

PAY POLICY (Associate Staff)

Last update: December 2011

The term associate staff applies to all who are paid according to the National Joint Council for Local Government Employees pay scales. Therefore this policy applies to all employees other than school teachers and cover supervisors.

All pay related decisions are taken in compliance with The Race Relations Act 1976, The Sex Discrimination Act 1975, The Equal Pay Act 1970, The Disability Discrimination Act 1995, The Employment Rights Act 1996, The Employment Relations Act 1999 and The Employment Act 2002, as well as The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000, The Employment Act 2002 (Dispute Resolution) Regulations, The Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002 and The Equality Act 2010.

Decisions about pay are made under a range of circumstances, as follows:

- Before appointment for a newly created post in which case the determination will be made by the Governors' staffing committee;
- Before an interview for a candidate who may be awarded additional discretionary points for relevant experience, in which case the pay determination is made by the interview panel which may or may not include a Governor;
- by the Governors' staffing committee during their annual review of salaries;
- by the Headteacher in relation to a temporary increase in responsibilities.

Pay Reviews

The governing body will ensure that every employee's salary is reviewed at the first meeting of the staffing committee in September. A written statement setting out their salary and any other financial benefits to which they are entitled will be given to each member associate staff as soon as possible after the November meeting of the Governors' staffing committee and by 30 November at the latest. 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.

Where a pay determination leads or may lead to the start of a period of safeguarding, the governing body will give the required notification as soon as possible and no later than one month after the date of the determination.

Appeals

The arrangements for considering appeals are as follows:

An employee may seek a review of 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;

Employees may seek a review of 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;
- 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) otherwise unlawfully discriminated against the employee.

Initially, attempts will be made to resolve the issue informally as follows:

- 1) The employee informs the Headteacher that they require a review of the pay determination.
- 2) Within 5 working days, the employee receives written confirmation of the basis on which the decision was made.
- 3) If the employee is not satisfied, they should seek to resolve this by discussing the matter informally with the Headteacher. This should take place within ten working days of receipt of the written confirmation.
- 4) Where this is not possible, or where the employee continues to be dissatisfied, they may follow a formal appeal process described below.

Appeal Process

Stage 1

- 1) The employee should set down in writing the grounds for questioning the pay decision and send it to the Chair of the Governors' Staffing Committee, within ten working days of the notification of the decision being appealed against or of the outcome of the discussion referred to above.
- 2) Two members of the Governors' Staffing Committee should provide a hearing within ten working days of receipt of the written grounds for questioning the pay decision to consider this and give the employee an opportunity to make representations in person. The Headteacher will also be invited to this hearing in order to confirm the reasons for the pay determination. Following the hearing the employee should be informed in writing of the decision and the right to progress to stage 2.

Stage 2

- 3) A further panel of three governors who were not involved in the original determination hear the case within 20 working days of the receipt of the written notification of the outcome of stage 1. The employee will be given the opportunity to make representations in person. The Headteacher will also present the case describing the reasons for the pay determination. The decision of the appeal panel will be given in writing, and where the appeal is rejected will include a note of the evidence considered and the reasons for the decision.

Salary Scales

Associate staff will be paid according to the National Joint Council for Local Government Employees pay scales.

The pay scales used at this school correspond to the salary points on the NJC scales as follows:

| Secretarial, technical, catering and site staff | | |
|---|-----|-----|
| Scale | Min | Max |
| 1 | 4 | 11 |
| 2 | 11 | 13 |
| 3 | 14 | 17 |
| 4 | 18 | 21 |
| 5 | 22 | 25 |
| 6 | 26 | 28 |

| Learning Support | | |
|------------------|-----|-----|
| Scale | Min | Max |
| LSW2 | 12 | 17 |
| LSW4 | 21 | 27 |
| LSW5 | 28 | 36 |
| | | |
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|-----|----|----|
| SO1 | 29 | 31 |
| SO2 | 32 | 34 |
| PO1 | 35 | 38 |
| PO2 | 39 | 43 |
| PO3 | 44 | 49 |
| PO9 | 61 | 65 |

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When members of associate staff are appointed, or when their responsibilities change such that a review takes place, they are placed on an appropriate salary scale. Within each scale, their pay increments on an annual basis on 1 April to the next point on the scale until they reach the maximum point on that scale.

First Aid Allowance

In addition to the above, some associate staff undertake first aid responsibilities. The base rate for this is an additional allocation of £213.96 per annum. For undertaking first aid duty in the medical room, an additional £100 per annum is added to the salary for each hour of duty per week. *(As an example, a gross annual salary of £14,500 would rise to £14,700 if the employee was on duty in the medical room for 2 hours per week).*

Determination of Salary Scale

The salary scale associated with a particular post is determined taking into account the following considerations:

- 1) The level of skill required to undertake the responsibilities effectively;
- 2) The overall weight of responsibility associated with the post;
- 3) Any requirements to manage other associate staff;
- 4) Comparability with, and where necessary, differentiation from, other associate staff;
- 5) Salary levels for similar work with other employers.

Hours of work

Full time

If a member of associate staff is appointed on a full time contract, they will be expected to work for 37 hours per week. Leave will be granted according to the length of service with the school as follows:

For those employed for less than 5 years, 8 bank holidays plus 4 ex-gratia days plus 21 days.

For those employed for 5 years or more, 8 bank holidays plus 4 ex-gratia days plus 25 days.

If a member of full time staff is asked to work for more than the contracted 37 hours per week, he or she may agree to do so and will be paid on the basis on time and a half for the additional hours.

Part time

Part time staff are paid according to the number of hours that they work in a week as a fraction of 37 hours and for the number of days that they work (generally 190 term days) to which the statutory holiday allowance (see full time staff above) and bank holidays are added.

If part time staff work additional hours, they are paid at standard time rate up to 37 hours in any week and then at time and a half for any hours beyond 37 hours.

Time in lieu

Associate staff may request to work additional hours in order to take time away from work in lieu. Such requests have to be made in advance to the relevant line manager. It should be noted that in

many cases taking time off in lieu will not be permitted and that, if allowed, it should be on an exceptional rather than a regular basis.

General note concerning overtime and time off in lieu

Overtime and time off in lieu are the subject of agreement between the school and the employee. Such arrangements will normally be infrequent and irregular and should not become common practice. Arrangements for overtime or time off in lieu may be terminated by the school or the employee at any time without compromise to either party.

Related policies:

Recruitment Policy for Associate Staff

Performance Management Policy for Associate Staff

Discussed at Governors' Staffing Committee meeting 2 November 2011

Further discussion at full Governors at meeting on 7 December 2011

Updated following the above

Approved by Full Governing Body: 9 May 2012

Next review: June 2013