

## BISHOP WORDSWORTH'S SCHOOL

### PAY & ALLOWANCE POLICY (INCLUDING STAFF ABSENCE POLICY) 2018- 2019

Effective from 1 April 2019  
(Change to Annex D effective from 1 April 2019)

**Note:** *'Is to', 'are to' and 'must' are obligatory. 'Should' is not obligatory but is best practice and is to be adhered to unless non-compliance can be justified.*

#### RATIONALE

1. The prime statutory duty of governing bodies in England, as set out in Paragraph 21(2) of the Education Act 2002 is to "...conduct the school with a view to promoting high standards of educational achievement at the school."
2. The Governing Body is the employer of all staff at the Bishop Wordsworth's School (the School) and sets the pay in accordance with this Policy for all existing and new staff. As employer it directed that, from 1 September 2014 and in line with Government policy, appraisal reviews would be the main source of evidence for determining pay progression of teaching staff.
3. This Pay Policy is intended to support the School's statutory duty of promoting high standards for pupils while at the same time determining pay in accordance with the principles of public life:– objectivity, openness, accountability and affordability. National pay rates will be referred to but not necessarily used in particular because pay rises will only be agreed if they are affordable within the School's Budget.

#### PRINCIPLES

4. The Governing Body promotes equality in all aspects of school life. In relation to this Policy in particular as regards all decisions on advertising of posts, appointing, promoting and paying staff, training and staff development.
  - a. All processes are to be open, transparent and fair.
  - b. All decisions on pay are to be objectively justified against agreed evidence.
  - c. Adjustments are to be made to take account of special circumstances on a case-by-case basis.
  - d. The School is to comply with all relevant equalities legislation in force at the time of the pay assessment.
  - e. Any member of staff may seek a review of any decision made by the Head or Governing Body that affects their pay. In dealing with that appeal the Governing Body will follow the dispute resolution requirements of employment law, in accordance with Part 4 of the Trade Union and Labour Relations (Consolidation) Act 1992 (as amended).

#### AIM

5. The aim of this Policy is to secure the highest standard of educational provision for our pupils, within available funding and in accordance with the aims of the School. The Governing Body believes that this core purpose will be fulfilled best in a cohesive school community where all staff are rewarded commensurate with their contributions to pupil

progress in the widest sense, to the School ethos and to the teaching profession.

## **OBJECTIVES**

6. Work in partnership to systematically improve the quality of teaching and learning at the School.
7. Use discretion over pay to recruit and retain a high quality teacher workforce.
8. Recognise and reward teachers appropriately for their contribution to the School.
9. Ensure that decisions on pay are managed in a fair, just and transparent way.
10. Establish agreed systems and criteria for determining pay based on objective procedures and evidence.

## **ROLES AND RESPONSIBILITIES**

11. **Delegation.** The Governing Body delegates (in accordance with its Scheme of Delegation):

- a. To its Pay and Staffing Committee: responsibility for reviewing and determining staff salaries and for making recommendations to the Governing Body for the annual budget needed for pay.
- b. To the selection panel that appoints to vacant posts: responsibility for determining starting salaries for those posts.
- c. To an Appeal Panel: responsibility for hearing appeals from staff against pay decisions.

12. **Staff Governors.** Staff governors are to withdraw from the Pay & Staffing Committee and from an Appeal Panel when pay issues are being considered. Staff governors are to withdraw from selection panels when the salary of the appointee is being decided.

13. **Governing Body & Pay & Staffing Committee.** The Governing Body is responsible for the overall policy and much of the responsibility is delegated to the Pay and Staffing Committee as at Sub-paragraph 11a above and the Committee's Term of Reference. In particular the Pay & Staffing Committee is to:

- a. Monitor and update the Pay Policy to ensure that appropriate arrangements for linking appraisal to pay are in place, are applied consistently and that pay decisions are justified objectively.
- b. Ensure by liaison as necessary with the Finance & Audit Committee that it works within the budget allocated by the Governing Body when making pay decisions or, if necessary, requesting an increase in budget.
- c. Monitor the outcomes of pay decisions, including the extent to which different groups of teachers may progress at different rates, to ensure that the School complies with the Equalities Act and other relevant legislation.

14. **Head.** The Head is to:

- a. Consult with staff and their representatives to develop clear and agreed arrangements for linking appraisal to pay progression and revise the pay and appraisal policies based on this consultation, national regulations and the directions of the Governing Body.

- b. Submit changes to appraisal and pay policies to the Pay & Staffing Committee for approval.
- c. Ensure that effective appraisal arrangements are in place that will provide consistency and fairness for all staff.
- d. Ensure that appraisers have the knowledge and skills to apply the School's agreed procedures fairly.
- e. Monitor appraisal reports and pay recommendations to ensure they conform to the School's policy.
- f. Submit pay recommendations to the Pay & Staffing Committee and ensure that it has sufficient information upon which to make pay decisions.
- g. Ensure that staff are informed about decisions reached and have the opportunity to make comments
- h. Keep records of recommendations and decisions made.

**15. Appraisers.** Appraisers/Team Leaders are to:

- a. Monitor performance during the appraisal year, including conducting a mid-year review meeting in the Spring Term (and recording comments on progress at that stage).
- b. Carry out appraisal interviews in a timely fashion and according to the current Appraisal Policy.
- c. Take account of all relevant evidence when finalising a review statement and before making a recommendation on pay.
- d. Submit all relevant completed documents to the Head by the date requested.

**16. Teachers and Support Staff.** There is a responsibility on individual teachers and appraisers to work together to implement national regulations and the School's policies. Therefore staff should gather any evidence that they deem appropriate to support their appraisal reviews in relation to:

- a. Meeting their performance management objectives.
- b. Fulfilling the Teachers' Standards.
- c. Any other requirements, for example an application to be paid on Upper Pay Range.

## **PROCEDURES AND PRACTICE – TEACHING STAFF**

**17. Reviewing Pay.** The salaries of all teaching staff, including those of the Head, Deputy Head and Assistant Heads are to be reviewed annually to take effect from 1 September. The Pay & Staffing Committee will normally complete teachers' annual pay reviews by 30 November and the Head's annual pay review by 31 December. All teachers are then to receive a written statement setting out their salary and any other financial benefits to which they are entitled.

**18. Affordability.** All pay increases are subject to affordability within the budget agreed by the Governing Body. The Pay & Staffing Committee does not have authority to exceed the budget.

**19. Mid-Year Reviews.** 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 a teacher's pay. A written statement will be given after any review and where applicable will include information about the basis on which it was made.

**20. Determining Pay on Appointment.** The Pay & Staffing Committee, or Selection Panel as appropriate, is to determine the starting salary for a classroom teacher post on the main pay range or upper pay range. The Committee or Panel may award a discretionary recruitment incentive benefit to secure the candidate of choice. In making such determinations, the Committee or Panel is to take into account a range of factors, including but not exclusively:

- a. The requirements of the post.
- b. The level of qualifications, skills and experience required.
- c. Market conditions such as scarcity of expertise.
- d. The affordability of the level of appointment.
- e. Relevant extra-curricular or other skills.

**21. Pay Progression for Teachers on the Main and Upper Range .** Decisions regarding pay progression are to be made taking into account teachers' appraisal reports, which include pay recommendations, and affordability. The 'appraisal years' are the two consecutive 12 month periods to 31 August 2018 and the appraisal will be conducted under the policy for the relevant year ie the Appraisal Policies for 2016/17 and for 2017/18.

- a. In order for a recommendation for progression on the pay spine, all teachers require:
  - (1) Two consecutive successful annual appraisal reports in this School since the previous pay progression.
  - (2) To have met their objectives during the appraisal period, unless there were compelling and fully justifiable reasons why some objectives could not be met.
  - (3) To have shown during the appraisal period that their teaching expertise has grown and is consistently at least 'good' with 'outstanding' features.
- b. The pay scales for main pay range teachers and for the Heads/Leadership Team are at Annex A.
- c. Teachers' appraisal reports are to contain pay recommendations where appropriate.
- d. Final decisions about whether or not to accept a pay recommendation is to be made by the Pay & Staffing Committee, having regard to the appraisal report, advice from the Head and affordability within the School's budget.
- e. Appraisal objectives and expectations of performance against the Teachers' Standards will become more challenging as the teacher progresses up the main pay range.
- f. Judgments will be properly rooted in evidence. As a teacher moves up the main pay range, this evidence must show:
  - (1) Improvements in specific elements of teaching expertise identified for continuous professional development.

- (2) An increasingly positive impact on pupil academic progress in specialist subjects or across the curriculum.
  - (3) An increasing impact on wider outcomes for pupils such as spiritual, moral, social, cultural, emotional or physical development.
  - (4) An increasing contribution to the work of the School and its ethos.
  - (5) An increasing impact on the professional effectiveness of team colleagues and other staff.
- g. All decisions on pay, i.e. no movement, one point or more than one point is to be based on the performance of the teacher. A 'no progression' determination may be made without recourse to the capability procedure.
- h. Further information, including sources of evidence is contained in the Teaching Staff Appraisal Policy.

**22. Progression to the Upper Pay Range (Points 7-9).** Any qualified teacher may apply to be paid on the Upper Pay Range and it is the responsibility of the teacher to decide whether to apply to be paid on the Upper Pay Range. The School will not be bound by any pay decision made by another school.

- a. Applications may be made once a year. The closing date for applications is 31 October each year for progression from 1 September of the following academic year.
- b. **The Assessment Criteria.** In deciding whether to apply for progress to the Upper Pay Range the Pay & Staffing Committee is to require all teachers to meet the criteria set out in relevant Paragraph of the STPCD, ie:

(1) The teacher is highly competent in all elements of the relevant standards. 'Highly Competent' is defined as: the teacher's performance demonstrates excellent depth and breadth of knowledge, skill and understanding of the Teachers' Standards in the particular role they are fulfilling and the context in which they are working. They maintain a high level of professional knowledge and provide guidance to other teachers to develop their professional expertise.

(2) The teacher's achievements and contribution to the School are substantial and sustained as defined below:

(a) **Substantial.** Substantial is defined as: the teacher's achievements and contribution to the School has had a substantial impact firstly in raising standards of teaching, learning and progress in their own classroom. In addition the Teacher has made a significant wider contribution to school improvement, which impacts on the effectiveness of colleagues and on pupil progress. As with all staff at this level the teacher is also expected to make a significant contribution to the extra-curricular life of the School concomitant with their teaching allocation.

(b) **Sustained.** Sustained is defined as: the teacher must have had two consecutive successful appraisal reports in this School and met their objectives unless there are compelling and fully justifiable reasons why some objectives could not be met. Objectives will also need to be commensurate with the salary level of the teacher concerned – thus objectives for a teacher on UPS should be wider ranging and more demanding for those on Main Pay Range (MPS). They will have been expected to have shown that their teaching expertise has grown over the relevant period and is consistently at least good with outstanding features.

(3) Further information, including information on sources of evidence is contained within the Teaching Staff Appraisal Policy.

c. **The Assessment Process.** The annual process is as follows:

(1) The teacher is to complete the School's application form and submit supporting evidence to the Head by 31 October: normally for progression with effect from the previous 1 September.

(2) The Head is to assess the evidence provided against the criteria and include a recommendation to the Pay & Staffing Committee.

(3) The Head is to moderate all applications, evidence, assessments and pay recommendations to ensure consistency and fairness.

(4) The Governors' Pay & Staffing Committee is to make the final decision, advised by the Head.

(5) The teacher is to receive written notification of the outcome of their application by 31 November. Where the application is unsuccessful, the written notification is to include the areas where it was felt that the teacher's performance did not satisfy the relevant criteria set out in this Policy.

(6) If requested, oral feedback is to be provided by the Head within 10 school working days of the date of notification of the outcome of the application. Feedback is to include guidance on areas for improvement in order to meet the relevant criteria.

(7) Successful applicants will move to Spine Point 7 on 1 September of the following year.

(8) Unsuccessful applicants may appeal the decision. The Appeals Procedure is at Annex B.

**23. Leading Practitioner Posts.** At present there is no provision for Lead Practitioner Posts at the School.

## **ALLOWANCES FOR CLASSROOM TEACHERS**

**24. Teaching and Learning Responsibility (TLR) Payments.** TLRs will be awarded to the holders of the posts indicated in the agreed staffing structure and weighting grid, which take account of the levels of responsibility and accountability involved. It is to be expected that all TLR posts have strong academic accountability because the School is a highly academic school.

a. The values of the TLRs that may be awarded are at Annex A.

b. A TLR is a payment integral to a post in the School's staffing structure and, if a post is shared between two or more teachers, the TLR payment is to be shared proportionately to the proportion of the job share hours of each teacher.

c. When awarding TLR's to a part time teacher the amount will be paid pro rata at the same proportion as the teacher's part time contract.

d. The Pay & Staffing Committee may not award more than one TLR of any value to a teacher.

## **25. Recruitment and Retention Incentives and Benefits.**

a. The Pay & Staffing Committee may pay awards of: £1,100, £2,000 or £3,000 for either recruitment or retention for a maximum normally of three years in the following

circumstances:

(1) Where a vacancy is not filled following an advertisement and selection process or to ensure the retention of a key member of staff.

(2) When a vacancy arises which local recruitment data indicates will otherwise be very unlikely to be filled.

b. **Annual Review.** The Pay & Staffing Committee is to review the level of payment annually. (See Section 3 Guidance on Schools Teacher's Pay & Conditions (General) of the STPCD. In exceptional circumstances pay awards for Recruitment & Retention may be awarded for more than three years.

## **LEADERSHIP SPINE**

26. **Head.** The Head's salary will be determined with reference to the School Group and within a 14 point Individual Salary Range (ISR) from ISR 22 to 35. Progress on the ISR will be subject to assessment of excellent performance against a range of criteria, including objectives set in the annual appraisal, academic outcomes at a range of levels and also general performance of the School against the School's Annual and Strategic Development Plans. Decisions concerning salary progression for the Head are delegated to the Pay & Staffing-committee and are subject to affordability.

27. **Deputy Head.** The salary for the Deputy Head will be determined within a 5 point ISR from ISR 17 to 21, with progress being subject to excellent performance against objectives set in the annual appraisal.

28. **Assistant Heads.** The salaries for Assistant Heads will be determined as 6 point ISRs, from ISR 11 to 16. Progress will be subject to excellent performance against objectives set in the annual appraisal.

29. **Deputy and Assistant Heads – Process.** Recommendations for pay progression will be made by the Head for the Deputy Head and Assistant Heads. Such recommendations will not normally be more frequent than biennial and any progression is discretionary and subject to affordability.

## **PART-TIME TEACHERS**

30. Part-time teachers are to be paid the pro rata percentage of the appropriate full-time equivalent salary. The same percentage is to be applied to any allowances awarded to a part-time teacher. Part time staff will therefore be expected to fulfil their duties and responsibilities pro rata, equivalent to a full time colleague.

31. Any part time teacher who also has a position of responsibility which attracts a TLR payment is also to receive the pro rata percentage as above.

32. Part time teachers are to be provided with a written statement, agreed by both parties, which sets out the expectations both of the School and of the part-time teacher regarding the deployment of directed time both within and beyond the school day in accordance with the professional duties as stated in the STPCD. Part-time teachers have an entitlement to Preparation Planning (PPA) time pro-rata to full-time teachers.

33. **Payment of Part-Time Teachers for Duties out of Contracted Time.** Where a part-time teacher works or takes part in authorised CPD training on days other than those on which they normally work, the School will pay the teacher for the hours of the course at normal contractual rate. Alternatively, the teacher may agree to take time off in lieu by negotiation with the Deputy Head.;

34. **Supply Teachers.** Supply teachers are normally paid at an hourly rate calculated from the rate at the point in the pay range reached when they ceased full or part time teaching divided by 1265. The Deputy Head is to authorise the pay rate of each supply teacher.

35. **Cover Supervisors.** Cover Supervisors are paid at the hourly rate for Grade E17 on the Support Staff Salary Scales at Annex D.

## **UNQUALIFIED TEACHERS**

36. The Pay & Staffing Committee is to place unqualified teachers on a point of the unqualified teachers scale taking into account their relevant qualifications and experience. Unqualified teachers on employment based routes into teaching may be paid on the qualified or unqualified teachers' scale. Unqualified teachers are to be appointed according to the criteria and to the pay scales at Annex C.

37. Payment of an unqualified teachers' allowance to an unqualified teacher may be authorized when the Pay & Staffing Committee considers that their basic salary is not adequate having regard to their responsibilities, qualifications and experience. The allowance is to be based on Recruitment and Retention Points and payment is to be considered on a case by case basis (eg the unqualified teacher is close to becoming qualified, has a particular responsibility or has a teaching qualification in another country which is not recognised here).

38. The Pay & Staffing Committee is to place an unqualified teacher on one of the employment based routes into teaching on the unqualified teachers' scale.

39. Unqualified teachers have the same entitlement to additional allowances as qualified teachers.

## **SUPPORT STAFF**

40. Details of the structure, grading and assessment of support staff are below. The Pay Scales are at Annex D.

41. **Salary Grades and Increments.** Each salary grade consists of 3 or 4 points on the School support staff pay spine. A new staff member will normally start on the bottom point of the grade and move incrementally through the grade until the top point is reached when progression ceases. Increments are normally awarded each September dependent on satisfactory performance but increments are not normally to be awarded until a new staff member has been employed for at least six months.

42. **Part Time Staff holiday Entitlement.** Full time work is 37 hours per week and 52 weeks per year. Part time staff are contracted to work fewer hours per week and/or work fewer than 52 weeks per year: if the latter then weeks worked are normally term time only. Most term time only staff are paid for 39 working weeks but some may be paid for more or fewer weeks depending on job requirements. For all term time only staff, a pro rata annual leave entitlement (of leave plus public holidays) is added to their number of working weeks and included within the pay calculation as set out in the contract. This leave is deemed as taken during of school holidays and there is no entitlement to leave during term time except for statutory entitlements eg (Maternity Leave, Paternity Leave (also called Maternity Support Leave), Parental Leave, Adoption Leave) compassionate and similar exceptional circumstances as specified in the Staff Leave of Absence Policy.

43. **End of Employment.** Notice is to be given as required in staff contracts of employment. The last paid day will be the last day of employment except that, if a staff

member ceases employment on a Friday or Saturday they will be paid up to and including the next Sunday.

**44. Leave Requests – 52 Week Staff.** Support staff employed on 52 week contracts are to submit requests to take annual leave to the Bursar normally at least 14 days in advance. The annual leave year runs from 01 September to 31 August.

**45. Support Staff Overtime.** There is no entitlement to over time for staff of Grade I and above. For staff of Grade H and below: overtime will not normally be agreed but Time Off In Lieu (TOIL) authorised. If TOIL is not appropriate then work at any time outside contracted hours is to be remunerated at the normal rate of pay unless there are exceptional circumstances.

a. **Exceptional Circumstance.** When there are exceptional circumstances then higher rates of pay may be authorised as follows:

(1) During weekends and public holidays from 0830 to 1700: normal rate of pay multiplied by 1.5 (time and a half).

(2) During weekends and public holidays from 1700 to 0830 (overnight) normal rate of pay multiplied by 2 (double time).

b. **Acting Up.** If the extra hours are 'acting up' by covering for another staff member at a high rate of pay and there are exceptional circumstances, then the 'Exceptional Circumstances' rates at Paragraph 45a above apply to the rate of pay of the staff member being covered but: only if the acting up is for over two working weeks in which case the acting up rate applies from the commencement of acting up.

**46. Authority.** Only the Bursar, the Head and the Deputy Head are authorised to agree any overtime. Application for overtime is to be made via the staff member's line manager normally at least 48 hours in advance.

**47. Support Staff Pension Discretions.** The Policy on pension discretions for the Local Government Pay Scheme (LGPS) is Annex E.

**48. Manual Workers.** Manual workers will be appointed to spot salaries in accordance with their conditions of service.

## **STAFF & GOVERNORS ALLOWANCES**

49. The Policy for Staff and Governors allowances is at Annex F.

## **STAFF ABSENCE POLICY**

50. The Staff Absence Policy which includes the arrangements for sick pay is at Annex G.

## **MONITORING AND EVALUATION.**

51. All staff have the opportunity to make specific and general comments on the Appraisal Review form. This includes comments on pay recommendations.

52. Any appeals against pay recommendations will be analysed and logged.

53. The Head is to monitor all appraisal reviews and pay recommendations to ensure consistency and fairness.

54. In accordance with its Terms of Reference the Pay & Staffing Committee is to monitor the implementation and effectiveness of this Policy each year and report this to the Governing Body.

55. This Policy was agreed by governors on: 26.11.13 and revised on 12.06.14 and further revised for the 14/15 1% increase on 29.08.14 and Annex D added 13.11.14. Further revisions were: 2.7.15 (1% increase), 3.9.15, 17.11.15 (Minor change of ISRs Paras 26 to 28), 25.11.15 (duty meals rules added), 23.03.17 (Absence policy added), 20.06.17, 29.09.17 (extra1% ie to total 2% for grade 1 to 5), 26.06.18, 19.12.18 (extra1% for Sp Staff) 28.01.19 (Clarification of teachers' suck pay entitlement)

**Annexes:**

- A. Qualified Teachers Pay Ranges & TLR Payments.
- B. Appeals – Pay & Appraisal
- C. Unqualified Teachers - Recognition of Qualifications and Previous Experience.
- D. Support Staff Salary Scales wef 1 Apr 19 (change to Scale C Pt 11).
- E. Support Staff Local Government Pension Scheme Discretions.
- F. Staff & Governor Allowances and Duty Meals.
- G. Staff Absence Policy.

**QUALIFIED TEACHERS PAY RANGES & TRL PAYMENTS**

**MAIN PAY RANGES**

Spine Point	Pay (£)	
9 (UPR 3)	<b>39,406</b>	
8 (UPR 2)	<b>38,003</b>	
		(Points 7-9 constitute the Upper Pay Range (UPR))
7 (UPR 1)	<b>36,646</b>	
6	<b>35,008</b>	
5	<b>32,125</b>	
4	<b>29,779</b>	
3	<b>27,651</b>	
2	<b>25,593</b>	
1	<b>23,719</b>	(Points 1-6 constitute the Main Pay Range (MPR))

**HEADS AND LEADERSHIP TEAM RANGE**

Spine Point	Pay (£)				
L43	<b>111,007</b>	L28	<b>77,613</b>	L13	<b>53,724</b>
L42	<b>109,382</b>	L27	<b>75,734</b>	L12	<b>52,414</b>
L41	<b>106,709</b>	L26	<b>73,902</b>	L11	<b>51,233</b>
L40	<b>104,109</b>	L25	<b>72,119</b>	L10	<b>49,937</b>
L39	<b>101,573</b>	L24	<b>70,370</b>	L9	<b>48,687</b>
L38	<b>99,157</b>	L23	<b>68,667</b>	L8	<b>47,501</b>
L37	<b>96,768</b>	L22	<b>67,007</b>	L7	<b>46,429</b>
L36	<b>94,415</b>	L21	<b>65,383</b>	L6	<b>45,212</b>
L35	<b>92,135</b>	L20	<b>63,806</b>	L5	<b>44,106</b>
L34	<b>89,900</b>	L19	<b>62,261</b>	L4	<b>43,034</b>
L33	<b>87,732</b>	L18	<b>60,755</b>	L3	<b>41,989</b>
L32	<b>85,604</b>	L17	<b>59,265</b>	L2	<b>40,965</b>
L31	<b>83,527</b>	L16	<b>57,933</b>	L1	<b>39,965</b>
L30	<b>81,515</b>	L15	<b>56,434</b>		
L29	<b>79,534</b>	L14	<b>55,064</b>		

**TEACHING AND LEARNING RESPONSIBILITY (TLR) PAYMENTS**

**TLR 2.** TLR2s will be awarded to the following values:

- £2,694 to the holder of each TLR2a
- £4,440 to the holder of each TLR2b
- £6,580 to the holder of each TLR2c.

**TLR 1.** TLR1s will be awarded to the following values:

- £7,776 to the holder of each TLR1a
- £9,524 to the holder of each TLR1b
- £13,157 to the holder of each TLR1c.

## **APPEALS PROCEDURE – PAY & APPRAISAL**

### **INTRODUCTION**

1. This is the procedure for staff appeals resulting from the application of School Pay Policy or Appraisal Policy.
2. A member of the teaching or support staff may appeal against any determination in relation to their pay, including any statement in their appraisal, or any other decision taken by the Governing Body or a line manager that affects their pay.

### **GROUNDINGS FOR APPEAL**

3. The grounds for appeal are that the person or committee who determined pay fulfilled any of the conditions below:
  - a. Incorrectly applied any provision of the Pay or Appraisal policies.
  - 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.
  - f. Unlawfully discriminated against the teacher.

### **FORMAT OF APPEAL**

4. **Informal Stage.** Initially resolution is to be informal as follows:
  - a. The staff member receives written confirmation of the pay determination and where applicable the basis on which the decision was made.
  - b. If the staff member is not satisfied, he/she should seek resolution by informal discussion with the Head within ten working days of the receipt of notification. In the case of the Head, the matter should be referred to the Chair of the Pay & Staffing Committee.
  - c. Where informal discussion does not resolve the issue he/she may commence a formal appeal.
5. **Formal Stage.**
  - a. The staff member is to submit a written statement with any supporting evidence stating what is being appealed and the grounds for the appeal, which must be one of the grounds in Paragraph 3 above. The statement is to be forwarded to the Head (or, for the Head, the Chair of the Pay & Staffing Committee) within ten working days of the notification of the decision being

appealed against or of the end of the Informal Stage.

- b. The Pay & Staffing Committee is to form an appeal panel of three governors to hear the appeal as soon as possible.
- c. The Panel will consider the written evidence but the staff member may also make representations in person and may be accompanied to the Appeal by a colleague, friend or representative of a recognised professional association or trade union.
- d. The Head would normally attend to give evidence of the reasons for the original decision and may be accompanied by, or delegate this responsibility to, an appropriate line manager.
- e. Following the hearing the staff member is to be informed in writing of the decision which is final with no recourse to the Staff Grievance Procedure.

## **TEACHERS WITHOUT UK QUALIFICATIONS**

### **RECOGNITION OF QUALIFICATIONS AND PREVIOUS EXPERIENCE**

1. The Pay & Staffing Committee is to consider the award of a point on the scale for either a qualification or experience as follows::
2. **Qualifications:**
  - a. One point for a recognised overseas teaching qualification.
  - b. One point for a recognised post-16 teaching qualification.
  - c. One point for a recognised qualification relevant to their subject area.
3. **Experience.**
  - a. One point for each period of 12 months relevant teaching in the UK or overseas at a school, sixth form college, other further education or higher education.
  - b. One point on the scale for each period of one year spent outside teaching but working in a relevant area. This includes industrial or commercial training, time spent working in an occupation relevant to the teacher's work at the school and experience with children/young people.

### **PAY SCALES**

4. Unqualified teachers' pay scales are:

UQ1	<b>17,207</b>
UQ2	<b>19,209</b>
UQ3	<b>21,209</b>
UQ4	<b>23,212</b>
UQ5	<b>25,215</b>
UQ6	<b>27,215</b>

**SUPPORT STAFF SALARIES**

**SALARY SCALES 2018-19** (with effect from 1 January 2019)

Notes:

1. SCP11 will 'mark time' at £8.21 until pay awards increase it from £8.03 (2017/18 rate) to over £8.21. The 1 Jan 19 notional rate for future increase calculations is £7.91.
2. Rates under the National Living Wage will only be awarded according to current Law, eg to those under 21 years of age etc.

Grade	SCP	Annual Salary	Hourly Rate	Grade	SCP	Annual Salary	Hourly Rate
A	5	13,200	£6.84	I	28	25,418	£13.17
	6	13,390	£6.94		29	26,424	£13.70
B	7	13,710	£7.11		30	27,309	£14.16
	8	14,140	£7.33		31	28,171	£14.60
	9	14,761	£7.66	J	31	28,171	£14.60
C	10	14,875	£7.71		32	29,004	£15.03
	11	15,839	£8.21		33	29,857	£15.47
	12	16,124	£8.35		34	30,701	£15.92
	13	16,558	£8.59	K	34	30,701	£15.92
D	14	16,859	£8.74		35	31,344	£16.25
	15	17,212	£8.92		36	32,176	£16.68
	16	17,626	£9.14		37	33,078	£17.15
	17	18,044	£9.35	L	37	33,078	£17.15
E	17	18,044	£9.35		38	34,045	£17.64
	18	18,399	£9.53		39	35,166	£18.23
	19	19,086	£9.89		40	36,089	£18.71
F	19	19,086	£9.89	M	40	36,089	£18.71
	20	19,784	£10.25		41	37,041	£19.20
	21	20,505	£10.63		42	37,986	£19.68
	22	21,036	£10.91		43	38,932	£20.18
G	22	21,036	£10.91	N	43	38,932	£20.18
	23	21,655	£11.22		44	39,890	£20.67
	24	22,363	£11.59		45	40,786	£21.14
	25	23,070	£11.96		46	41,773	£21.65
H	25	23,070	£11.96	O	46	41,773	£21.65
	26	23,823	£12.35		47	42,731	£22.15
	27	24,615	£12.76		48	43,678	£22.64
	28	25,418	£13.17		49	44,618	£23.13

## **SUPPORT STAFF LOCAL GOVERNMENT PENSION SCHEME DISCRETIONS**

### **INTRODUCTION**

1. Each employer who participates in the Local Government Pension Scheme (LGPS) is required to have in place an up-to-date Policy Statement on certain discretions contained within the LGPS regulations. This document sets out the policies adopted by Bishop Wordsworth's School (The School).
2. This document applies to discretions available to the Governing Body under the following Regulations:
  - a. The Local Government Pension Scheme Regulations 2013.
  - b. The Local Government Pension Scheme (Transitional Provisions, Savings and amendment) Regulations 2013.

### **DISCRETIONS**

3. There are several areas where the employer has discretion within the above Regulations. It is mandatory for the employer to publish a written policy statement on certain issues. There are other of provisions where it is useful (but not mandatory) to have a written policy statement. The provisions are at Annex A with those that are mandatory marked 'Mandatory'. For each provision there is a statement of the School's policy in exercising its discretion.
4. An application for a discretion is to be made in writing to the Head.
5. The Pay & Staffing Committee has delegated authority to approve or reject discretions.

### **APPLICATION OF POLICY**

6. This Policy Statement applies to all employees who are eligible to be members of the LGPS.
7. This Policy Statement does not confer any contractual rights upon individual employees, and the School retains the right to change it at any time. Only the Policy Statement which is current at the time a relevant event occurs to the pension scheme member will be the one applied to that member. If the School decides to make amendments, under the regulations it must publish a statement of the amended policy within one month of the date of the decision and the amendment cannot come into effect until one month after the date the Policy Statement was published.

### **EVALUATION & REVIEW**

8. This Policy was adopted by Governors on 27.11.12 and subsequently reviewed on the dates shown in the main body of this Pay Policy.

### **Appendix:**

1. Policy on Individual Discretions.

**POLICY ON INDIVIDUAL DISCRETIONS**

<b>Ser</b>	<b>REGULATION</b>	<b>POLICY ON INDIVIDUAL DISCRETIONS</b>
1.	<p><b>Reg 31.</b> Whether to grant additional pension to a member (up to £6,500pa)</p> <p style="text-align: center;">(Mandatory)</p>	The School will not normally exercise this discretion but consideration may be given in exceptional circumstances after consideration of the costs that would apply.
2.	<p><b>Reg 16(2)e &amp; Reg 16(4)d:</b> Whether to make either a regular or lump sum Additional Pension Contribution (APC) to a member's account (part or whole funding this)</p> <p>[Note: this discretion only relates to cases when the member is working as normal rather than absent from work with permission but no pensionable pay – in the latter scenario, employers must fund it if necessary]</p> <p style="text-align: center;">(Mandatory)</p>	BWS will only exercise this discretion in exceptional circumstances. It will only be exercised after consideration of the costs that would apply.
3.	<p><b>Reg 30(6).</b> Whether all or some benefits can be paid if a member aged 55 or over reduces their hours/grade and continues to work ("flexible retirement")</p> <p style="text-align: center;">(Mandatory)</p>	The School will not normally consider employee requests to take flexible retirement unless there are no costs to the School. However, consideration may be given if there are costs to the School but only in exceptional circumstances after taking into factors such as service delivery and the costs.
4.	<p><b>Reg 30(8).</b> Waiving actuarial reduction on flexible retirement.</p> <p style="text-align: center;">(Mandatory)</p>	The School will not normally exercise this discretion but consideration may be given in exceptional circumstances after consideration of the costs that would apply.
5.	<p><b>Reg 30(8).</b> Waiving actuarial reduction on early retirement (age 55+) – for both active, deferred members &amp; suspended tier 3 ill health pensions.</p> <p style="text-align: center;">(Mandatory)</p>	The School will not normally exercise this discretion but consideration may be given in exceptional circumstances after consideration of the costs that would apply.

6.	<p><b>TP Regs 1(1)(c) of Schedule 2:</b> Whether to allow the rule of 85 to be “switched on” for members who would normally meet the rule but who will not if they draw the benefits age 55-59</p> <p>(Mandatory)</p>	<p><i>BWS will only agree to “switch on” the rule of 85 in exceptional circumstances consideration of the costs that would apply.</i></p>
7.	<p><b>Regs 22(8&amp;9).</b> Whether to extend 12-month period to separate previous LG service.</p>	<p>The School will only allow an extension to the 12-month period to separate previous LG service where it can be reasonably shown that the member was not provided with the required information within 6 months of starting employment.</p>
8.	<p><b>Reg 9(3).</b> Determine rate of employees’ contributions.</p>	<p>The School will review all employees’ contribution bands when there has been contractual change to a member’s full-time equivalent salary or hours during the year. A member’s contribution rate will not be reviewed as the result of one-off additional payments (such as honorariums)</p>
9.	<p><b>Reg 100(6).</b> Whether to extend 12-month period to allow a transfer-in of non-LG pension rights.</p>	<p>The School will only allow an extension to the 12-month period to combine previous non-LG service where it can be shown that the member was not provided with the required information within 6 months of starting.</p>

**Legend:**

**The School:** Bishop Wordsworth’s School

**LGPS:** Local Government Pension Scheme

**Reg 16(2)e:** Regulation 16(2)e of the Local Government Pension Scheme Regulations 2013 [which apply from 1 April 2014]

**TP Regs:** LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014].

## **ALLOWANCES & DUTY MEALS POLICY – STAFF & GOVERNORS**

### **This is a Statutory Policy**

#### **GENERAL**

1. This Policy has been developed in accordance with the Academies Financial Handbook and the Charities Commission guidance on Trustee allowances. These regulations give Governing Bodies the discretion to pay allowances from the School's annual budget allocation to governors for certain allowances which they incur in carrying out their duties.
2. All staff and governors are entitled to claim either an allowance or the actual costs which they incur in the performance of their duties with the School as set out below.
3. Staff allowances are to be authorised by line managers in advance (to certify that the expense will be necessarily incurred in the performance of School duties) and subsequent claims are also to be authorised by line managers. Line managers are only to agree expenses that can be met from their departmental budgets unless the Bursar has specifically agreed extra expenditure on a case by case basis.
4. Governors' may self-certify that the expense was necessary and their claims are to be considered for authorisation by the Company Secretary on behalf of the Governing Body.

#### **TRAVEL - STAFF**

5. Staff may claim travel costs to events away from the School for which prior approval has been granted. The smaller of the distance/ cost from the School to the event or the staff member's home to the event is to be claimed.
6. If public transport is used then travel is to be by the cheapest means unless this would be significantly inconvenient or impossible. Taxis are only to be used if carrying heavy luggage or equipment or use of other public transport is impossible: eg there is none, or the staff member is injured/ disabled.
7. If private cars are used then the correct insurance is to be held but that for occasional business use is not required as the school holds group cover for such use. Staff are to certify on claim forms that their cars are insured, have a valid road fund licence and are road worthy. No claim may be made against the School for an accident while a private car is used on duty unless the School is legally liable.
8. The rate per mile of 29p is to be claimed with an addition of 2p for each duty staff member, pupil or other passenger carried for the benefit of the School. It should be noted that this is below the HMIT full cost 'approved' rate and therefore the difference between this rate (45p in 2018/19) and 29p (or 29p plus 2p for each passenger) may be claimed as a business expense on tax returns.

#### **TRAVEL - GOVERNORS**

9. Governors may claim the costs incurred travelling to meetings at the School or to governor events elsewhere. Claims are to be from the home address or, if a governor travelled from work then the distance extra to his normal travel caused by the meeting or other event.
10. Governors are to comply with the requirements for staff in paragraphs 6 to 8 above

## **SUBSISTANCE**

11. **Meals.** Staff and governors may claim for expenditure on meals necessarily incurred in the performance of their duties away from their normal place of work or residence. Actual expenditure including, if applicable, service charges, may be re-claimed on receipt of bills. The cost of drinks over and above the maxima shown below may not be claimed (alcoholic drinks, even within the maxima, are not allowable). The following maxima are set:

- a. Breakfast: £6.45.
- b. Lunch: £10.80
- c. Dinner: £16.20

12. **Overnight Accommodation.** The cost of overnight accommodation is to be considered and authorised on a case by case basis.

## **MISCELLANEOUS EXPENSES**

13. Staff are to seek prior authority for any miscellaneous expenses.

14. Governors may be reimbursed for miscellaneous expenses eg: telephone charges, photocopying, stationery, postage but are expected to use school facilities where feasible.

## **CLAIMS**

15. Claim forms for travel and subsistence are in the Finance Manual. Other claims are to be by letter. Receipts are to be attached as appropriate.

## **DUTY MEALS - STAFF**

16. **Entitlement.** School staff who are on duty during lunch break are entitled to a free lunch in the School Dining Room costing up to £3.35 (excluding VAT). The qualifying criteria for a duty meal are

- a. Running a lunchtime club for the boys.
- b. Necessarily performing a duty.
- c. Certain other duties as authorised by the Headmaster.

17. **Procedure.** Staff who have regular scheduled duties are to be allocated a duty allowance of up to £3.35 for each day in advance. Those who wish to claim an ad hoc duty meal (eg for a guest) are to notify the Finance Dept in advance so that an allowance can be allocated.

## **DUTY MEALS – GOVERNORS**

18. Governors visiting the School for reasons of governance are also entitled to a meal up to £3.35 (excluding VAT). Their host is to action as in Paragraph 17 above for an ad hoc meal.

## **19. MONITORING**

20. This Policy is to be reviewed annually.

21. This Policy was initially agreed on 12.04.14 and subsequently reviewed on the dates shown in the main body of this Pay Policy.

**BISHOP WORDSWORTH'S SCHOOL**

**STAFF ABSENCE POLICY**

**INTRODUCTION**

1. This Policy explains what staff are required to do when absent from work due to sickness and what procedures will be followed when absence occurs.
2. It applies to all full and part time staff employed by Bishop Wordsworth's School (the School) on satisfactory completion of their probationary period. It also applies to staff serving a probationary period except that they have less job security in this period and little or no entitlement to Occupational Sickness Allowance (OSA). See Paragraph 54.
3. Some staff have conditions of service unique to them as specified in their contracts.
4. The Governing Body aims to support a committed workforce to provide outstanding teaching and learning. Regular and punctual attendance is a contractual condition on all staff and therefore it expects staff to attend work regularly with minimum absence only for valid reasons. The Governing Body will also manage sickness with sensitivity bearing in mind the occupational sick pay entitlement. However, nothing in this Policy will prevent or restrict the Governing Body's right to terminate employment before entitlement to OSA is exhausted.
5. The Head is responsible for ensuring that appropriate action is taken where there are concerns regarding a staff member's level of sickness absence and may delegate responsibilities to other senior members of staff as appropriate. If the Head's attendance is a matter of concern, his role in relation to the management of the sickness absence will be undertaken by the Chair of Governors.
6. It is accepted that staff do fall ill and, despite the inconvenience and cost to the School and impact on pupils, genuine illness is to be treated sensitively and staff supported appropriately on their return to work.
7. This Policy has a number of functions. It is helpful to staff in that it ensures that the School becomes aware of , issues affecting their health and is able to respond supportively. For example, management would be able to vary the working pattern of someone who suffered from arthritis or, at a simpler level, would avoid using a member of the teaching staff for duties other than their core teaching commitments on their return from an illness. It also allows managers to become aware of issues at School which were contributing to a colleague's illness and respond appropriately.
8. This Policy provides a framework for management to respond openly, fairly and consistently to sickness absence and ill health at School. In addition to supporting staff to return to work, the Policy provides a mechanism to help managers meet their duty of care and other legal responsibilities, including those under the Equality Act 2010. The Policy also provides a process that may eventually be used to end the employment of a staff member who is unable to fulfil their contract through sickness absence or ill-health.
9. Under this Policy, a manager is required to have return-to-work discussions with anyone who returns after a period of illness. This will normally be with their line manager but staff may alternatively choose to speak to the Bursar or HR Advisor. Often the discussion will be no more than an informal 'welcome back' chat where any future impact on work could be discussed and any appropriate measures of short-term support put in place. It also gives the opportunity for

managers to raise concerns and take any appropriate action in those circumstances where sickness absence or ill health is seen to be a potential problem. The outcome of the discussion is to be recorded on the Return to Work Form at Appendix 1.

10. This Policy is based on 'trigger points' which may prompt more formal action. These trigger points are designed to prompt managers to consider whether there is a clear need to proceed to more formal actions. The fact that a trigger point has been reached does not necessarily mean that formal action would be appropriate and managers should apply them sensibly, sensitively and according to the circumstances of each individual case. For example it would not be appropriate to issue a formal warning to a staff member who had a previous good attendance record who then needed extended time off as a result of a car accident or who was recovering from one-off surgery or who had a period of illness from which they then had recovered. It would, however, be appropriate to carry out a formal review of a member of staff on long term sick leave for whom it was uncertain when they might be fit to return or if they had a condition which caused a number of long-term absences and it was uncertain when, or if, they would be fit to resume normal duties.

11. If a staff member had a number of short-term absences (and therefore reached a trigger point) the line manager will have to consider whether the absence was acceptable (taking into account the staff member's previous absence record) any disability and any underlying medical condition which might contribute to short term periods of illness. If the staff member is thought to be abusing the system the disciplinary procedure may be invoked.

12. Staff who abuse this Policy, or the provisions of the OCA scheme, may have their OCA withheld and/or be subject to disciplinary action. Examples of abuse include:

- a. Not reporting sickness.
- b. Not providing statements of unfitness to work (fit notes) as required.
- c. Failing to attend meetings with management or the Occupational Health Service (OHS).
- d. Engaging in activities which are inconsistent with the alleged illness or which may aggravate the illness or delay recovery: such as undertaking employment or sport.

## **RESPONSIBILITIES & CONSIDERATIONS**

13. **Staff.** All staff have a responsibility to:

- a. Attend work when fit to do so and not incur sick leave unless medically unfit to attend work or remain at work.
- b. Attend appointments arranged with management or the Occupational Health Service as part of this Policy.
- c. Report their sickness in accordance with this Policy (Appendix 2B)
- d. Inform the Head/HOD/Line Manager/Cover Manager as requested soon as possible of any changes in their condition that affects their ability to do their job or alters the timescales for their return to work.
- e. Leave contact details when off work due to sickness and be available to attend meetings about their absence when fit to do so.
- f. Submit statements of unfitness to work (fit notes) promptly (Appendix 2).

- g. Complete a Return to Work form following each period of sickness absence.
- h. Meet with the Bursar or HR Adviser when requested to discuss their absence.
- i. Staff are to notify the Head or Bursar if an infectious disease occurs where they are living and await advice from the Head or Bursar as to whether they should refrain from School duties (following advice from the OHS). The staff member would usually expect to continue School duties pending receipt of instructions from the OHS except in the event of a notifiable disease.

**14. Responsibilities of Management.** The Head and Bursar (or other managers as delegated by them) are responsible for:

- a. Regularly reviewing the level of sickness absence and applying the provisions of this Policy when sickness absence is unsatisfactory or when health concerns are impacting on performance.
- b. Treating all staff individually, consistently, with dignity, sensitivity and in confidence to aid health and welfare.
- c. Contacting staff on their return from sick leave in order to discuss their absence, ensure that Return to Work forms are completed and take any other action as appropriate.
- d. Contacting staff who have not reported their absence as required (see Management Guidelines for dealing with unauthorised absence from work).
- e. Maintaining regular contact with those on long term sick leave.
- f. Referring staff to the Occupational Health Service (OHS) for a medical assessment as appropriate.
- g. Dealing fairly but firmly with staff whose level of sickness absence is unsatisfactory.
- h. Where a staff member has returned and there are concerns about their fitness to take up their duties, this should be raised, where appropriate. This may include placing the staff member on special leave pending confirmation from OHS of their fitness to resume duty.
- i. Responsible for ensuring that the Education (Teachers) Regulations are applied and that a teacher or other workers with children and young persons should not continue in their post if the person does not have the health or physical capacity to perform the duties of the post.

**15. Relevant Considerations.** In implementing this Policy, the Head and Bursar will give due consideration to:

- a. The Governing Body's responsibilities under the Equality Act 2010 and the need to consider reasonable adjustments for staff with a disability or who become disabled.
- b. Staff who are pregnant; have recently given birth, are undergoing gender reassignment or are suffering a terminal illness.
- c. Absence which is due to a one-off operation or illness.
- d. Staff with identified mental health conditions e.g. depression etc.
- e. Absence due to a recognised industrial injury sustained whilst working for the School.

- f. The staff' previous work record and attendance history.
- g. The need to redeploy someone specifically into a different work environment (if this is possible) either due to medical reasons or as a result of particular staff relations issues.
- h. The specific requirements relating to the continued employment of or return to work by teachers suffering from pulmonary tuberculosis, epilepsy, psychiatric disorder or any other similar serious illness.

## **INFORMAL ACTIONS**

**16. Return-to-Work Discussion.** The Bursar or Line Manager is to contact a staff member as soon as possible after a return from sickness absence for an informal discussion unless a more structured meeting is appropriate. At this meeting the Return to Work form is to be completed. (At Annex A). If there is concern about the pattern of absence or health, this should be raised initially informally.

**17. Addressing Concerns Early.** In recognising the Governing Body's duty of care to staff, the Head/Bursar/Line Manager should address concerns as soon as they arise. Informal reviews, including home visits and referral to the OHS, may therefore take place before the trigger points are reached. Where stress or depression is given as a reason for sickness, staff should be referred to the OHS so that early interventions can take place to address any underlying work-related issues. Stress awareness advice for managers is at Appendix 3.

**18. Underlying Medical Conditions and Reasonable Adjustments.** If a staff member has an underlying medical condition appropriate consideration is to be given to: job redesign, temporary adjustment to duties or workload and/or a phased return to work. If a staff member becomes disabled then the Equality Act applies and reference to the Equality Policy is to be made. See also Appendix 5.

## **TRIGGER POINTS**

**19. Monitoring And Reviewing Sickness Absence.** Trigger points act as a prompt to review absence on a regular and consistent basis and initiate formal action if necessary. Meetings will only be held when the manager is satisfied that a meeting is justified and necessary or when requested by the member of staff. The trigger points are:

- a. 3 or more self-certified periods in last 4 months.
- b. 3 or more periods each of 10 working days or more in last 12 months.
- c. Persistent periods of 5 days or more self-certified absence in last 12 months.
- d. Absences showing trends or patterns eg Mondays, after Cup Finals.

## **STAFF MEMBER REPRESENTATION**

**20.** Staff may be represented by a representative of a recognised professional association/trade union or a workplace colleague at all formal meetings under this Policy. It is the responsibility of the staff member to arrange for their own representation but legal representation is not allowed. If the staff member's chosen companion is not available at the time fixed for the meeting, it is to be rescheduled providing a reasonable alternative date is offered within 5 working days of the original date. If the meeting is postponed twice at any one stage, the case may proceed on the basis of the information available.

## **DEFINITIONS & PANELS**

21. **Timescales and Definition of a Working Day.** In this Policy some timescales are expressed in working days but, if not so specified, 'day' refers to a calendar day. For staff who work a term time pattern, a working day is defined as a day that the school is open for pupils. For staff who work other patterns, a working day is defined as a day that they would normally be required to attend for work. However, if a case arises just before a school holiday it should be resolved as soon as possible and, if appropriate, during the holiday period.

22. **Governors Panels.** Both Final Stage & Appeals panels are to consist of at least three non-staff governors nominated by the Chair or Vice Chair of the Governing Body. The Chair of the Governing Body may not be a member of the panels. Additionally, the Appeals Panel may not consist of fewer members than the Final Stage Panel which made the decision which is the subject of the appeal and may not include any member of that Final Stage Panel. A non-voting HR professional may attend both panels to advise on the Law and procedures and a secretary may be appointed to take notes.

## **FORMAL STAGE PROCEDURES**

23. Paragraphs 24 to 29 apply to all formal meetings. Reference to the Head or Bursar is to be interpreted as also to any other manager delegated by them.

24. Staff will be given at least 7 days written notice by (letter or email) of meetings that they are required to attend but may agree to attend a meeting in less than 7 days' notice.

25. The outcomes of all formal meetings and reviews will be confirmed in writing.

26. The Head or Bursar may make decisions and take actions in the absence of the staff member but should first seek advice from Occupational Health (Appendix 4) and, if appropriate, an HR professional. Staff who are unable to attend may arrange for a representative to attend on their behalf, and/or submit written representation in advance.

27. The Head or Bursar is to consider any medical advice. While decisions are taken in light of medical advice, the decisions themselves are management responsibilities, not medical ones.

28. If, during the 12 months following a successful review period, the staff member's absence reaches one of the trigger points or further health concerns arise, the Head or Bursar is to consider whether it is appropriate to initiate the Final Stage.

29. If at any stage the OHS (or the staff member) indicates that the staff member can no longer carry out their current duties or will not be able to return to work or sustain regular attendance within a reasonable period, the Final Stage is to be initiated. This includes when the OHS recommends early retirement on the grounds of ill health.

30. At Appendix 6 is a diagrammatic representation of sickness management.

## **SHORT-TERM/INTERMITTENT SICKNESS ABSENCE - FIRST FORMAL STAGE**

31. The following procedure will apply for short-term sickness absences or health concerns.

32. A first formal meeting may be arranged with a staff member whose absence has reached one of the trigger points or whose pattern of absence or health is a concern to the Head/Bursar/Line Manager even if a trigger point has not been reached.

33. If the level of absence (or the effect of ill health) is considered unacceptable the Head/Bursar is to:

- a. Refer the staff member to the OHS service if not already so referred.
- b. Set a review period of 90 working days, during which the staff member's attendance (or effect of ill health) will be monitored every 30 working days.
- c. If the staff member has already returned to work, the review period should commence from the date they returned and not from the date of the formal meeting.
- d. Set a target for improvement of no more uncertificated absence in the 90 working day review period. If any absence occurs during this period, the staff member will be required to provide a fit note and the reasons, duration, frequency and pattern of absence are to be considered before further action is taken. However, an additional day's absence due to sickness during this period does not automatically mean a referral to the final stage.
- e. Inform the staff member that a Final Stage meeting will be arranged if, during or at the end of the review period, the required improvement has not been made or if further health concerns arise and caution the staff member that the meeting could lead to dismissal.
- f. A sensitive, supportive manner is to be maintained when dealing with cases of sickness and ill health.

34. If there has been a satisfactory improvement in the staff member's level of sickness absence at the end of the review period, the staff member is to be advised of this in writing and reminded of the need to sustain the improvement.

#### **LONG-TERM ABSENCE - FIRST FORMAL STAGE**

35. The following procedure will apply to staff whose absence or illness is expected to last or has lasted for more than 4 weeks. During the first four weeks, the Head or Bursar (or their delegates) should normally have reviewed the staff member's absence and sought advice from the OHS.

36. Once the relevant OHS advice is received, a meeting with the staff member will be arranged. Action, informed by OHS advice, may include:

- a. Establishing a time-limited sickness rehabilitation programme to support a return to work.
- b. A formal caution that, if the required improvement is not made, the Final Stage will be initiated.
- c. Initiation of the Final Stage if the staff member is unable to return to work within a reasonable timeframe, taking into account School needs.

37. If a return to work or normal duties within the time specified in Subparagraph 36a is achieved, the staff member will be advised in writing and reminded of the need to sustain the improvement.

#### **FINAL FORMAL STAGE - SHORT-TERM AND LONG-TERM ABSENCE**

38. A final stage governors panel meeting will be arranged to decide on the staff member's future employment if any of the conditions of this Paragraph apply:

- a. The targets or timescales set during the First Formal Stage have not been met.

- b. The initial improvement made at the end of the First Formal Stage has not been sustained over the following 12 months.
- c. Medical advice suggests that the staff member will not, within a reasonable period, be able to return to work or undertake the full duties of their post and is unsuitable for medical redeployment.

39. **Panel Procedure.** The procedure at the Meeting is to follow the outline of the procedure for a Discipline Panel (Annex B to Staff Discipline Policy).

40. **Panel Actions.** The Panel is to:

- a. Confirm the facts of the case, the action taken to date, any developments since the last meeting and the latest medical advice.
- b. Consider any representations made by or on behalf of the staff member and any statement of intent they may wish to make regarding their future attendance.
- c. Confirm that reasonable action has been taken in accordance with paragraphs 16 to 18.

41. **Panel Options.** The options open to the Panel are:

- a. The staff member to continue in their job with support, monitoring and review.
- b. Transfer to alternative work where this would be more suitable to the staff member 's health condition and where such alternative work is available;
- c. An offer of premature retirement.
- d. Dismissal, with notice, on the grounds of incapability due to ill-health.
- e. In exceptional circumstances, such as new information becoming available since the Panel was convened, the Panel may set a final review period of 90 working days (during which the staff member's attendance will be monitored every 30 working days) and issue a final caution that employment is at risk unless a satisfactory improvement is made. If the required improvement is not met, the Panel may reconvene at any time to consider giving the staff member notice of dismissal.

42. **Dismissal.** A recommendation for dismissal may also be considered for:

- a. Any teacher who has not applied, refuses to apply or whose application for an ill health pension has been rejected by the Teachers' Pensions Scheme.
- b. Any staff member who refuses to acknowledge that s/he has an ill health problem and is medically unfit to carry on working.
- c. Any staff member who, despite being aware that they are medically unfit to carry on working, will not agree to premature retirement.
- d. An staff member whose level of absence has been unacceptable, who has had sufficient opportunity to improve has been provided and adequate warnings of the consequences given. In cases of long-term absence, the Panel is also to consider:

(1) The timescales within which the staff member may be able to return to work.

- (2) The impact of the continuing absence on the School, particularly pupils and colleagues
- (3) If any alternatives to dismissal are appropriate.

## **APPEALS**

43. Staff may appeal to the Governing Body against a decision under this Policy to:

- a. Set targets or timescales for improvement.
- b. Give a formal caution.
- c. To terminate employment.

44. Appeals are to be submitted in writing (letter or email) to the Chair of the Governing Body via the Company Secretary (and copied to the Head) within 14 days from the date of receiving written confirmation of the outcome (deemed to be 2 days after posting by first class post). The grounds of the appeal are to be specified.

45. The appeal hearing is not to be a rehearing of the case. Staff may appeal on the following grounds:

- a. The proper procedure was not followed. In this case the Appeal Panel is to consider whether this materially affected the decision.
- b. The decision reached was unreasonable considering the information provided.
- c. New evidence has become available.

46. Seven days' notice is to be given to the staff member for an appeal hearing which is to follow the procedure for the Discipline Panel hearing (Staff Discipline Policy Annex B) except that normally, at the discretion of the Panel Chair, the staff member will present the grounds for appeal immediately after the introductions.

47. The Appeal Panel decision is final.

## **TEACHER'S TERMINATION OF EMPLOYMENT ON ILL-HEALTH GROUNDS**

48. A teacher who contributes to the Teachers' Pension Scheme is able voluntarily, at any age, to apply to the Teachers' Pensions for an infirmity benefit. The teacher will be notified by Teachers' Pensions whether infirmity benefit will be granted. Normally, therefore, the decision to retire prematurely on ill health grounds is taken by the teacher and not the School. The Governing Body should seek agreement with the teacher that the retirement takes effect within six months of the decision by Teachers' Pensions.

49. In all other cases, the decision to terminate employment on medical or ill-health grounds will be taken as above.

## **SICK PAY AND ENTITLEMENT FOR TEACHERS**

50. Unless otherwise stated in their employment contract a teacher may receive an occupational sickness allowance as specified in this Paragraph:

- a. During 1st year of service - full pay for 25 working days and, after completing 4 calendar months' service, half pay for 50 working days.

- b. During 2nd year of service - full pay for 50 working days and half pay for 50 working days.
- c. During 3rd year of service - full pay for 75 working days and half pay for 75 working days.
- d. During 4th and subsequent years - full pay for 100 working days and half pay for 100 working days.

51. Where a teacher is ill immediately preceding a closure period and is on full sick pay, they shall continue on full sick pay, but the closure period is not counted against their entitlement under sick leave and pay. If they are on half sick pay, they shall continue on half sick pay but the closure period is not counted against their entitlement. If they have exhausted their pay entitlement and are not receiving any pay, they shall continue to receive no pay.

52. Sick leave can end during a closure period, in which case normal full pay will be reinstated from the date the teacher is certified fit to work. The exception to this is if the teacher is declared unfit again so that they are unable to start the next term at work.

### **SICK PAY AND ENTITLEMENT FOR SUPPORT STAFF**

53. Unless otherwise stated in their employment contract, support staff are entitled to an Occupational Sickness Allowance and/or Statutory Sick Pay (SSP).

54. **Occupational Sickness Allowance.** After completing a calendar year's service, an staff member may receive an Occupational Sickness Allowance of up to 3 weeks pay within any period of 12 months. When this allowance is in payment there is no entitlement to SSP as well.

55. **Statutory Sick Pay.** SSP is complex but, in summary: it is payable from the fourth day of absence (including non-working days) at £88.45 per week for up to 28 weeks. If SSP has been claimed in the past 8 weeks then it is payable from the first day of absence but if there have been a series of absences less than 8 weeks apart then the entitlement to SSP ceases after 3 years.

56. **Employment & Support Allowance.** When entitlement to SSP ceases Employment and Support Allowance (ESA) may be payable by application to a Job Centre.

### **57. MONITORING**

58. The Governing Body, advised by Leadership Team, will review this policy annually.

59. This Policy was adopted by Governors and last reviewed on the dates shown for the Pay Policy.

### **APPENDICES**

- 1. Return to Work Form.
- 2. Reporting Sickness Absence by Staff.
- 3. Stress Awareness Advice.
- 4. Occupational Health Assessment.
- 5. Disability Discrimination.
- 6. Sickness Absence Management.



**APPENDIX 2  
TO ANNEX G (ABSENCE POLICY) TO  
PAY POLICY 2018/19**

**REPORTING SICKNESS ABSENCE BY STAFF**

*Staff whose are subject to formal review should provide a fit note for each period of sickness absence, even where the absence is less than 8 days*

1 <sup>st</sup> Day of absence:	<p>Contact your <sup>1</sup> <i>designated contact</i> to report your absence, by 0800 or the night before. You should give the nature and probable duration of your absence.</p> <p>Always report your absence yourself rather than asking a friend or relative to do it, unless there is a good reason, which is explained to the designated contact.</p> <p>If your designated contact is not available, contact the Deputy Head or a senior manager directly, otherwise leave a message at Reception stating that you are sick and either ring back later the same day or leave your telephone number so that your designated contact can ring you back. <b>Details about your sickness should not be left with colleagues.</b></p> <p>Work for pupils should be emailed to <a href="mailto:alg@bws.wilts.sch.uk">alg@bws.wilts.sch.uk</a> or delivered by a colleague to ALG in the Chapel block, also by 08.00 hrs for distribution.</p>
4 <sup>th</sup> calendar day.	If you are still absent (or are absent for longer than first indicated) you should telephone your designated contact to provide them with an up-date on your health.
8 <sup>th</sup> calendar day:	<p>You must telephone your designated contact.</p> <p>You must also obtain a fit note from your doctor. This must be sent in no later than the 8<sup>th</sup> calendar day of absence to the Head/ designated contact. Further fit notes must be sent in regularly and must cover you for the entire period of your absence. <b>Failure to provide a fit note/certificate may result in loss of pay.</b></p>
Absence longer than 8 days:	Every working week, or as agreed with the Head/manager, you should contact your designated contact to report on your health and to indicate when you expect to return to work. In cases of serious illness then different arrangements will clearly need to apply.
On return to work:	<p>You will be required to fill out a return to work form for each period of sickness. <b>Failure to complete this form may result in loss of pay.</b></p> <p>If you have been absent for more than 14 days, or have submitted more than 1 fit note, you will need a certificate from your doctor confirming that you are fit to return.</p>
<p>Where exceptional circumstances (e.g. an accident on the way to work) prevent you reporting your absence within the normal timescales you should ring your designated contact as soon as you are able to do so.</p>	

If required by your Head or Bursar, you should report your absence each working day for the first week. This may be considered appropriate for operational reasons or where an staff member has a history of not reporting their absence.

<sup>1</sup>**Designated contact** is HR Rep on 01722 424714 during working hours (voicemail available) or outside working hours 07889 542992 before 2130 hrs or email ALG ([alg@bws.wilts.sch.uk](mailto:alg@bws.wilts.sch.uk) at any time.

**STRESS AWARENESS ADVICE FOR MANAGERS**

1. **Duty of Care.** In managing staff attendance managers should be aware of how stress can trigger or exacerbate sickness absence. Under the Health & Safety at Work Act they have a duty to protect the physical and mental health of their staff at work.
2. **Aids to Stress Prevention.** Managers can help prevent stress-related sickness absence by :
  - a. Monitoring sickness absence, general performance, accidents and mistakes for signs of stress.
  - b. Ensuring that staff have the skills, training and resources they need to do the job.
  - c. Treating staff in a fair and consistent manner and not tolerating harassment or bullying of any kind.
  - d. Communicating with their staff and ensuring that they are able to communicate with them; good communication is especially imperative in times of restructuring and change.
  - e. Ensuring that their staff work in a safe and comfortable environment.
  - f. Where service delivery allows, looking at more flexible working patterns and modifications to the working day, to enable staff to integrate their work and outside commitments and interests.
  - g. Making sure all their team has clearly defined objectives and responsibilities.
  - h. Encouraging staff to be innovative and to own and take pride in their work; giving praise whenever a good job is done; avoiding a culture of blame.
  - i. Referring staff to the OHS and/or counseling service wherever appropriate for additional support and working with them to overcome the problems.

## **OCCUPATIONAL HEALTH SERVICE**

### **ROLE**

1. The role of the Occupational Health Service (OHS) is to provide specialist medical advice to the School to assist the Head and Bursar to ascertain the true medical position on which to base decisions about their staff.
2. Occupational Health provide an independent, impartial advisory service. They are responsible for the provision of clear medical advice to the Head and Bursar about the individual cases referred to them. Their advice is based on factual evidence obtained from the following:
  - a. Full background to the case e.g. absence records, job demands.
  - b. Medical assessment including physical examination where relevant.
  - c. Workplace assessment where relevant.
  - d. Monitoring of the progression of a case over a period of time.
  - e. Reports from a staff member's GP or specialist.
3. The Occupational Health Service advises on, but does not make decisions about a staff member's continuing employment, redeployment or future deployment. These decisions are made by management and should take into account the advice of the Occupational Health Physician but they may also be based on other factors such as service demand, risk assessment of health and safety considerations and financial constraints.

### **ACCESS TO THE OHS**

4. **Authorisation Under the Access to Medical Reports Act 1988.** The staff member's consent is required to authorise their medical adviser to release medical information to the OHS. This consent should be obtained by requesting staff to complete a consent form when the referral decision is taken. This form is to be sent to OHS with the referral request or be sent to OHS directly by the staff member. If staff withhold their consent, managers are to explain that this will limit the OHS's ability to give as full advice as possible but that decisions may still be made in light of the advice obtained.
5. **Questions to OHS.** It is important to ask specific questions otherwise the OHS may not be able to accurately address the issues that you have. Example questions include:
  - a. Is it likely the individual will be able to return?
  - b. When is the likely date of return?
  - c. Could a phased return to work assist the individual's return?
  - d. Could a phased return to work assist with an earlier return?

- e. If there is an underlying condition, what likelihood is there of it recurring?
- f. Will the individual be fit to return to work as she/he plans to on (date) and carry out the full range of his duties and on a full time basis?
- g. Is there any possibility of any aspect of the work having an adverse affect on the individual's health or further aggravate any condition she/he may have?
- h. Is there likely to be any residual difficulty/disability that requires modification to the individual's work? i.e. pattern of work, duties, equipment etc.?
- i. If the individual cannot return to their current post, in what capacity could the individual be employed?
- j. Would redeployment on a permanent/temporary basis assist a return to work?
- k. In view of the fact the individual's health has been poor for some time would you consider retirement on health grounds a realistic option?
- l. Should the staff member be classified as disabled?

6. **Background information.** In order for the Occupational Health Physician to provide a full opinion to managers, he is to be fully informed of the background to each case including:

- a. Precise nature of duties including details of any hazards (e.g. copies of risk assessments) and a job description.
- b. Relevant employment details, length of service, nature of working environment, any capability, disciplinary or industrial injury issues.
- c. Main concerns and reasons for the referral (care is to be taken to present facts rather than opinions).
- d. Details of absence: particularly a summary of dates, durations and reasons for absence. A sheaf of photocopied certificates is not helpful.
- e. If termination of employment/medical retirement is being contemplated as a possible action, this is to be made clear in the referral so that a firm prognosis can be provided.

7. **Informal Discussion and Advice.** Managers should discuss difficult or complicated referrals with Occupational Health on an informal basis, so that they can establish how the OHS can help in a particular case.

#### **OCCUPATIONAL PHYSICIANS REPORT.**

8. Following assessment, the Occupational Health Physician will provide a written report detailing his opinion and recommendations as appropriate. This may include:-

- a. An opinion about fitness to work.
- b. A prediction about the likelihood of a return to work.
- c. An opinion about whether work factors or hazards have contributed to ill health or absence and how these could be modified.

- d. Recommendations about restrictions or modifications which could be made in job content or arrangement.
- e. Advice about fitness for alternative duties.
- f. Suggestions regarding help or support which could be offered by the School or other agencies.
- g. Advice about the necessity of further assessment or monitoring.
- h. An opinion about whether or not previous sickness absence was genuine will not be provided as it is impossible to ascertain this retrospectively.
- i. An opinion about whether or not the staff member should be classified as disabled.

9. Where relevant the Occupational Health Physician will make reference to regulations etc. Normally, clinical information will not be included in the report. There may be exceptions to this where some information may be included at the staff member's request and the OHS's approval.

10. A full report may not be available after one consultation and, where the occupational health assessment process is likely to be prolonged, an indication of the likely timescales and any delays will be given if possible. A copy of the written report will be provided to the staff member by OHS.

11. **Ill Health Retirement.** The Occupational Health Physician may provide an opinion about whether or not an individual meets the criteria for ill health retirement. There may be staff who are on prolonged sick leave with no prospect of returning to work within a foreseeable date but who do not meet the criterion of permanent incapacity.

## **SUMMARY**

12. The quality and clarity of advice provided by the Occupational Health Service depends upon the background, detail, and specific questions asked in the referral and the information provided by the staff member and their medical advisors. It is essential that the role and responsibility of the Occupational Health Service is clearly understood by those involved in the referral process and this is to be explained by the manager to the staff member each time a referral is made. Managers can help the process by ensuring that information they provide is clear, detailed and focused on the issues.

### **DISABILITY DISCRIMINATION**

1. Treating staff who are disabled the same as non-disabled staff is potentially discriminatory and unlawful. Employers have a duty to be aware of any disability, provide support and make reasonable adjustment to jobs, processes, premises etc. In the case of sickness and ill health, an employer must not treat a disabled staff member in the same way that they would treat a non-disabled staff member in the same situation.
2. The obligation to consider and make adjustments is greater.
3. The obligations to consider and provide supportive and potentially remedial arrangements are greater.
4. It may be that a staff member not currently categorised as disabled may have become so by virtue of their ill health. The length of time the condition has existed and the effects are key factors.
5. A fuller explanation of disability discrimination and the duties under the Equality Act is in the Equality Policy.

**SICKNESS ABSENCE MANAGEMENT**

