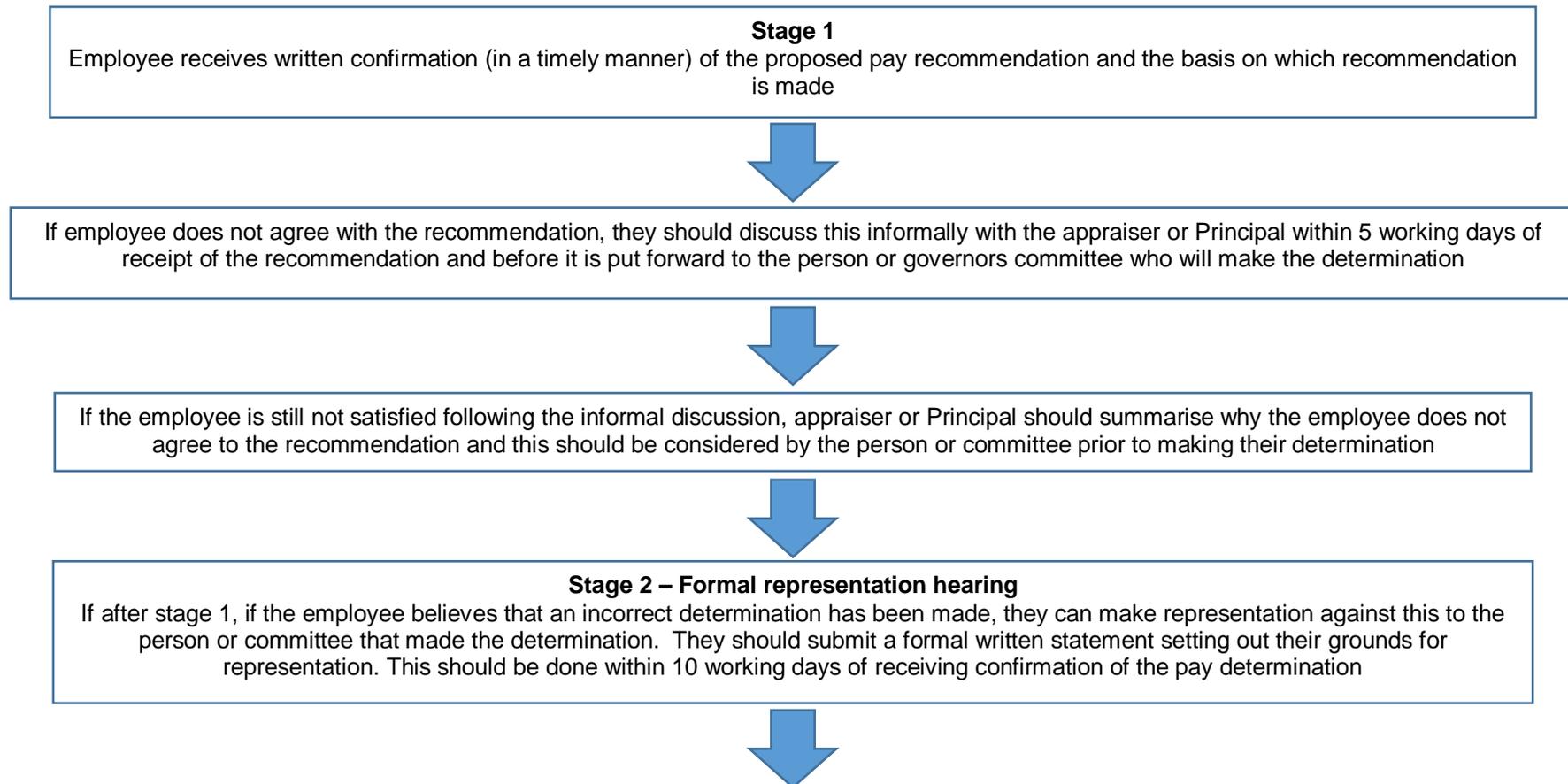
Pay Hearing and Appeal Flowchart (Teaching staff)

In line with your scheme of delegation you need to be clear from the outset of the appraisal process, who will make the recommendation and who will make the determination as this cannot be the same person.

Example:

Appraiser makes recommendation, informal discussion would be with appraiser and determination would either be with Principal or a pay committee. If Principal makes determination, stage 2 would also be with them.

If Principal makes recommendation, informal discussion would be with Principal and determination should be made by a governors committee, who would also deal with stage 2, if required.



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Formal Hearing held with person or committee who made the determination. Outcome communicated in writing within 10 working days



Stage 3 – Appeal

If employee remains dissatisfied with pay determination, they should set out their grounds for appeal within 10 working days of the written outcome of stage 2



Appeal hearing held with panel of governors (minimum 2 but recommended 3) who were not involved in original determination. Hearing should normally be arranged within 20 working days of receipt of the request to appeal.



Appeal panel reach decision following hearing which is confirmed in writing (within 10 working days) and should include a rationale for reaching their decision. The decision is final and there is no recourse under a separate policy

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