

School Teachers' Pay and Conditions Document 2013

*[To accompany the School Teachers'
Pay and Conditions Order 2013 (SI
2013 No xxxx) made pursuant to
Section 122 of the Education Act 2002.]*

Department for Education

SECTION 2 - School Teachers' Pay and Conditions Document 2012

[This Document contains provisions relating to the statutory conditions of employment of school teachers in England and Wales and has been prepared by the Secretary of State for Education in anticipation of an order being made under section 122 of the Education Act 2002 ("the Act")⁽¹⁾. That Order refers to this Document and directs that its provisions have effect in accordance with it pursuant to section 124(3) of the Act. The anticipated order will be the School Teachers' Pay and Conditions Order 2013 ("the Order").

This Document relates to teachers employed by a local authority or by the governing body of a foundation, voluntary aided or foundation special school (other than a school to which an order made under section 128(2) of the Act applies) in the provision of primary or secondary education (otherwise than in an establishment maintained by a local authority in the exercise of a social services function).

⁽¹⁾ 2002 (c.32.)

When the Order comes into force on 1st September 2013, this Document will replace the 2012 Document given effect by the School Teachers' Pay and Conditions Order 2012⁽²⁾.

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⁽²⁾ S.I. 2012/2051

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PAY

PART 1 - GENERAL

Entitlement to salary and allowances

- 1.1 Subject to paragraphs 34, 35, 37 and 43, a qualified or unqualified teacher in full-time service is entitled to remuneration consisting of a salary determined under Part 2, 3 or 4 and any allowances payable under Part 3, 5 or 6;
- 1.2 The relevant body must determine that a graduate teacher, a registered teacher or a teacher on the employment-based teacher training scheme is to-
- (a) be paid and be eligible for allowances as a qualified teacher; or
 - (b) be paid and be eligible for allowances as an unqualified teacher.
- 1.3 A teacher employed on a part-time basis is entitled to remuneration consisting of a salary and any allowances to which the teacher is entitled calculated in accordance with paragraph 43.
- 1.4 A teacher employed in a school which has a delegated budget is entitled to be paid by the authority any remuneration to which the teacher is entitled by virtue of the provisions of this Document or any determinations made under it.

Pay policy and grievance procedures

- 2.1 The relevant body must-
- (a) adopt a policy that sets out the basis on which it determines teachers' pay and the date by which it will determine the teachers' annual pay review; and
 - (b) establish procedures for addressing teachers' grievances in relation to their pay in accordance with the Acas Code of Practice.

Timing of salary determination and notification

- 3.1 Subject to paragraph 3.3, the determination of the remuneration of a teacher must be made-
- (a) annually;

- (b) whenever a teacher takes up a new post (including taking up a post in the leadership group, or the duties assigned to a teacher paid on the pay range for leading practitioners) on a date other than that stated in the school's pay policy for the annual salary determination, with effect from the teacher taking up that post/role/duties;
- (c) where a teacher becomes entitled to be paid on the upper pay range pursuant to paragraph 16; or
- (d) at any other time when a change falls to be made in a teacher's salary in any circumstances provided for in this Document.

3.2 When determining the remuneration of a teacher, the relevant body must have regard to its pay policy and to the teacher's particular post within its staffing structure.

3.3 Where the relevant body determines to reduce a teacher's remuneration, that determination must take effect no earlier than the date when it was actually made.

3.4 When the relevant body has determined the remuneration of a teacher, it must, at the earliest opportunity and in any event not later than one month after the determination, ensure that the teacher is notified in writing of that determination, of any payments or other financial benefits awarded under paragraph 50, of any safeguarded sums to which the teacher is entitled under paragraphs 28, 31, 37, 44 and 45, where a copy of the school's staffing structure and pay policy may be inspected and-

- (a) in a case where the teacher is a member of the leadership group or is paid on the pay range for leading practitioners, of the basis on which remuneration has been determined and the criteria (including performance objectives where the teacher is not subject to the 2011 Regulations or the 2012 Regulations) on which the salary will be reviewed in the future;
- (b) in a case where the teacher was appointed as a member of the leadership group or on the pay range for leading practitioners for a fixed period or under a fixed-term contract, of the date or, where appropriate, the circumstance, the occurrence of which will bring the fixed period or fixed-term contract to an end;

- (c) in a case where the teacher is a classroom teacher or an unqualified teacher in respect of whom the relevant body has made a determination under paragraph 1.2(a), of-
 - (i) the teacher's position within the pay ranges set out in paragraphs 15 and 16;
 - (ii) the nature and value of any allowance awarded under paragraph 29; and
 - (iii) in relation to any TLR awarded under paragraphs 25-27, its value, the nature of the significant responsibility for which it was awarded and, if the award is made whilst the teacher occupies another post in the absence of a post-holder, the date on which as well as any circumstances in which (if occurring earlier than that date) it will come to an end.
- (d) in a case where the teacher is an unqualified teacher to whom paragraph 3.4(c) does not apply, of-
 - (i) the teacher's position within the unqualified teachers' pay range determined under paragraph 18;
 - (ii) the sum payable under paragraph 18 if any; and
 - (iii) the value of any unqualified teacher's allowance awarded under paragraph 31 and the additional responsibility, qualifications or experience in respect of which the allowance was awarded.

3.5 In this paragraph, "remuneration" means salary plus any allowances but does not include any sum paid in respect of the award of Chartered London Teacher status or under paragraphs 48 and 49.

Teachers paid a safeguarded sum

4.1.1 Teachers who were formerly employed as advanced skills teachers and excellent teachers whose salaries were subject to safeguarding under the 2012 Document continue to have their salaries safeguarded in accordance with that Document. Sub-paragraphs 1.4 and 1.5 of Annex 4 apply to a teacher who is paid a safeguarded sum or safeguarded sums under paragraphs 28, 31, 37, 44 and 45.

- 4.1.2 If the safeguarded sums exceed £500 in total, the relevant body must review the teacher's assigned duties and allocate such additional duties to the teacher as they reasonably consider are appropriate and commensurate with the safeguarded sum, for as long as the teacher continues to be paid the safeguarded sum.
- 4.1.3 The teacher must not be paid the safeguarded sum if the teacher unreasonably refuses to carry out such additional duties, provided that the teacher is notified of the relevant body's determination to cease paying the safeguarded sum at least one month before it is implemented.
- 4.2.1 Sub-paragraph 1.2 applies to paragraphs 28, 31, 37 and 44, whenever the relevant body is required to consider whether a salary of a higher value ("the new salary") or an allowance (including the award of an increase in the value of an allowance made by a decision of the relevant body) ("the new allowance"), or the combined value of a new salary and a new allowance, is equal to or exceeds the combined value of a previous salary and a safeguarded sum.
- 4.2.2 The relevant body must take into account all the safeguarded sums to which the teacher is entitled and cease paying only the safeguarded sum or combination of safeguarded sums that is equal to or less than the total increase in the teacher's remuneration attributable to the new point or the new allowance.
- 4.3 For the purposes of paragraphs 28, 31, 44 and 45, the safeguarding period ends on the third anniversary of the relevant date; and in the case of a determination made by the relevant body between –
- a. 1st September and 31st December, the relevant date is 1st January immediately after the end of that period;
 - b. 1st January and 31st March, the relevant date is 1st April immediately after the end of that period; and
 - c. 1st April and 31st August, the relevant date is 1st September immediately after the end of that period.

PART 2- LEADERSHIP GROUP PAY

Pay spine for the leadership group

- 5.1 A head teacher must be paid such salary based upon the leadership group pay spine set out in sub-paragraph 4 as the relevant body determines in accordance with paragraph 6.
- 5.2 A deputy head teacher must be paid such salary based upon the leadership group pay spine set out in sub-paragraph 4 as the relevant body determines in accordance with paragraph 11.
- 5.3 An assistant head teacher must be paid such salary based upon the leadership group pay spine set out in sub-paragraph 4 as the relevant body determines in accordance with paragraph 11.
- 5.4 The pay spine for members of the leadership group is-

<i>Pay Spine for the Leadership Group 2013</i>				
<i>Spine point</i>	<i>Annual Salary England and Wales (excluding the London Area)</i>	<i>Annual Salary Inner London Area</i>	<i>Annual Salary Outer London Area</i>	<i>Annual Salary Fringe Area</i>
	£	£	£	£
L1	37,461	44,540	40,433	38,493
L2	38,400	45,483	41,373	39,433
L3	39,358	46,445	42,328	40,391
L4	40,339	47,423	43,314	41,376
L5	41,343	48,432	44,318	42,382
L6	42,379	49,466	45,351	43,416
L7	43,521	50,610	46,496	44,560
L8	44,525	51,611	47,499	45,557

L9	45,637	52,720	48,609	46,673
L10	46,808	53,894	49,784	47,844
L11	48,024	55,104	50,993	49,056
L12	49,130	56,216	52,106	50,169
L13	50,359	57,445	53,335	51,398
L14	51,614	58,700	54,583	52,650
L15	52,900	59,980	55,869	53,930
L16	54,305	61,392	57,277	55,342
L17	55,553	62,640	58,526	56,596
L18	56,950	64,036	59,925	57,985
L19	58,362	65,448	61,338	59,398
L20	59,809	66,895	62,784	60,849
L21	61,288	68,375	64,264	62,331
L22	62,811	69,897	65,782	63,849
L23	64,367	71,447	67,338	65,400
L24	65,963	73,049	68,934	67,002
L25	67,602	74,686	70,575	68,636
L26	69,275	76,358	72,247	70,314
L27	70,991	78,072	73,962	72,025
L28	72,752	79,835	75,725	73,785
L29	74,554	81,640	77,525	75,593
L30	76,409	83,495	79,381	77,442
L31	78,298	85,384	81,274	79,336
L32	80,244	87,327	83,215	81,283
L33	82,238	89,322	85,213	83,277

L34	84,271	91,356	87,246	85,309
L35	86,365	93,451	89,337	87,404
L36	88,504	95,587	91,473	89,540
L37	90,704	97,793	93,679	91,740
L38	92,948	100,031	95,921	93,985
L39	95,213	102,296	98,185	96,246
L40	97,590	104,679	100,565	98,629
L41	100,028	107,118	103,003	101,065
L42	102,534	109,617	105,502	103,573
L43	105,097	112,181	108,070	106,137

Annual determination of a head teacher's salary

- 6.1 For the purpose of determining the salary of a head teacher who is not subject to the 2011 Regulations or the 2012 Regulations-
- (a) the relevant body and the head teacher must seek to agree performance objectives relating to school leadership and management and pupil progress, and in default of agreement the relevant body must set such performance objectives; and
 - (b) the relevant body must appraise the performance of the head teacher taking account of the performance objectives agreed or set under sub-paragraph 1(a).
- 6.2 The relevant body must determine the salary of a head teacher in accordance with the following-

- (a) subject to paragraphs 45, a head teacher's salary must not be less than the minimum of the individual school range and must not exceed the maximum of the individual school range;
- (b) save to the extent that movement up the pay spine is necessary to ensure that the salary of the head teacher equals the minimum of the individual school range, there must not be any movement up the pay spine unless-
 - (i) in the case where the head teacher is not subject to the 2011 Regulations or the 2012 Regulations, an appraisal of the head teacher's performance has been carried out under sub-paragraph 1(b) and there has been a sustained high quality of performance, having regard to the performance objectives agreed or set under sub-paragraph 1(a); or
 - (ii) Where the head teacher is subject to the 2011 regulations or the 2012 regulations, there has been a sustained high quality of performance by the head teacher having regard to the results of the most recent appraisal carried out in accordance with those regulations
- (c) when making any determination under sub-paragraph 2(b) in the case of a head teacher who is subject to the 2012 Regulations, the relevant body must have regard to any recommendation on pay recorded in the head teacher's most recent appraisal report or planning and review statement;
- (d) save to the extent that a movement up the pay spine is necessary to ensure that the salary of the head teacher equals the minimum of the individual school range, a head teacher's salary must not be increased by more than two points in the course of one school year;
- (e) on appointment at a particular school, including under sub-paragraph 11.2.4, a head teacher must be paid a salary equal to the amount specified for one of the bottom four points of the individual school range;
- (f) where the relevant body raises the individual school range, any performance points awarded by the relevant body for the previous year must be calculated on the basis of the lower individual school range before the head teacher's pay is assimilated onto the higher range; and

- (g) where in accordance with the provisions of an earlier Document the relevant body has determined an individual school range the maximum of which exceeds the highest point on the leadership group pay spine, it must continue to determine the value of each point above the highest point for so long as that individual school range applies.

Determination of the school’s head teacher group

- 7.1 The relevant body must assign its school to a head teacher group for the purposes of paragraph 11 in accordance with this paragraph and paragraphs 8, 9 and 10.
- 7.2 A school must be assigned to a head teacher group whenever the relevant body sees fit.
- 7.3 The head teacher groups, and pay ranges in relation thereto, are as follows-

<i>Head Teacher Groups and Pay Ranges</i>					
<i>Group</i>	<i>Range of spine points</i>	<i>Annual Salary Range England and Wales (excluding the London Area)</i>	<i>Annual Salary Range Inner London Area</i>	<i>Annual Salary Range Outer London Area</i>	<i>Annual Salary Range Fringe Area</i>
		£	£	£	£
1	L6 - L18	42,379 – 56,950	49,466 – 64,036	45,351 – 59,925	43,416 – 57,985
2	L8 - L21	44,525 – 61,288	51,611 – 68,375	47,499 – 64,264	45,557 – 62,331
3	L11 - L24	48,024 – 65,963	55,104 – 73,049	50,993 – 68,934	49,056 – 67,002

4	L14 - L27	51,614 – 70,991	58,700 – 78,072	54,583 – 73,962	52,650 – 72,025
5	L18 - L31	56,950 – 78,298	64,036 – 85,384	59,925 – 81,274	57,985 – 79,336
6	L21 - L35	61,288 – 86,365	68,375 – 93,451	64,264 – 89,337	62,331 – 87,404
7	L24 - L39	65,963 – 95,213	73,049 – 102,296	68,934 – 98,185	67,002 – 96,246
8	L28 - L43	72,752 – 105,097	79,835 – 112,181	75,725 – 108,070	73,785 – 106,137

Unit totals and head teacher groups - ordinary schools

- 8.1 Subject to paragraph 9, an ordinary school must be assigned to a head teacher group in accordance with the following table by reference to its total unit score calculated in accordance with sub-paragraph 2-

<i>Total unit score</i>	<i>School group</i>
Up to 1,000	1
1,001 to 2,200	2
2,201 to 3,500	3
3,501 to 5,000	4
5,001 to 7,500	5
7,501 to 11,000	6
11,001 to 17,000	7
17,001 and over	8

- 8.2 Subject to sub-paragraph 3, the total unit score must be determined in accordance with the number of pupils on the school register, calculated as follows-

Key Stage	Units per pupil
For each pupil in the preliminary stage and each pupil in the first or second key stage	7
For each pupil in the third key stage	9
For each pupil in the fourth key stage	11
For each pupil in the fifth key stage	13

- 8.3.1 The number of pupils on the school register, and the number of pupils at each key stage, must be determined by the numbers as shown on the most recent return of the Department for Education School Census, or the most recently available Welsh Government Annual School Census submitted to the Department for Education or Welsh Government respectively on behalf of the school;
- 8.3.2 Each pupil with a statement of special educational needs must, if in a special class consisting wholly or mainly of such pupils, be counted as three units more than the pupil would otherwise be counted as by virtue of sub-paragraph 2, and if not in such a special class be counted as three such units only where the relevant body so determines;
- 8.3.3 Each pupil who attends for no more than half a day on each day for which the pupil attends the school must be counted as half as many units as the pupil would otherwise be counted as under sub-paragraphs 2 or 3.2.

Unit totals and head teacher groups - special schools

- 9.1 Subject to paragraph 9, a special school must be assigned to a head teacher group in accordance with the following table by reference to its modified total unit score calculated in accordance with sub-paragraphs 2 to 5-

Modified total unit score	Group
Up to 2,200	2
2,201 to 3,500	3
3,501 to 5,000	4
5,001 to 7,500	5
7,501 to 11,000	6
11,001 to 17,000	7
17,001 and over	8

9.2 The relevant body must calculate the proportion of staff to pupils at the school expressed as a percentage (“the staff-pupil ratio”) in accordance with the following formula-

$$\frac{A}{B} \times 100$$

where A is the number of teachers and support staff weighted as provided in sub-paragraph 2.1, and B is the number of pupils at the school weighted as provided in sub-paragraph 2.2.

9.2.1 The weighting for a teacher is two units for each full-time equivalent teacher, and the weighting for each support staff member is one unit for each full-time equivalent individual.

9.2.2 The weighting for a full-time pupil is one unit and the weighting for a part-time pupil is half a unit.

9.3 The relevant body must calculate the staff-pupil ratio modifier in accordance with the following table by reference to the staff-pupil ratio determined in accordance with sub-paragraph 2-

Staff-pupil ratio	Staff-pupil ratio modifier
1 - 20%	1

21 - 35%	2
36 - 50%	3
51 - 65%	4
66 - 80%	5
81% or more	6

9.4 The relevant body must determine the school's total unit score in accordance with the number of pupils on the school register calculated as follows-

Key Stage	Units per pupil
For each pupil in the preliminary stage and each pupil in the first or second key stage	10
For each pupil in the third key stage	12
For each pupil in the fourth key stage	14
For each pupil in the fifth key stage	16

9.5 The relevant body must determine the school's modified total unit score by multiplying the school's total unit score determined under sub-paragraph 4 by the staff-pupil ratio modifier calculated under sub-paragraph 3.

9.6 In this paragraph-

- (a) the number of pupils on the school register must be determined by the numbers as shown on the most recent return of the Department for Education School Census, or the most recently available Welsh Government Annual School Census submitted to the Department for Education or Welsh Government respectively on behalf of the school; and
- (b) "support staff member" means a member of the school staff who is not-
 - (i) a teacher;
 - (ii) a person employed in connection with the provision of meals;

- (iii) a person employed in connection with the security or maintenance of the school premises; or
- (iv) a person employed in a residential school to supervise and care for pupils out of school hours.

Unit totals and head teacher groups - particular cases

Expected changes in number of registered pupils and teaching establishments

- 10.1.1 Subject to sub-paragraph 1.2, where in the case of an ordinary school the total unit score and in the case of a special school the modified total unit score is expected by the relevant body to rise or fall after the date to which the assignment refers, the relevant body may instead assign the school to the appropriate group which would result after the expected change in numbers has taken place.
- 10.1.2 Where the relevant body is the governing body of a school which has a delegated budget, no assignment may be made until the authority has been consulted.

New schools

- 10.2.1 Subject to sub-paragraphs 2.2 and 2.3, in the case of a school which is newly opened or not yet open, the relevant body must assign the school to the group appropriate in the case of an ordinary school to the total unit score and in the case of a special school to the modified total unit score expected by the authority or, in the case of a school with a delegated budget, by the governing body after consulting the authority to be relevant not less than four years from the date of opening.
- 10.2.2 The relevant body must, as necessary, revise its assignment as the expectations on which its calculation was based change.
- 10.2.3 Where the relevant body is the governing body of a school which has a delegated budget, no assignment may be made until the authority has been consulted.

Determination of a school's individual school range (ISR)

- 11.1 The relevant body must determine a school's ISR in accordance with sub-paragraph 2.
- 11.2.1 The ISR must consist of seven consecutive spine points within the

range specified in paragraph 6.3 in relation to the school's head teacher group ("the head teacher group range").

- 11.2.2 The relevant body must ensure that the minimum of the ISR:
- (a) is not less than the minimum of the head teacher group range;
 - (b) is at least the next point higher on the leadership group scale than the maximum of the pay range of any deputy or assistant head teacher at the school; and
 - (c) is at least the next point higher on the leadership group scale than the salary of the highest paid classroom teacher (calculated in accordance with sub-paragraph 3);

and where the determination of the ISR would be set lower but for sub-paragraphs (b) or (c) the relevant body must set it no higher than is necessary to secure that the minimum of the ISR exceeds by one point the maximum of the deputy or assistant head teacher range or the salary of the highest paid classroom teacher (as the case may be).

- 11.2.3 The relevant body must ensure that the maximum of the ISR (where determined on or after 1 September 2011) does not exceed the maximum of the head teacher group range.
- 11.2.4 Where the head teacher is appointed as a head teacher of more than one school on a permanent basis the relevant body of the head teacher's original school or, under the Collaboration Regulations⁽³⁾, the collaborating body, must determine the ISR by the application of the total unit score of all of the schools calculated in accordance with paragraphs 8, 9 and 10.
- 11.3.1 For the purpose of determining the ISR, a deputy head teacher's pay range or an assistant head teacher's pay range, the relevant body must calculate the salary of the highest paid classroom teacher in accordance with sub-paragraph 3.2.
- 11.3.2 The salary of the highest paid classroom teacher is the sum of-
- (a) the minimum salary of the upper pay range;
 - (b) the value of any TLR awarded to the highest paid classroom teacher at the school under paragraph 25 and

⁽³⁾ The School Governance (Collaboration) (England) Regulations 2003 S.I. 2003/1962 and The Collaboration Between Maintained Schools (Wales) Regulations 2008/168

- (c) the value of any SEN allowance awarded to the highest paid classroom teacher at the school under paragraph 29.

11.3.3 In sub-paragraph 3.2, the highest paid classroom teacher at the school is the classroom teacher with the highest allowance total, being the total value of any TLR or SEN allowance awarded.

11.3.4 The calculation of the salary of the highest paid classroom teacher for the purpose of Part 2 is a notional calculation and must not affect the salary entitlement of such a teacher.

Determination of discretionary payments to head teachers

11.4.1 Subject to sub-paragraph 4.2, the relevant body may determine that additional payments be made to a head teacher in accordance with paragraphs 48, 49, 50 or in the circumstances set out in sub-paragraph 5, provided in each case that the relevant body has not previously taken such reason or circumstance into account when determining the ISR under an earlier Document.

11.4.2 Subject to sub-paragraph 6.1, the total sum of payments made to a head teacher in accordance with sub-paragraph 4.1 in any school year must not exceed 25 per cent of the amount that corresponds to that head teacher's point on the leadership group pay spine.

11.5 The circumstances referred to in sub-paragraph 4.1 are those where-

- (a) the school is a school causing concern;
- (b) without such additional payment the relevant body considers that the school would have substantial difficulty filling the vacant head teacher post;
- (c) without such additional payment the relevant body considers that the school would have substantial difficulty retaining the existing head teacher; or
- (d) the head teacher is appointed as a temporary head teacher of one or more additional schools.

11.6.1 Sub-paragraph 4.2 does not apply to additional payments made in accordance with:

- (a) paragraph 48 where those residential duties are a requirement of the post; or
- (b) paragraph 50 to the extent that the payment is in respect of relocation expenses which relate solely to the personal circumstances of that head teacher.

11.6.2 The relevant body may determine that additional payments be made to a head teacher which exceed the limit set out in sub-paragraph 4.2 in wholly exceptional circumstances and with the agreement of the governing body. The governing body must seek external independent advice before providing such agreement.

Annual determination of a deputy head teacher's or an assistant head teacher's salary

12.1 For the purpose of determining the salary of a head teacher who is not subject to the 2011 Regulations or the 2012 Regulations-

- (a) the relevant body and the deputy or assistant head teacher must seek to agree performance objectives relating to school leadership and management and pupil progress, and in default of agreement the relevant body must set such performance objectives; and
- (b) the relevant body must appraise the performance of the head teacher taking account of the performance objectives agreed or set under sub-paragraph 1(a).

12.2 The relevant body must determine the salary of a head teacher in accordance with the following-

- (a) save to the extent that movement up the pay spine is necessary to ensure that the salary of the deputy or assistant head teacher equals the minimum of the deputy or assistant head teacher pay range determined for that person in accordance with paragraph 12 ("the relevant deputy head teacher pay range" or "the relevant assistant head teacher pay range" as the case may be), there must not be any movement up the pay spine unless-
 - (i) in a case where the deputy or assistant head teacher is not subject to the 2011 Regulations or the 2012 Regulations, an appraisal of the deputy or assistant head teacher's performance has been carried out under sub-paragraph 1(b) and there has been a

sustained high quality of performance, having regard to the performance objectives agreed or set under sub-paragraph 1(a); or

- (ii) where the deputy or assistant head teacher is subject to the 2011 Regulations or the 2012 Regulations, there has been a sustained high quality of performance by the head teacher having regard to the results of the most recent appraisal carried out in accordance with those Regulations
- (b) when making any determination under paragraph (a) in the case of a deputy or assistant head teacher who is subject to the 2012 Regulations, the relevant body must have regard to any recommendation on pay recorded in the head teacher's most recent appraisal report;
- (c) a deputy/assistant head teacher's salary must not be less than the minimum of the relevant deputy/assistant head teacher pay range, as the case may be and must not exceed the maximum of that range;
- (d) save to the extent that a movement up the pay spine is necessary to ensure that the salary of the deputy or assistant head teacher equals the minimum of the relevant deputy or assistant head teacher pay range, the deputy or assistant head teacher's salary must not be increased by more than two points in the course of one school year;
- (e) where the relevant body raises a deputy/assistant head teacher's pay range, any performance points awarded by the relevant body for the previous year must be calculated on the basis of the lower pay range before the deputy/assistant head teacher's pay is assimilated onto the higher pay range.

12.3 On appointment at a particular school a deputy/assistant head teacher must be paid a salary equal to the amount specified for one of the bottom three points of the relevant deputy/assistant head teacher pay range.

Determination of a deputy/assistant head teacher's pay range

13.1.1 The relevant body must determine a deputy/assistant head teacher pay range for each deputy/assistant head teacher in accordance with sub-paragraph 2.

- 13.1.2 A deputy/assistant head teacher's pay range must consist of five consecutive spine points on the leadership group pay spine.
- 13.2.1 When a deputy/assistant head teacher's pay range is determined pursuant to sub-paragraph 1.1, the relevant body must ensure that the minimum of the deputy/assistant head teacher's pay range is not less than the next leadership group pay spine point above the salary of the highest paid classroom teacher (calculated in accordance with paragraph 11.3) and the minimum of the deputy head teacher's pay range is not less than the minimum assistant head teacher's pay range of the highest paid assistant head teacher at the school.
- 13.2.2 When a deputy/assistant head teacher's pay range is determined pursuant to sub-paragraph 1.1, the relevant body must ensure that the maximum of the deputy/assistant head teacher's pay range does not equal or exceed the minimum of the individual school range. Where the school has one or more deputy head teachers, the maximum of the assistant head teacher's pay range must not equal or exceed the maximum of the deputy head teacher pay range of the lowest paid deputy head teacher.
- 13.2.3 Where there is insufficient space on the leadership group pay spine to accommodate a deputy head teacher's pay range of five points between the salary of the highest paid classroom teacher or the minimum of an assistant head teacher pay range and the minimum of the individual school range, the individual school range must be raised to the extent necessary to accommodate the deputy head teacher's pay range.
- 13.2.4 Where there is insufficient space on the leadership group pay spine to accommodate an assistant head teacher's pay range of five points between the salary of the highest paid classroom teacher and the minimum of the individual school range to accommodate a deputy head teacher pay range of any deputy head teacher at the school in accordance with sub-paragraphs 2.1 and 2.2 the individual school range must be raised to the extent necessary to accommodate the assistant head teacher's pay range.
- 13.2.5 Subject to sub-paragraphs 2.1 and 2.3, the relevant body must not determine a deputy/assistant head teacher's pay range at so high a level that they are required by virtue of any other provision of this Document to raise the individual school range beyond the maximum of the head teacher group range.

PART 3 - OTHER TEACHERS

Pay Ranges

- 14.1 There are four pay ranges for other teachers –
- i. the main pay range for qualified teacher who are not entitled to be paid on any other pay range;
 - ii. the upper pay range'
 - iii. the pay range for teachers whose primary purpose is to model and lead teaching improvement (leading practitioners); and
 - iv. the unqualified teacher range.
- 14.2 These pay ranges, and paragraphs 15 to 19 of this Document, shall take effect in relation to salary determinations from 1 September 2014. All salary determinations for the classes of teachers listed in sub-paragraph 1 prior to that date shall be in accordance with the 2012 Document and all references to pay increases and pay ranges in this Document shall be read accordingly.
- 14.3 Any pay increase awarded to a teacher on the main pay range or the upper pay range in accordance with Parts 3 and 4 must be permanent for as long as the teacher remains employed within the same school and, in the case of unattached teachers, for as long as the teacher remains employed by the same employer, but is not otherwise to be deemed to be permanent by operation of the terms of this Document or any earlier Document.

The main pay range

15.1 A teacher on the main pay range must be paid such salary within the pay range set out in sub-paragraph 3 as the relevant body determines.

15.2 The main pay range for teachers is-

<i>Main Pay Range for Teachers 2013</i>
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	Annual Salary England and Wales (excluding the London Area)	Annual Salary Inner London Area	Annual Salary Outer London Area	Annual Salary Fringe Area
	£	£	£	£
Minimum	21,588	27,000	25,117	22,626
Maximum	31,552	36,387	35,116	32,588

The Upper Pay Range

16.1 The upper pay range for 2013 is-

Upper Pay Range 2013				
Range	Annual Salary England and Wales (excluding the London Area)	Annual Salary Inner London Area	Annual Salary Outer London Area	Annual Salary Fringe Area
	£	£	£	£

minimum	34,181	41,497	37,599	35,218
maximum	36,756	45,000	40,433	37,795

- 16.2.1 A relevant body must pay a teacher on the upper pay range if:
- the teacher was employed as a post-Threshold teacher in that school under the 2012 or earlier Document; or
 - the teacher applied to be paid as a post-Threshold teacher in that school under the 2012 Document and that application was successful; or
 - the teacher was employed as an advanced skills teacher or an excellent teacher in that school under the 2012 Document and will not be paid on the pay range for leading practitioners; or
 - the teacher applies to be paid on the upper pay range and that application is successful.

16.2.2 In the case of teachers who are paid on the upper pay range by virtue of sub paragraphs a), c) and d), the relevant body must determine where within the pay range set out in sub-paragraph 2 the teacher's annual salary will be fixed. In the case of teachers who are paid on the upper pay range by virtue of sub paragraph b), payment is to be made on the minimum of the upper pay range.

The pay range for leading practitioners

- 17.1 A teacher paid on the pay range for leading practitioners must be placed on an individual range within the pay range for leading practitioners as the relevant body determines in accordance with its pay policy. The relevant body may determine that different teachers in the same school may be placed on different individual ranges.

<i>Pay Range For Leading Practitioners 2013</i>
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Range	Annual Salary England and Wales (excluding the London Area)	Annual Salary Inner London Area	Annual Salary Outer London Area	Annual Salary Fringe Area
	£	£	£	£
minimum	37,461	44,540	40,433	38,493
maximum	56,950	64,036	59,925	57,985

Pay range for unqualified teachers

18.1 The pay range for unqualified teachers is:

Pay Range for Unqualified Teachers from 1st September 2013				
	Annual Salary England and Wales (excluding the London Area)	Annual Salary Inner London Area	Annual Salary Outer London Area	Annual Salary Fringe Area
	£	£	£	£
Minimum	15,817	19,893	18,789	16,856

Maximum	25,016	29,088	27,992	26,052
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Pay progression linked to performance

- 19.1 The relevant body must consider annually whether or not to increase the salary of teachers and, if so, by how much within the relevant pay ranges set out above.
- 19.2 The relevant body must decide how pay increases will be determined, subject to the following:
- a. The decision whether or not to award an increase must be related to the teacher's performance, as assessed through the school or authority's appraisal arrangements in accordance with the 2012 regulations in England or the 2011 regulations in Wales;
 - b. A recommendation on pay must be made in writing as part of the teacher's appraisal report, and the relevant body must have regard to this recommendation in making their decision;
 - c. Where a teacher is not subject to either the 2012 or the 2011 regulations, the relevant body must determine through what process the teacher's performance will be assessed and a pay recommendation made for the purposes of making its decision, except in the case of newly qualified teachers, in respect of whom the relevant body must do so by means of the statutory induction process set out in The Education (Induction Arrangements for School Teachers) (England) Regulations 2008⁴ or The Education (Induction Arrangements for School Teachers) (Wales) Regulations 2005⁵;
 - d. Increases must be differentiated, such that the amount of any increase is clearly attributable to the performance of the teacher in question;
 - e. Continued good performance over a number of years should give a classroom or unqualified teacher a reasonable expectation of progressing to the top of their respective pay range.

⁴ S.I. 2008/657, as amended by S.I. 2012/513

⁵ S.I. 2005/1818, as amended by S.I. 2012/1675

- f. 19.3 The relevant body must set out clearly in the school's pay policy how pay increases will be determined, in accordance with sub-paragraph 2.

Movement between pay ranges

Application to be paid on the upper pay range

- 20.1 Any qualified teacher may apply to be paid on the upper pay range.
- 20.2 An application from a qualified teacher will be successful where the relevant body is satisfied:
- a. that the teacher is highly competent in all elements of the relevant standards; and
 - b. that the teacher's achievements and contribution to the school are substantial and sustained.
- 20.3 The pay policy should set out the process for assessing applications.
- 20.4. A qualified teacher may also apply to the relevant body in accordance with paragraph 20 of the 2012 Document, if:
- a) the teacher is subject to the 2012 Regulations;
 - b) the teacher was on point M6 in the school year 2012/2013; and
 - c) the application is made by 31 October 2013.
- 20.5 Any decision made under paragraph 20 applies only to employment in that same school or (in the case of unattached teachers) the same local authority.

The pay range for leading practitioners

21. Teachers are entitled to be paid on the pay range for leading practitioners if they are in a post whose primary purpose is to model and lead improvement of teaching skills

An unqualified teacher who becomes qualified

- 22.1 Upon obtaining qualified teacher status under regulations made under section 132 of the Act⁽⁶⁾, an unqualified teacher must be transferred to a salary within the Main Pay Range for Teachers in paragraph 15. Where the teacher continues to be employed by the same school within which they were employed before they obtained qualified teacher status the teacher must be paid a salary which is the same as or higher than the sum of the salary and any sum payable under paragraph 18.1 and any allowance payable under paragraph 31 (including any safeguarded sum payable under paragraph 31.3), as the relevant body considers to be appropriate.
- 22.2 A teacher who obtains qualified teacher status retrospectively under those regulations must be paid a lump sum by the relevant body responsible for the payment of remuneration at the time when qualified teacher status was effectively obtained.
- 22.3 The lump sum payable under sub-paragraph 2 must be the difference (if any) between the remuneration the teacher was actually paid as an unqualified teacher and the salary (not including any allowances) the teacher would have been paid as a qualified teacher, from the date qualified teacher status was effectively obtained to the date when the lump sum is paid.

Chartered London Teachers

- 23.1 A qualified teacher who intends to apply for Chartered London Teacher status must register the intention to do so with the Secretary of State or with such person or body as may be appointed by the Secretary of State for that purpose.
- 23.2 In order to register the teacher must be employed by an authority or a governing body in the Inner or Outer London Area.
- 23.3 A qualified teacher who has registered the intention to apply for Chartered London Teacher status may apply once in a school year to the relevant body for Chartered London Teacher status if the requirements in sub-paragraph 4 are satisfied.
- 23.4 The requirements are that, at the date of the application-
- (a) the teacher has completed not less than four years of

⁶ S.I. 2003/1662 in relation to England and S.I. 2012/724 in relation to Wales

employment (interpreted in accordance with paragraph 1.8 of Annex 4), in a head of teaching or teaching role in an academy, city technology college, city college for the technology of the arts, a non-maintained special school or a school in the Inner or Outer London Area and is currently employed as a teacher with an authority or a governing body in the Inner or Outer London Area;

- (b) two years have elapsed since the intention to apply was registered; and
- (c) the teacher is paid on the pay range for leading practitioners, a member of the leadership group, or is paid on the upper pay range, or was an advanced skills teacher or an excellent teacher under an earlier Document.

23.5 For the purposes of sub-paragraph 4 -

- (a) a person has completed a “year of employment” if the person has completed periods of employment amounting to at least twenty-six weeks in aggregate within the previous school year. For these purposes, a period of employment runs from the beginning of the week in which the employment commences to the end of the week in which the employment is terminated and includes any holiday periods and any periods of absence from work in consequence of sickness or injury, whether the person’s service during that period has been full-time or part-time or regular or otherwise;
- (b) where a person is absent from work-
 - (i) in exercise of her right to maternity leave conferred by section 71 or 73 of the ERA 1996 or her contract of employment and has the right to return to work by virtue of those sections or her contract of employment; the right to parental leave conferred by section 76 of the ERA 1996; the right to paternity leave conferred by section 80A, 80AA, 80B or 80BB of the ERA 1996; or the right to adoption leave conferred by section 75A or 75B of the ERA 1996; or
 - (ii) because of her pregnancy;

the period of absence counts towards the period of service of at least twenty-six weeks referred to in paragraph (a); and

- (c) where a person is absent from work for any reason other than as specified in paragraph 1.8(a) or (b) of Annex 4, the relevant body may determine that the period of absence counts as if the person was in employment during it.
- 23.6 Except where the applicant is an unattached teacher or is the head teacher, the relevant body must delegate the assessment of the application to the head teacher.
- 23.7 Where the applicant is an unattached teacher, the relevant body must delegate the assessment of the application to a person with management responsibility for the applicant.
- 23.8 The applicant must be assessed against the standards set out in Annex 2 and if it is determined that the applicant met all the standards during the period between registering the intention to apply and making the application the relevant body must award the applicant Chartered London Teacher status and pay the applicant the sum of £1000 in the same school year.

New teachers

- 24.1 Subject to sub-paragraph 2, the relevant body must place any person who is appointed to their first post as an unqualified classroom teacher with effect from 1st September 2013 or thereafter on the minimum of the 2013 pay range.
- 24.2 The relevant body may determine a higher salary within the pay range for a person referred to in sub-paragraph 1 who has experience other than employment as an unqualified teacher which the relevant body considers to be of value to the performance of the unqualified teacher's duties.

PART 4 - ALLOWANCES

Allowances for classroom teachers

Teaching and learning responsibility payments

- 25.1 The relevant body may award a TLR to a classroom teacher for undertaking a sustained additional responsibility in the context of their staffing structure for the purpose of ensuring the continued delivery of high-quality teaching and learning and for which the teacher is made accountable. The award may be while a teacher remains in the same post or occupies another post in the absence of a post-holder, in accordance with and subject to paragraph 3, and paragraphs 26 and 27.
- 26.1. Having decided to award a TLR, the relevant body must determine whether to award a first TLR (“TLR1”) or a second TLR (“TLR2”) and its value, in accordance with their pay policy, provided that-
- (a) the annual value of a TLR1 must be no less than £7,323 and no greater than £12,393;
 - (b) the annual value of a TLR2 must be no less than £2,535 and no greater than £6,197; and
 - (c) if the relevant body awards TLRs of different annual values to two or more teachers, the minimum difference in the annual value between each award of a TLR1 is £1,500 and between each award of a TLR2 is £1,500.
- 27.1 The relevant body may award a fixed-term third TLR (TLR3) for clearly time-limited school improvement projects, or one-off externally driven responsibilities. The annual value of a TLR3 must be no less than £500 and no greater than £2,500. The duration of the fixed term must be established at the outset and payment should be made on a monthly basis for the duration of the fixed term.
- 27.2 Before awarding any TLR the relevant body must be satisfied that the teacher’s duties include a significant responsibility that is not required of all classroom teachers and that-
- (a) is focused on teaching and learning;
 - (b) requires the exercise of a teacher’s professional skills and judgement;

- (c) requires the teacher to lead, manage and develop a subject or curriculum area; or to lead and manage pupil development across the curriculum;
- (d) has an impact on the educational progress of pupils other than the teacher's assigned classes or groups of pupils; and
- (e) involves leading, developing and enhancing the teaching practice of other staff.

27.3 In addition, before awarding a TLR1 or TLR2, the relevant body must be satisfied that the significant responsibility referred to in paragraph 27.2 includes line management responsibility for a significant number of people.

Safeguarding of TLRs

- 28.1 Subject to sub-paragraph 2, if the relevant body determines ("the determination"), whether as a result of a change to their pay policy or to the school's staffing structure, either-
- (a) that the duties for which a teacher was awarded a TLR1 or TLR2 are no longer to include the significant responsibility for which it was awarded; or
 - (b) that the responsibility for which a teacher was awarded a TLR1 or TLR2 (whether or not this has changed) merits, in accordance with their pay policy and staffing structure, an allowance of a lower annual value ("the new payment");

it must pay the safeguarded sum.

28.2 TLR1s or TLR2s awarded to teachers employed under a fixed-term contract or whilst they occupy another post in the absence of a post-holder must not be safeguarded after the fixed-term contract expires or after the date or the circumstance (if occurring earlier than that date) notified to the teacher pursuant to paragraph 3.4(c)(iii) occurs.

28.3 The safeguarded sum is the value of the old allowance or, where a new allowance of lower value is being awarded at the same time that the old allowance is being removed, the difference between the value of the old allowance and the value of the new allowance.

- 28.4 Within one month of the determination the relevant body must notify the teacher in writing of-
- (a) the reason for the determination;
 - (b) the date on which the old payment ends and, if applicable, from which the new payment comes into effect;
 - (c) the value of the teacher's salary immediately before the determination, not including the safeguarded sum;
 - (d) the safeguarded sum;
 - (e) the latest date on which the safeguarding period will end, determined in accordance with paragraph 4.3;
 - (f) (i) where the safeguarded sum is paid in respect of a TLR awarded to a teacher employed under a fixed-term contract, the date on which that fixed-term contract and payment of the safeguarded sum will end; or

(ii) where the safeguarded sum is paid in respect of a TLR awarded to a teacher whilst occupying another post in the absence of a post-holder, the date or the circumstance (if occurring earlier than that date) notified to the teacher pursuant to paragraph 3.4(c)(iii) on which the award and payment of the safeguarded sum will end; and
 - (g) where a copy of the school's staffing structure and pay policy may be inspected;
- 28.5 Subject to paragraphs 4.1, 4.2 and sub-paragraphs 6 and 7, the teacher must be paid the safeguarded sum until-
- (a) (i) the safeguarding period ends.

(ii) where the safeguarded sum is paid in respect of a TLR awarded to a teacher employed under a fixed-term contract, the date on which that fixed-term contract expires; or

(iii) where the safeguarded sum is paid in respect of a TLR awarded to a teacher whilst occupying another post in the absence of a post-holder, the date or the

circumstance (if occurring earlier than that date) notified to the teacher pursuant to paragraph 3.4(c)(iii) occurs;

- (b) the teacher ceases to be a classroom teacher;
- (c) the teacher is awarded a TLR or SEN allowance as a result of a subsequent determination by the relevant body that equals or exceeds the combined value of the new payment (if any) and the safeguarded sum;
- (d) the teacher is awarded a salary that, combined with the value of any new payment, equals or exceeds the combined value of the original salary and the safeguarded sum; or
- (e) the teacher's employment at the school ends other than in circumstances to which paragraph 36 or 37 applies;

whichever is the first to occur.

28.6 The safeguarded sum must be reduced by the value of any subsequent TLR awarded to the teacher by the relevant body from time to time and in a case where the subsequent TLR is awarded to a teacher whilst occupying another post in the absence of a post holder, restored upon the expiry of the period of that award, unless, in the meantime, any of the events specified in sub paragraph 5 occurs.

28.7 Payment of the safeguarded sum must be discontinued in a case where the teacher occupies, in the absence of a post-holder, a post as a member of the leadership group, or which attracts a TLR which is equal to or exceeds the value of the safeguarded sum. Payment of the safeguarded sum must be reinstated thereafter unless, in the meantime, any of the events specified in sub-paragraph 5 occurs.

Special educational needs allowance

29.1 A SEN allowance of no less than £2001 and no more than £3954 per annum is payable to a classroom teacher in accordance with this paragraph.

29.2 The relevant body must award a SEN allowance to a classroom teacher-

- (a) in any SEN post that requires a mandatory SEN qualification⁽⁷⁾;
- (b) in a special school;
- (c) who teaches pupils in one or more designated special classes or units in a school or, in the case of an unattached teacher, in a local authority unit or service;
- (d) in any non-designated setting (including any PRU) that is analogous to a designated special class or unit, where the post -
 - (i) involves a substantial element of working directly with children with special educational needs;
 - (ii) requires the exercise of a teacher's professional skills and judgement in the teaching of children with special educational needs; and
 - (iii) has a greater level of involvement in the teaching of children with special educational needs than is the normal requirement of teachers throughout the school or unit within the school or, in the case of an unattached teacher, the unit or service.

29.3 Where a SEN allowance is to be paid, the relevant body must determine the spot value of the allowance, taking into account the structure of the school's SEN provision and the following factors-

- (a) whether any mandatory qualifications are required for the post;
- (b) the qualifications or expertise of the teacher relevant to the post; and
- (c) the relative demands of the post.

29.4 The relevant body must set out in its pay policy the arrangements for rewarding classroom teachers with SEN responsibilities.

⁽⁷⁾ The Education (School Teachers' Qualifications) (England) Regulations 2003 and The Education (Teachers' Qualifications and Health Standards) (Wales) Regulations 1999.

Allowance payable to unqualified teachers

- 30.1 The relevant body may determine that such additional allowance as it considers appropriate is to be paid to an unqualified teacher where it considers, in the context of its staffing structure and pay policy, that the teacher has-
- (a) taken on a sustained additional responsibility which -
 - (i) is focused on teaching and learning; and
 - (ii) requires the exercise of a teachers' professional skills and judgment; or
 - (b) qualifications or experience which bring added value to the role being undertaken.

Safeguarding

- 31.1 Where the relevant body determines, in respect of an unqualified teacher who is in receipt of an allowance, whether as a result of a change to its pay policy or to the school's staffing structure, that-
- (a) the teacher's duties are no longer to include the additional responsibility in respect of which the allowance was awarded and, therefore, that the allowance should be withdrawn;
 - (b) the additional responsibility in respect of which the allowance was awarded now merits the payment of a lower allowance ("the new allowance"); or
 - (c) the teacher's duties are no longer to include the additional responsibility in respect of which the allowance was awarded but are to include a different additional responsibility which merits the payment of a lower allowance ("the new allowance"),
- it must pay the teacher the safeguarded sum.
- 31.2 The safeguarded sum in the case of any teacher referred to in-
- (a) sub-paragraph 1(a) is the value of the allowance to which the teacher was entitled immediately before the determination was made to withdraw it;
 - (b) sub-paragraph 1(b) or (c) is the difference between the

value of the allowance to which the teacher was entitled immediately before the determination was made to lower the allowance and the value of the new allowance.

- 31.3 The safeguarded sum must be reduced by the value of any subsequent allowance awarded to the teacher by the relevant body from time to time and, in a case where the subsequent allowance is awarded whilst the teacher occupies another post in the absence of a post-holder, restored upon the expiry of the period of that allowance, unless, in the meantime, any of the events specified in sub-paragraph 5 occurs.
- 31.4 Where a safeguarded sum is payable under sub-paragraph 2, the relevant body must notify the teacher in writing, within one month of the date of the determination, of-
- (a) the reason for the determination;
 - (b) the safeguarded sum;
 - (c) the date on which the teacher's allowance is to be withdrawn altogether or replaced with a new lower allowance, as the case may be;
 - (d) where the old allowance was awarded for a fixed period, the date the fixed period expires;
 - (e) where the old allowance was awarded to a teacher employed under a fixed-term contract, the date on which that fixed-term contract expires;
 - (f) the date on which the safeguarding period will end (determined in accordance with paragraph 4.3);
 - (g) the value of the salary immediately before the determination of the unqualified teacher's salary in accordance with paragraph 18.1 taking into account the annual determination required by paragraph 3.1 ("the original salary"); and
 - (h) details of where a copy of the school's staffing structure and pay policy may be inspected.
- 31.5 Subject to paragraph 4.1 and 4.2, the teacher must be paid the safeguarded sum until-
- (a) in the case of a teacher who is paid the safeguarded sum under sub-paragraph 2, the date on which the

safeguarding period ends (determined in accordance with paragraph 4.3);

- (b) where the allowance was awarded for a fixed period, the date on which the fixed period expires;
- (c) where the allowance was awarded to a teacher employed under a fixed-term contract, the date on which that fixed-term contract expires;
- (d) the date on which the teacher ceases to be an unqualified teacher;
- (e) the date on which the teacher is awarded an allowance as a result of a subsequent determination by the relevant body that equals or exceeds the combined value of the new allowance (if any) and the safeguarded sum;
- (f) the date on which the teacher is placed on a higher salary in the pay range set out in paragraph 18 and the combined value of that salary and any new payment equals or exceeds the combined value of the teacher's original salary and the safeguarded sum; or
- (g) the date on which the teacher's employment at the school ends, other than in circumstances to which paragraph 37 applies,

whichever is the first to occur.

31.6 In this paragraph any reference to an allowance is a reference to an allowance payable under this paragraph.

Acting allowance

32.1 Subject to sub-paragraph 6, where a teacher is assigned and carries out duties of a head teacher, deputy head teacher or assistant head teacher, but has not been appointed as an acting head teacher, deputy head teacher or assistant head teacher, the relevant body must, within the period of four weeks beginning on the day on which such duties are first assigned and carried out, determine whether or not an allowance must be paid in accordance with the following provisions ("acting allowance").

32.2 If the relevant body's determination referred to in sub-paragraph 1 is that the teacher must not be paid an acting allowance, but the teacher continues to be assigned and to carry out duties of a head

teacher, deputy head teacher or assistant head teacher (and has not been appointed as an acting head teacher, deputy head teacher or assistant head teacher), the relevant body may at any time after that determination make a further determination as to whether or not an acting allowance must be paid.

- 32.3 If the relevant body determines that the teacher must be paid an acting allowance, subject to sub-paragraph 4, it must be of such amount as is necessary to ensure that the teacher receives remuneration equivalent to such point on the leadership group pay spine set out in paragraph 5.4 as the relevant body considers to be appropriate.
- 32.4 The remuneration of a teacher who is assigned and carries out duties of a head teacher must not be lower than the minimum of the individual school range, and where a teacher is assigned and carries out the duties of a deputy or assistant head teacher in relation to whom a deputy or assistant head teacher pay range (as the case may be) has been determined, remuneration must not be lower than the minimum of that range.
- 32.5 The teacher may be paid an acting allowance with effect from such day on or after the day on which duties of a head teacher, deputy head teacher or assistant head teacher are first assigned and carried out as the relevant body may determine.
- 32.6 Where a teacher is paid an allowance under this paragraph, then for so long as that allowance is paid-
- (a) where the teacher is assigned and carries out duties of a head teacher, Part 6 applies as if the teacher had been appointed to the post of head teacher, and paragraphs 58.1 to 60.14 do not apply;
 - (b) where the teacher is assigned and carries out the duties of a deputy head teacher or assistant head teacher, paragraph 58 applies as if the teacher had been appointed to the post of deputy head teacher or assistant head teacher, and paragraph 59 does not apply.

Performance payments to seconded teachers

33. Where-
- (a) a teacher is temporarily seconded to a post as head teacher in a school causing concern which is not the teacher's normal place of work; and

- (b) the relevant body of that school considers that the teacher merits an additional point or points to reflect the sustained high quality of performance throughout the secondment,

that relevant body may pay the teacher a lump sum equal to the value of the additional point or points on that school's individual school range, if the teacher would otherwise not receive the full value of the point or points as a result of returning to the original school.

PART 5 - SUPPLEMENTARY

Determination of applicable pay scale or range

- 34.1 A teacher who is employed under a contract that normally requires work in the London Area but who is temporarily required to work elsewhere must continue to be paid in accordance with the pay scale or range applicable to the teacher's normal area of employment.
- 34.2 A teacher who on 31st August 2013 was being paid in accordance with one of the London Area pay scales or ranges must continue to be paid in accordance with that scale or range notwithstanding that the teacher would not otherwise be entitled to it under the provisions of this Document, for so long as the teacher remains in the post held on that date.
- 34.3 A teacher who moves out of the Inner London Area may continue to be paid in accordance with the Inner London pay range for so long as the teacher continues to be employed as a teacher in a post in which the salary is paid by the same authority.
- 34.4 A teacher who moves out of the Outer London Area, to anywhere but the Inner London Area, may continue to be paid on the Outer London Area range for so long as the teacher continues to be employed as a teacher in a post in which the salary is paid by the same authority.
- 34.5 A teacher who moves out of the Fringe Area, to anywhere but the Inner London Area or the Outer London Area, may continue to be paid on the Fringe Area range for so long as the teacher continues to be employed as a teacher in a post in which the salary is paid by the same authority.

Unattached teachers

- 35.1 The remuneration of an unattached teacher must be determined in accordance with whichever provisions of this Document the relevant body considers to be appropriate in the circumstances of the case, having regard to its pay policy and the teacher's particular post within the staffing structure.
- 35.2 Where, in accordance with sub-paragraph 1, the remuneration of a teacher in charge of a pupil referral unit is determined in accordance with the provisions applicable to a head teacher, Part

6 applies, and paragraphs 58.1 to 60.14 do not apply.

- 35.3 Where, in accordance with sub-paragraph 1, the remuneration of an unattached teacher (other than a teacher in charge of a pupil referral unit) is determined in accordance with the provisions applicable to a member of the leadership group, paragraphs 58 – 62 do not apply and the teacher's conditions of employment that relate to professional duties and working time must be agreed between the teacher and the relevant body.

General safeguarding applicable to teachers taking up post on or before 31st December 2005

36.1 Subject to sub-paragraphs 4 to 8 -

36.1.1 where, as a result of-

- (a) the closure or reorganisation of an educational establishment; or
- (b) a direction relating to a course for the training of teachers given by the Secretary of State under regulation 3(2) of the Further Education Regulations 1975⁽⁸⁾, under regulation 15 or 16 of the Education (Schools and Further Education) Regulations 1981⁽⁹⁾ or under regulation 12 or 13 of the Education (Schools and Further and Higher Education) Regulations 1989⁽¹⁰⁾,

a teacher (including a teacher in further or higher education) loses a post, and was on or before 31st December 2005 employed full-time as a teacher in the provision of primary or secondary education (whether or not at a school) in a post where remuneration is paid by the same authority as before, the teacher must be deemed for all salary purposes to continue to hold the post that was held, and to be entitled to any allowance for unqualified teachers (paragraph 31) to which the teacher was entitled immediately before the closure, reorganisation or direction;

36.1.2 where, in circumstances other than those mentioned in sub-paragraph 1.1, such a teacher loses a post and was on or before

⁽⁸⁾ S.I. 1975/1054; revoked by S.I. 1983/74 and 1986/541.

⁽⁹⁾ S.I. 1981/1086; regulations 15 and 16 were revoked by S.I. 1999/3181.

⁽¹⁰⁾ S.I. 1989/351; regulations 12 and 13 were revoked with regard to England by S.I. 2004/571.

31st December 2005 employed full-time as a teacher in the provision of primary or secondary education in a post (whether or not at a school) in which remuneration is paid by the same authority as before the teacher may, at the discretion of the authority be deemed for all salary purposes to continue to hold the post that was held, and to be entitled to any allowance for unqualified teachers to which the teacher was entitled immediately before the circumstances occurred; and the authority must not unreasonably refuse to exercise their discretion in this matter in favour of the teacher;

- 36.1.3 where in the circumstances described in sub-paragraphs 1.1 or 1.2 such a full-time teacher or such a teacher in regular part-time employment loses a post in circumstances described in sub-paragraph 1.1, and is thereupon employed as stated in that provision but as a teacher in regular part-time employment, the teacher is (subject, in the circumstances described in sub-paragraph 1.2, to the same discretion to be similarly exercised) entitled to that proportion of the salary and of the allowance for unqualified teachers to which the teacher was entitled immediately before the relevant change in circumstances which the part-time employment bears to full-time employment.
- 36.2 A teacher whose remuneration is safeguarded under this paragraph is entitled to an acting allowance (paragraph 32) only where appropriate to the circumstances of the teacher's present employment.
- 36.3 Subject to sub-paragraph 4, the salary to be safeguarded pursuant to sub-paragraph 1 means-
- (a) any salary or allowance, other than those awarded for an agreed fixed-term, that the teacher was in receipt of immediately before the circumstances described in sub paragraph 1 arose.;
 - (b) any safeguarded sum to which the teacher is entitled under paragraph 44 but only to the extent that the applicable paragraph provides for the continuing payment of that sum.
- 36.4. Where a member of the leadership group, including those paid on the scale formerly provided for advanced skills teachers, is immediately before a circumstance mentioned in sub-paragraph 1.1 or 1.2 arises, paid at a point on the leadership group pay spine pursuant to paragraph 5 such member must continue (subject, in the circumstances mentioned in sub-paragraph 1.2, to the same discretion) to be paid at that point.

- 36.5 If the teacher's safeguarded remuneration under this paragraph exceeds the remuneration to which the teacher would otherwise be entitled under this Document by the sum of £500 or more, the relevant body must review the teacher's assigned duties and allocate such additional duties as it reasonably considers to be appropriate and commensurate with the safeguarded remuneration.
- 36.6 Sub-paragraph 1 does not apply or, as the case may be, ceases to apply, to a teacher-
- (a) who at any time is offered but unreasonably refuses to accept an alternative post in an educational establishment maintained by the authority by which the teacher's salary is paid;
 - (b) to whom the remuneration payable by virtue of the other paragraphs of this Document equals or exceeds the remuneration payable under this paragraph;
 - (c) who is placed on a different pay scale or range, but this does not apply to a classroom teacher when first placed on the pay range set out in paragraph 16 or to a teacher affected by a determination made by a relevant body under paragraph 44; or
 - (d) whose employment ends other than in circumstances to which this paragraph applies.
- 36.7 For the purposes of this paragraph-
- (a) "educational establishment" means an establishment in England and Wales which is-
 - (i) an institution of further or higher education maintained or assisted by an authority;
 - (ii) a school;
 - (iii) a teachers' centre; or
 - (iv) an establishment (other than a school) at which primary or secondary education is provided by an authority;
 - (b) "leadership group post" means a post of head teacher,

- deputy head teacher or assistant head teacher of a school;
- (c) “remuneration” means salary plus any allowances but does not include any sum paid under paragraphs 48, 49 and 50;
 - (d) “salary” means-
 - (i) in the case of a school teacher, the salary payable in accordance with paragraphs 5, 15, 16, 18 and 24 including any allowance payable under paragraph 29, and
 - (ii) in the case of a teacher in further or higher education the teacher’s basic salary excluding all allowances;
 - (e) a school is reorganised where it was or is reorganised in pursuance of proposals made under section 28 or 31 of the School Standards and Framework Act 1998⁽¹¹⁾ or proposals referred to in regulation 14 of the Education (Transition to New Framework) (School Organisation Proposals) Regulations 1999⁽¹²⁾; and
 - (f) any transfer of the responsibility for maintaining an establishment must be disregarded.

General safeguarding applicable to teachers taking up post on or after 1st January 2006

- 37.1.1 This paragraph applies to a teacher who loses a post (“the old post”), as a result of-
- a. the discontinuance of a school;
 - b. a prescribed alteration to, or the reorganisation of, a school; or
 - c. the closure or reorganisation of any other educational establishment or service;

and who then takes up a new post on or after 1st January 2006 (“the new post”) and is employed by the same authority or at a school maintained by the same authority, and in the case of a teacher within paragraph (b) the new post is at a different school.

⁽¹¹⁾ 1998 (c.31) as amended by the Act, the Education Act 2005 (c.18) and the Education and Inspections Act 2006 (c.40).

⁽¹²⁾ S.I. 1999/704.

37.1.2 In sub-paragraph 1.1 “prescribed alteration” means an alteration prescribed by the Education (School Organisation Proposals) (England) Regulations 1999⁽¹³⁾, the Education (School Organisation Proposals) (Wales) Regulations 1999⁽¹⁴⁾, or the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007⁽¹⁵⁾.

Re-determination of salary

38. The relevant body must determine in relation to the teacher-
- (a) the salary that applies to the teacher in the new post, in accordance with the relevant paragraphs of this Document (“the new salary”); and if, as a result, the teacher is placed on a salary of lower value than that on which payment was made in the old post (“the old salary”), the teacher must be paid in addition a sum equal to the difference in value between the old salary and the new salary (“the first safeguarded sum”) as at the date of the implementation of the determination;
 - (b) any TLR that applies to the new post in accordance with paragraphs 25 - 27; and the teacher is entitled to a safeguarded sum (“the second safeguarded sum”) in respect of the difference in value between that TLR and the value of any TLR of a higher value that was paid in relation to the old post or, if no TLR is awarded under this paragraph, in respect of the TLR that was paid in relation to the old post;
 - (c) any SEN allowance that applies to the new post in accordance with paragraph 29; and the teacher is entitled to a safeguarded sum (“the third safeguarded sum”) in respect of the difference in value between that SEN allowance and the value of any SEN allowance of a higher value that was paid in relation to the old post or, if no SEN allowance is awarded under this paragraph, in respect of the SEN allowance that was paid in relation to the old post;

⁽¹³⁾ S.I. 1999/2213; revoked and replaced by S.I. 2007/1288.

⁽¹⁴⁾ S.I. 1999/1671, amended by S.I. 2004/908 and S.I. 2006/173.

⁽¹⁵⁾ S.I. 2007/1289.

- (d) in the case of an unqualified teacher, any allowance payable under paragraph 30 in relation to the new post; and the teacher is entitled to a safeguarded sum (“the fourth safeguarded sum”) in respect of the difference in value between that allowance and the value of any such allowance of a higher value that was paid in relation to the old post or, if no allowance is awarded under this paragraph, in respect of the allowance that was paid in relation to the old post; and
- (e) the value of any other allowances payable under this Document.

Reduction in the value of the safeguarded sums

- 39.1 The first safeguarded sum must be reduced by the value of any TLR or SEN allowance awarded to the teacher by the relevant body from time to time and, in a case where the teacher is awarded a TLR whilst occupying another post in the absence of a post-holder, restored upon the expiry of the period of that award, unless, in the meantime, any of the events specified in sub-paragraph 4 occurs.
- 39.2 If the relevant body subsequently awards the teacher a TLR of higher value than the TLR awarded under paragraph 38 (b), the second safeguarded sum must be reduced by the value of the TLR or by a sum equal to the difference between the two TLRs, as the case may be.
- 39.3 If the relevant body subsequently awards the teacher a SEN allowance, or one of higher value than the SEN allowance awarded under paragraph 38(c), the third safeguarded sum must be reduced by the value of the SEN allowance or by a sum equal to the difference between the two allowances, as the case may be.
- 39.4 If the relevant body subsequently awards the teacher an allowance under paragraph 30, or one of higher value than the allowance awarded under paragraph 38(d), the fourth safeguarded sum must be reduced by the value of the allowance, or by a sum equal to the difference between the two allowances, as the case may be.

The end of safeguarding

- 40.1 Subject to paragraph 4, the relevant body must pay the teacher the safeguarded sums to which the teacher is entitled under paragraph 38 until-

- (a) the date on which the safeguarding period ends, being the third anniversary of the date on which the teacher starts work in the new post;
- (b) the teacher is placed on a salary on a different pay range but this does not apply to a classroom teacher when first placed on a pay range set out in paragraph 16 or to a teacher affected by a determination made by a relevant body under paragraph 45;
- ;
- (c) the teacher's employment ends other than in circumstances to which this paragraph applies; or
- (d) the teacher is placed on a higher salary on the applicable pay range or is first placed on a pay range set out in paragraph 16 or paragraph 24 and the value of that salary equals or exceeds the combined value of the old salary and any one or more of the safeguarded sums, in which case payment of those safeguarded sums must cease;

whichever is the first to occur.

Existing safeguarded sums preserved and recruitment and retention benefits safeguarded

41. Subject to paragraph 4.3, in addition to any sums to which the teacher is entitled under paragraph 38, the teacher must be paid-
- (a) any safeguarded sums to which the teacher continues to be entitled under paragraphs 28 and 44 until such entitlement ceases in circumstances set in those paragraphs; and
 - (b) any recruitment or retention incentive or benefit to which the teacher was entitled under paragraph 50 in the old post, until either-
 - (i) the end of the fixed period for which it was awarded; or
 - (ii) the teacher accepts a different recruitment or retention incentive or benefit instead,

whichever is the first to occur.

Notification of determination

42. When notifying the teacher of its determination in accordance with paragraph 3.3, the relevant body must include details of the value of the salary, allowances and all safeguarded sums to which the teacher was entitled in relation to the old post and to which the teacher is entitled in relation to the new post, and in respect of safeguarded sums paid under this paragraph or under paragraphs 28, 31, 44 or 45, of the date on which the safeguarding period ends.

Part-time teachers

43. Whether the teacher was a full-time teacher or a teacher in regular part-time employment before losing a post, if then employed as stated in paragraph 37.1.1 as a teacher in regular part-time employment, the teacher must be paid a proportion of the remuneration to which the teacher would have been entitled had employment been as a full-time teacher, calculated in accordance with paragraph 46.

Safeguarding for former advanced skills teachers and excellent teachers.

44. Former advanced skills teachers and excellent teachers who are in receipt of safeguarding under the 2012 Document will continue to receive safeguarding under the provisions of that Document.

Safeguarding for members of the leadership group and those on the pay range for leading practitioners

- 45.1 Except where paragraph 36 applies and subject to paragraph 4, this paragraph applies where the relevant body determines (“the determination”), whether as a result of a change to its pay policy or to the school’s staffing structure, to-
- (a) reduce the number of members of the leadership group;
 - (b) change the primary purpose of a teacher paid on the pay range for leading practitioners, so that it is no longer to model and lead teaching improvement;
 - (c) lower the individual school range and this would lead to a reduction in the head teacher’s salary;

- (d) lower a deputy head teacher's pay range and this would lead to a reduction in the deputy head teacher's salary;
- (e) lower an assistant head teacher's pay range and this would lead to a reduction in the assistant head teacher's salary;
- (f) lower the range within which a teacher on the pay range for leading practitioners is paid and this would lead to a reduction in that teacher's salary.

Subject to paragraph 4, this paragraph also applies where advanced skills teachers or excellent teachers have lost their posts as a result of the ending of the advanced skills teacher and excellent teacher designations.

- 45.2 A member of the leadership group, a former advanced skills teacher or former excellent teacher whose salary is reduced as a result of the implementation of the determination or of the ending of the advanced skills teacher and excellent teacher designations must be paid the safeguarded sum.
- 45.3 In the case of a teacher who is affected by a determination within sub-paragraph 1(a) to (b) or by the ending of the advanced skills teacher and excellent teacher designations, the safeguarded sum is the difference between the original salary (including the value of any performance points awarded by the relevant body for the previous year) and the value of the new salary combined with any TLR or SEN allowance awarded.
- 45.4 In the case of a teacher who is affected by a determination within sub-paragraphs 1(d) to 1(h), the safeguarded sum is the difference between the original salary (including the value of any performance points awarded by the relevant body for the previous year) and the value of the salary in the new pay range.
- 45.5 The relevant body must, within one month (and after having made the annual determination required by paragraph 3.1), notify in writing a teacher who is or may be affected by the determination of that fact and of-
- (a) the reason for the determination;
 - (b) the date on which the determination is to be implemented in relation to that teacher (if known);
 - (c) the date on which the safeguarding period will end (determined in accordance with paragraph 4.3) or, in the

case of a teacher employed as a member of the leadership group, a teacher paid on the pay range for leading practitioners or formerly employed as an advanced skills teacher or as an excellent teacher for a fixed period or under a fixed-term contract, the date or the circumstance the occurrence of which will bring that fixed period or fixed-term contract and payment of the safeguarded sum to an end;

- (d) the original salary;
- (e) the safeguarded sum or, if the determination is to be implemented at a later date and its precise effect on the teacher is not yet known, the maximum amount by which the original salary may be reduced; and
- (f) where a copy of the school's staffing structure and pay policy may be inspected.

45.6 Subject to paragraphs 4.1 and 4.2 and sub-paragraph 7; the teacher must be paid the safeguarded sum until-

- (a) the safeguarding period ends or in the case of a teacher employed as a member of the leadership group, a teacher on the pay range for leading practitioners or formerly employed as an advanced skills teacher or as an excellent teacher for a fixed period or under a fixed-term contract, the date on which that fixed period or fixed-term contract ends;
- (b) in the case of a teacher affected by a determination within sub-paragraphs 1(a) and 1(b)-
 - (i) the teacher ceases to be a classroom teacher;
 - (ii) as a result of a subsequent determination by the relevant body, the teacher is placed on a higher salary in the pay range set out in paragraph 15, 16 or 24 or first becomes entitled to a salary on the leadership pay scale and the value of that salary combined with any TLR or SEN allowance awarded equals or exceeds the teacher's original salary; or
 - (iii) as a result of a subsequent determination by the relevant body, the teacher is awarded a TLR or a SEN allowance or both, and the combined value of that payment or allowance and the new salary equals or exceeds the teacher's original salary;

- (c) in the case of a teacher affected by a determination within sub-paragraphs 1(c) to 1(f), the value of the teacher's point on the leadership pay spine under this Document, or on the advanced skills teachers' pay spine or excellent teachers' salary range under the 2012 Document equals or exceeds the teacher's original salary; or
- (d) the teacher's employment at the school ends other than in circumstances to which paragraph 36 or 37 applies,

whichever is the first to occur.

45.7 Payment of the safeguarded sum must be discontinued whilst the teacher occupies a post as a member of the leadership group or the duties of a teacher paid on the pay range for leading practitioners in the absence of that teacher but must be reinstated thereafter unless, in the meantime, any of the events specified in sub-paragraph 6 occurs.

45.8 In this paragraph "original salary" means-

- (a) in the case of a member of the leadership group, the value of the point on the leadership pay spine to which the teacher was entitled immediately before the implementation of the determination;
- (b) in the case of a former advanced skills teacher, the value of the point on the pay spine for advanced skills teachers in paragraph 30.1 of the 2012 Document to which the teacher was entitled immediately before the implementation of the determination;
- (c) in the case of a former excellent teacher, the salary to which the teacher was entitled immediately before the implementation of the determination; and
- (d) in the case of a teacher on the pay range for leading practitioners, the salary to which the teacher was entitled immediately before the implementation of the determination,

taking into account any annual determination made under paragraph 3.1 but not yet implemented.

Part-time teachers

Interpretation

46.1.1 In this paragraph-

“pro rata principle” means that proportion of total remuneration which corresponds to the number of hours that the teacher is employed in that capacity during the course of the school’s timetabled teaching week as a proportion of the total number of hours in the school’s timetabled teaching week; (and for this purpose “total remuneration” means the remuneration that would be payable to that person if employed in the same post on a full-time basis); and

“the school’s timetabled teaching week” means the aggregate period of time in the school timetable during which pupils are normally taught.

46.1.2 When a relevant body is required to determine the salary of a part-time teacher in accordance with the pro rata principle it must do so not only in relation to those hours that a part-time teacher normally works under the contract of employment but also in relation to any additional hours the teacher may agree to work from time to time at the request of the head teacher or, in a case where the part-time teacher is a head teacher, the relevant body.

Determination of remuneration of part-time teachers

46.2 The salary and allowances (if any) of a part-time teacher must be determined in accordance with the pro rata principle.

Teachers employed on a short notice basis

47.1 Teachers employed on a day-to-day or other short notice basis must be paid in accordance with the provisions of this Document on a daily basis calculated on the assumption that a full working year consists of 195 days, periods of employment for less than a day being calculated pro rata.

47.2 A teacher to whom sub-paragraph 1 applies and who is employed by the same authority throughout a period of 12 months beginning in August or September must not be paid more by way of remuneration in respect of that period than would have been paid had the teacher been in regular employment throughout the period.

Residential duties

48. Any payment to teachers for residential duties must be

determined by the relevant body.

Additional payments

- 49.1 Subject to sub-paragraph (2), the relevant body may make such payments as they see fit to a teacher, including a head teacher, in respect of-
- (a) continuing professional development undertaken outside the school day;
 - (b) activities relating to the provision of initial teacher training as part of the ordinary conduct of the school;
 - (c) participation in out-of-school hours learning activity agreed between the teacher and the head teacher or, in the case of the head teacher, between the head teacher and the relevant body;
 - (d) additional responsibilities and activities due to, or in respect of, the provision of services by the head teacher relating to the raising of educational standards to one or more additional schools.
- 49.2 Sub-paragraph 1(d) does not apply to the provision of services by a head teacher to a school in relation to which such head teacher has been appointed either on a permanent basis in accordance with paragraph 11.2.4 or on a temporary basis.

Recruitment and retention incentives and benefits

- 50.1 Subject to sub-paragraphs 2 and 3, the relevant body and, where it is the teacher's employer, the authority, may make such payments or provide such other financial assistance, support or benefits to a teacher as it considers to be necessary as an incentive for the recruitment of new teachers and the retention in their service of existing teachers.
- 50.2 Where the relevant body is making one or more such payments, or providing such financial assistance, support or benefits in one or more cases, the relevant body must conduct a regular formal review of all such awards. The relevant body should make clear at the outset the expected duration of any such incentives and benefits, and the review date after which they may be withdrawn.

General Teaching Council for Wales' fee allowance

- 51.1 The relevant body must pay the sum of £33 per year to a teacher who is required to be registered with the General Teaching Council for Wales, in respect of the annual registration fee, where such a fee is payable by that teacher.
- 51.2 Before making a determination under sub-paragraph 1 the relevant body must take reasonable steps to satisfy itself that the teacher has not received a payment in respect of that year under that provision from any other relevant body.
- 51.3 A local authority must upon request take reasonable steps to provide a relevant body with information as to whether or not a teacher who is or has been employed at a school or as an unattached teacher within that authority has received a payment under sub-paragraph 1.
- 51.4 Paragraph 46 of this Document does not apply to this allowance.

Salary sacrifice arrangements

52. For the purposes of this paragraph, the term “salary sacrifice arrangement” means any arrangement under which the teacher gives up the right to receive part of the teacher’s gross salary in return for the employer’s agreement to provide a benefit-in-kind under any of the following schemes-

- (a) a child care voucher or other child care benefit scheme;
- (b) a cycle or cyclist’s safety equipment scheme; or
- (c) a mobile telephone scheme; and

that benefit-in-kind is exempt from income tax⁽¹⁶⁾.

52.2 Where the employer operates a salary sacrifice arrangement, the teacher may participate in any such arrangement and the teacher’s gross salary may be reduced accordingly for the duration of such participation.

⁽¹⁶⁾ The Income Tax (Earning and Pensions) Act 2003 (2003 c.1) provides that no liability to income tax arises in respect of the provision for an employee of any of these benefits-in-kind, where the specified conditions are met.

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

PART 6 CONTRACTUAL FRAMEWORK FOR TEACHERS

INTRODUCTION

- 53.1 This section sets out the contractual framework within which all teachers, including head teachers, operate. It also includes high level responsibilities for all teachers and head teachers and their statutory entitlements.
- 53.2 Nothing in this Document is to be taken to conflict with Council Directive 93/104/EC of 23rd November 1993 concerning certain aspects of the organisation of working time⁽¹⁷⁾.

HEAD TEACHERS

Overriding Requirements

- 54.1 A head teacher's professional duties must be carried out in accordance with and subject to-
- (a) the provisions of all applicable legislation and in particular the Education Act 1996 and the Act;
 - (b) any orders and regulations having effect under the applicable legislation and in particular the Education Act 1996 and the Act;;
 - (c) the instrument of government of the head teacher's school;
 - (d) where the school is a voluntary, foundation or foundation special school, any trust deed that applies to the school;
 - (e) any scheme prepared or maintained by the authority under section 48 of the School Standards and Framework Act 1998⁽¹⁸⁾.
- 54.2 A head teacher's duties must be carried out in accordance with and subject to the following -
- (a) in the case of a school which has a delegated budget-
 - (i) any rules, regulations or policies made by the governing

⁽¹⁷⁾ O.J. No.L307, 13.12.93 p.18 which was implemented by the Working Time Regulations 1998 (S.I. 1998/1833).

⁽¹⁸⁾ 1998 (c.31) as amended by section 40 and Schedule 3 to the Act and by section 57 of the Education and Inspections Act 2006 (c. 40).

body and for which they are responsible; and

(ii) any rules, regulations or policies made by the authority with respect to matters for which the governing body is not so responsible;

(b) in any other case, any rules, regulations or policies made by the head teacher's employers;

c. the terms of the head teacher's appointment.

Delegation

55.1 The professional responsibilities of a head teacher under paragraph 57.16 must not be delegated other than in accordance with paragraph 58.4.

55.2 Subject to paragraph 55.1, a head teacher's responsibilities may be delegated to a deputy head teacher, assistant head teacher or other member of the staff in a manner consistent with their conditions of employment, having regard to the nature and extent of their management responsibilities, and maintaining a reasonable balance for each teacher between work carried out in school and work carried out elsewhere.

Professional Responsibilities

56.1 A head teacher may be required to undertake the following duties -

Whole school organisation, strategy and development

56.2 Provide overall strategic leadership and, with others, lead, develop and support the strategic direction, vision, values and priorities of the school.

56.3 Develop, implement and evaluate the school's policies, practices and procedures.

Teaching

56.4 Lead and manage teaching and learning throughout the school, including ensuring, save in exceptional circumstances, that a teacher is assigned in the school timetable to every class or group of pupils-

a. in the first, second, third and fourth key stages, for foundation and other core subjects and religious education: and

b. in the preliminary stage.

56.5 Teach.

Health, safety and discipline

56.6 Promote the safety and well-being of pupils and staff.

56.7 Ensure good order and discipline amongst pupils and staff.

Management of staff and resources

56.8 Lead, manage and develop the school workforce, including appraising and managing performance.

56.9 Organise and deploy resources within the school.

56.10 Promote harmonious working relationships within the school.

56.11 Maintain relationships with organisations representing teachers and other members of the school's workforce.

56.12 Lead and manage the school's workforce with a proper regard for their well-being and legitimate expectations, including the expectation of a healthy balance between work and other commitments.

Professional development

56.13 Promote the participation of staff in relevant continuing professional development.

56.14 Participate in arrangements for the appraisal and review of their own performance and, where appropriate, that of other teachers and support staff.

56.15 Participate in arrangements for their own further training and professional development and, where appropriate, that of other teachers and support staff including induction.

Upper pay range

56.16 Advise the relevant body whether a teacher at the school who applies to be paid on the upper pay range should be paid on that range.

Chartered London Teacher assessment

56.17 Decide, in connection with any relevant application, whether a teacher at the school meets the standards set out in Annex 2.

Communication

- 56.18 Consult and communicate with the governing body, staff, pupils, parents and carers.

Work with colleagues and other relevant professionals

- 56.19 Collaborate and work with colleagues and other relevant professionals within and beyond the school including relevant external agencies and bodies.

Rights Conferred

- 57.1 In addition to the provisions of paragraph 61 the following rights apply.

Dedicated headship time

- 57.2 A head teacher is entitled to a reasonable amount of time during school sessions, having regard to their teaching responsibilities, for the purpose of discharging their leadership and management responsibilities.

Daily break

- 57.3 A head teacher is entitled to a break of reasonable length in the course of each school day, and must arrange for a suitable person to assume responsibility for the discharge of their functions as head teacher during that break.

TEACHERS

Professional Responsibilities

Deputy head teachers and assistant head teachers

- 58.1 A person appointed as a deputy or assistant head teacher in a school, in addition to carrying out the professional duties of a teacher other than a head teacher including those duties particularly assigned by the head teacher, must-
- 58.2 play a major role under the overall direction of the head teacher in-
- (a) formulating the aims and objectives of the school;
 - (b) establishing the policies through which they are to be achieved;

- (c) managing staff and resources to that end; and
- (d) monitoring progress towards their achievement.

- 58.3 undertake any professional duties of the head teacher reasonably delegated by the head teacher.
- 58.4 If the head teacher is absent from the school a deputy head teacher must undertake their professional duties to the extent required by the head teacher or the relevant body or, in the case of a foundation, voluntary aided or foundation special school, the governing body.

Teachers on the pay range for leading practitioners

- 59.1 Teachers on the pay range for leading practitioners must be an exemplar of teaching skills, lead the improvement of teaching skills in their school and carry out the professional responsibilities of a teacher other than a head teacher, including those responsibilities delegated by the head teacher.
- 59.2 A teacher on the pay range for leading practitioners must take a leadership role in developing, implementing, and evaluating policies and practice in their workplace that contribute to school improvement. This might include:
- (a) coaching, mentoring and induction of teachers, including trainees and newly qualified teachers;
 - (b) disseminating materials and advising on practice, research and continuing professional development provision;
 - (c) assessment and impact evaluation, including through demonstration lessons and classroom observation ;
 - (d) `helping teachers who are experiencing difficulties.

They may also be required to take this role in other schools, or in relation to teachers from other schools.

Teachers

- 60.1 A teacher (other than a head teacher) may be required to undertake the following duties -

Teaching

- 60.2 Plan and teach lessons and sequences of lessons to the classes they are assigned to teach within the context of the school's plans, curriculum and schemes of work.
- 60.3 Assess, monitor, record and report on the learning needs, progress and achievements of assigned pupils.
- 60.4 Participate in arrangements for preparing pupils for external examinations.

Whole school organisation, strategy and development

- 60.5 Contribute to the development, implementation and evaluation of the school's policies, practices and procedures in such a way as to support the school's values and vision.
- 60.6 Work with others on curriculum and/or pupil development to secure co-ordinated outcomes.
- 60.7 Subject to sub-paragraph 62.10 supervise and so far as practicable teach any pupils where the person timetabled to take the class is not available to do so.

Health, safety and discipline

- 60.8 Promote the safety and well-being of pupils.
- 60.9 Maintain good order and discipline among pupils.

Management of staff and resources

- 60.10 Direct and supervise support staff assigned to them and, where appropriate, other teachers.
- 60.11 Contribute to the recruitment, selection, appointment and professional development of other teachers and support staff.
- 60.12 Deploy resources delegated to them.

Professional development

- 60.13 Participate in arrangements for the appraisal and review of their own performance and, where appropriate, that of other teachers and support staff.
- 60.14 Participate in arrangements for their own further training and professional development and, where appropriate, that of other teachers and support staff including induction.

Communication

60.15 Communicate with pupils, parents and carers.

Working with colleagues and other relevant professionals

60.16 Collaborate and work with colleagues and other relevant professionals within and beyond the school.

Working Time

61.1 The provisions of sub-paragraphs 2 to 11 do not apply to-

- (a) head teachers, deputy head teachers, assistant head teachers, teachers on the pay range for leading practitioners or teachers in receipt of an acting allowance for carrying out the duties of a head teacher, deputy head teacher or assistant head teacher pursuant to paragraph 32;
- b.unattached teachers in charge of pupil referral units whose remuneration is determined in accordance with the provisions applicable to head teachers pursuant to paragraph 35;
- c.unattached teachers (other than those in charge of pupil referral units) whose remuneration is determined in accordance with the provisions applicable to a member of the leadership group pursuant to paragraph 35.

Working days

61.2 A teacher employed full-time must be available for work for 195 days, of which-

- (a) 190 days must be days on which the teacher may be required to teach pupils and perform other duties; and
- (b) 5 days must be days on which the teacher may only be required to perform other duties; and

those 195 days must be specified by the employer or, if the employer so directs, by the head teacher.

61.3 Sub-paragraph 2 does not apply to a teacher employed full-time wholly or mainly to teach or perform other duties in relation to pupils in a residential establishment.

Specified working hours

- 61.4 A teacher employed full-time must be available to perform such duties at such times and such places as may be specified by the head teacher (or, where the teacher is not assigned to any one school, by the employer or the head teacher of any school in which the teacher may for the time being be required to work as such) for 1265 hours, those hours to be allocated reasonably throughout those days in the school year on which the teacher is required to be available for work.
- 61.5 Sub-paragraph 4 applies to a teacher employed part-time, except that the number of hours the teacher must be available for work must be that proportion of 1265 hours which corresponds to the proportion of total remuneration the teacher is entitled to be paid pursuant to paragraph 46.
- 61.6 In addition to the hours a teacher is required to be available for work under sub-paragraph 4 or 5, as the case may be, a teacher must work such reasonable additional hours as may be necessary to enable the effective discharge of the teacher's professional duties, including in particular planning and preparing courses and lessons; and assessing, monitoring, recording and reporting on the learning needs, progress and achievements of assigned pupils.
- 61.7 The employer must not determine how many of the additional hours referred to in sub-paragraph 6 must be worked or when these hours must be worked.
- 61.8 Subject to sub-paragraph 9, no teacher employed part-time may be required to be available for work on any day of the week or part of any day of the week on which the teacher is not normally required to be available for work under their contract of employment (whether it is for the purposes of teaching pupils and performing other duties or for the sole purpose of performing other duties).
- 61.9 Subject to sub-paragraphs 5 and 10, a part-time teacher may be required to carry out duties, other than teaching pupils, outside school sessions on any day on which the teacher is normally required to be available for work (whether the teacher is normally required to be available for work for the whole of that day or for only part of that day).
- 61.10 The total amount of time that the teacher may be required to be available to carry out duties, other than teaching pupils, outside school sessions under sub-paragraph 9, when expressed as a proportion of the total amount of time that the teacher would be required to be available for such work if employed in the same post on a full-time basis, must not exceed the equivalent of that proportion of total remuneration that the teacher is entitled to be paid under

paragraph 46.

- 61.11 The amount of time a teacher spends taking the break referred to in paragraph 62.3 or travelling to or from their place of work does not count towards the 1265 hours referred to in sub-paragraph 4 or the pro rata equivalent referred to in sub-paragraph 5, as the case may be.

Rights Conferred - all Teachers

Overarching rights

- 62.1 No teacher may be required to work on any Saturday, Sunday or public holiday unless their contract of employment expressly provides for this (for example in the case of teachers at residential establishments).
- 62.2 No teacher may be required under their contract of employment as a teacher to undertake midday supervision.

Daily break

- 62.3 A teacher who is required to be available for work for more than one school session on any school day must be allowed one break of reasonable length either between school sessions or between the hours of 12 noon and 2.00pm. Deputy Head Teachers, Assistant Head Teachers, teachers on the pay range for leading practitioners and Chartered London Teachers are entitled to a break of reasonable length as near to the middle of each school day as is reasonably practicable.

Work/life balance

- 62.4 Governing bodies and head teachers, in carrying out their duties, must have regard to the need for the head teacher and teachers at the school to be able to achieve a satisfactory balance between the time required to discharge their professional duties, including in particular, in the case of teachers to whom paragraphs 61.2 to 61.11 apply, their duties under paragraph 61.6, and the time required to pursue their personal interests outside work. In having regard to this, Governing bodies and head teachers should ensure that they adhere to the working limits set out in the Working Time Regulations⁽¹⁹⁾.

Guaranteed planning and preparation time

- 62.5 All teachers who participate in the teaching of pupils are entitled to reasonable periods of Planning, Preparation and Assessment (PPA) time to enable the discharge of the professional responsibilities of

⁽¹⁹⁾ The Working Time Regulations 1998 and the Working Time (Amendment) Regulations 2007

teaching and assessment. A teacher to whom paragraphs 61.2 to 61.11 apply must be allowed PPA time as part of the 1265 hours referred to in paragraph 61.4 or, in the case of a teacher employed part-time, as part of the pro rata equivalent referred to in paragraph 61.5.

- 62.6 PPA time must amount to not less than 10% of the teacher's timetabled teaching time (and for this purpose "timetabled teaching time", in relation to a teacher, means the aggregate period of time in the school timetable during which the teacher has been assigned by the head teacher in the school timetable to teach pupils).
- 62.7 PPA time must be provided in units of not less than half an hour during the school's timetabled teaching week.
- 62.8 A teacher must not be required to carry out any other duties during the teacher's PPA time.

Management time

- 62.9 A teacher with leadership or management responsibilities is entitled, so far as is reasonably practicable, to a reasonable amount of time during school sessions for the purpose of discharging those responsibilities.

Cover

- 62.10 Teachers should be required to provide cover in accordance with paragraph 60.7 only rarely, and only in circumstances that are not foreseeable (this does not apply to teachers who are employed wholly or mainly for the purpose of providing such cover).

External examinations

- 62.11 Participating in arrangements for preparing pupils for external examinations does not require a teacher routinely to participate in any arrangements that do not call for the exercise of a teacher's professional skills and judgement, such as invigilation.

Administration

- 62.12 Participating in administrative and organisational tasks, including the direction or supervision of persons providing support for the teachers in the school, does not require a teacher routinely to undertake tasks of a clerical or administrative nature which do not call for the exercise of a teacher's professional skills and judgment.
- 62.13 Without prejudice to the generality of sub-paragraph 12, Annex 3 contains a list of tasks falling within the scope of that paragraph.

Training and development

- 62.14 All staff in the school should have access to advice, training and developmental opportunities appropriate to their needs, including needs

identified in objectives or in appraisal statements where teachers are subject to the 2011 Regulations, or in appraisal reports where teachers are subject to the 2012 Regulations, in accordance with the policies of the authority and governing body.

- 62.15 A teacher serving an induction period under the Induction Regulations must not teach for more than 90% of the time that a teacher at the school not subject to those Regulations would be expected to teach.

ANNEX 1 – Teachers’ Standards (England) and Practising Teacher Standards (Wales)

INTRODUCTION

The Teachers’ Standards (England) and Practising Teacher Standards (Wales) are presented in this Document as they underpin the assessment process for accessing the upper pay range.

TEACHERS’ STANDARDS (ENGLAND)

PREAMBLE

Teachers make the education of their pupils their first concern, and are accountable for achieving the highest possible standards in work and conduct. Teachers act with honesty and integrity; have strong subject knowledge, keep their knowledge and skills as teachers up-to-date and are self-critical; forge positive professional relationships; and work with parents in the best interests of their pupils.

PART ONE: TEACHING

A teacher must:

1 Set high expectations which inspire, motivate and challenge pupils

- establish a safe and stimulating environment for pupils, rooted in mutual respect
- set goals that stretch and challenge pupils of all backgrounds, abilities and dispositions
- demonstrate consistently the positive attitudes, values and behaviour which are expected of pupils.

2 Promote good progress and outcomes by pupils

- be accountable for pupils’ attainment, progress and outcomes
- be aware of pupils’ capabilities and their prior knowledge, and plan teaching to build on these
- guide pupils to reflect on the progress they have made and their emerging needs
- demonstrate knowledge and understanding of how pupils learn and how this impacts on teaching
- encourage pupils to take a responsible and conscientious attitude to their own work and study.

3 Demonstrate good subject and curriculum knowledge

- have a secure knowledge of the relevant subject(s) and curriculum areas, foster and maintain pupils’ interest in the subject, and address misunderstandings
- demonstrate a critical understanding of developments in the subject and curriculum areas, and promote the value of scholarship

- demonstrate an understanding of and take responsibility for promoting high standards of literacy, articulacy and the correct use of standard English, whatever the teacher's specialist subject
- if teaching early reading, demonstrate a clear understanding of systematic synthetic phonics
- if teaching early mathematics, demonstrate a clear understanding of appropriate teaching strategies.

4 Plan and teach well structured lessons

- impart knowledge and develop understanding through effective use of lesson time
- promote a love of learning and children's intellectual curiosity
- set homework and plan other out-of-class activities to consolidate and extend the knowledge and understanding pupils have acquired
- reflect systematically on the effectiveness of lessons and approaches to teaching
- contribute to the design and provision of an engaging curriculum within the relevant subject area(s).

5 Adapt teaching to respond to the strengths and needs of all pupils

- know when and how to differentiate appropriately, using approaches which enable pupils to be taught effectively
- have a secure understanding of how a range of factors can inhibit pupils' ability to learn, and how best to overcome these
- demonstrate an awareness of the physical, social and intellectual development of children, and know how to adapt teaching to support pupils' education at different stages of development
- have a clear understanding of the needs of all pupils, including those with special educational needs; those of high ability; those with English as an additional language; those with disabilities; and be able to use and evaluate distinctive teaching approaches to engage and support them.

6 Make accurate and productive use of assessment

- know and understand how to assess the relevant subject and curriculum areas, including statutory assessment requirements
- make use of formative and summative assessment to secure pupils' progress
- use relevant data to monitor progress, set targets, and plan subsequent lessons
- give pupils regular feedback, both orally and through accurate marking, and encourage pupils to respond to the feedback.

7 Manage behaviour effectively to ensure a good and safe learning environment

- have clear rules and routines for behaviour in classrooms, and take responsibility for promoting good and courteous behaviour both in classrooms and around the school, in accordance with the school's behaviour policy
- have high expectations of behaviour, and establish a framework for discipline with a range of strategies, using praise, sanctions and
- rewards consistently and fairly
- manage classes effectively, using approaches which are appropriate to pupils' needs in order to involve and motivate them
- maintain good relationships with pupils, exercise appropriate authority, and act decisively when necessary.

8 Fulfil wider professional responsibilities

- make a positive contribution to the wider life and ethos of the school
- develop effective professional relationships with colleagues, knowing how and when to draw on advice and specialist support
- deploy support staff effectively
- take responsibility for improving teaching through appropriate professional development, responding to advice and feedback from colleagues
- communicate effectively with parents with regard to pupils' achievements and well-being.

PART TWO: PERSONAL AND PROFESSIONAL CONDUCT

A teacher is expected to demonstrate consistently high standards of personal and professional conduct. The following statements define the behaviour and attitudes which set the required standard for conduct throughout a teacher's career.

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by:
 - o treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
 - o having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
 - o showing tolerance of and respect for the rights of others
 - o not undermining fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs
 - o ensuring that personal beliefs are not expressed in ways which exploit pupils' vulnerability or might lead them to break the law.
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards in their own attendance and punctuality.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.
-

PRACTISING TEACHER STANDARDS (WALES)

Teachers must meet the Practising Teacher Standards at the end of the induction period and continue to meet them throughout their teaching career.

Professional values and attributes

1. Appreciate the diverse needs of children and young people.

1. Value fair, respectful, trusting, supportive and constructive relationships with children and young people.
1. Have high expectations of children and young people in order to improve outcomes and well-being for all learners.
1. Value the importance of building positive relationships between home and school
1. Value the active involvement of children and young people in their progress, development and well-being.
1. Value the active involvement of parents and carers in the progress, development and well-being of children and young people.
1. Value and celebrate the contribution children and young people make within their communities.
1. Appreciate and value the contribution that support staff and other professionals make to the learning, development and well-being of children and young people.
1. Be actively involved in professional networks and learning communities which share and test beliefs and understandings with colleagues and contribute to the wider development of the school and profession.
1. Value the improvement of practice through reflection and taking responsibility for continuing professional development
1. Have high expectations with regard to Welsh-language development in the context of the bilingual nature of Wales.

Professional knowledge and understanding

12. Maintain an up-to-date knowledge and understanding of the professional duties and responsibilities of teachers and the statutory framework within which they work.
 1. Understand the national education policy context in Wales and the Welsh Government's national priorities for education, including an understanding of the principles of the Cwricwlwm Cymreig and how it should inform and shape their practice.
 1. Use understanding of the expectations, organizational arrangements and pedagogical approach in the key stages or phases before and/or after the ones they teach to inform their practice and planning.
 1. Understand the key factors that affect children and young people's learning and well-being.
 1. Maintain an up-to-date understanding of their subjects/curriculum areas and related pedagogy in order to inform practice.
 1. Understand their role in improving literacy and numeracy skills across the curriculum.

1. Maintain knowledge and learning in ICT to support teaching, learning and in their wider professional role.
1. Understand and apply the *SEN Code of Practice for Wales* to meet the diverse needs of learners.
1. Understand when appropriate and how to seek information, advice and support from internal and external sources including procedures on safeguarding.
1. Have a knowledge of a range of strategies and know how to use them to promote good behaviour and create a purposeful learning environment.
1. Understand how the United Nations Convention on the Rights of the Child and the Children and Young People's Participation Standards for Wales can be used to inform practice and improve learner outcomes.
1. Understand the expectations in the curriculum with regard to Welsh-medium provision and/or Welsh Second Language

Professional skills

Planning and target setting

24. Set challenging teaching and learning objectives that are guided by informed expectations of individual learners based on knowledge of the expected standards of the relevant age group and the range and content of work appropriate to learners in that age group.
 1. Use teaching and learning objectives to plan lessons, and sequences of lessons, which clearly show how learners' knowledge, skills and understanding will be assessed.
 1. Personalise learning in order to address individual needs including seeking the views of learners on what would help them achieve their potential.
 1. Identify resources to support learning that will stimulate and motivate all learners to achieve desired outcomes.
 1. Work effectively as a team member and collaborate with colleagues to plan work and establish targets.
 1. Plan for support staff to be appropriately involved in supporting learning and ensure they understand the roles they are expected to fulfil.
 1. Plan appropriate opportunities for children and young people to learn in settings beyond the classroom.
 1. Manage and prioritise time effectively within their wider professional role.
 1. Instigate and maintain effective communication with children, young people, and their parents/carers.

Monitoring and assessment

33. Use a range of monitoring and assessment strategies, including both formative and summative assessment, to evaluate learners' progress towards planned learning objectives, and use this information to improve their own planning and teaching.
 1. Meet the assessment requirements and arrangements for the subjects/ curriculum areas and phases within which they teach, including those relating to public examinations and qualifications.
 1. Use monitoring and assessment to identify and support learners including: those with additional learning needs; more able and talented learners; learners working below age-related expectations; learners failing to achieve their potential; and learners with behavioural, emotional and social difficulties.
 1. Involve learners in target setting and in reflecting upon and evaluating their performance.
 1. Monitor and record learners' progress and achievements to provide evidence of the range of their work, progress and attainment over time whilst taking account of the participation and views of the learner.
 1. Provide learners with accurate and constructive feedback on their strengths, weaknesses, attainment, progress and areas for development, including action plans for improvement.
 1. Provide colleagues, parents and carers with timely, accurate and constructive feedback on learners' attainment, progress and areas for development using supporting records and other evidence.

Teaching and managing learning

40. Establish and maintain effective learning environments where all learners feel safe, secure and confident.
 1. Teach the required and expected skills, knowledge and understanding relevant to the needs of the learner making appropriate use of relevant national guidance.
 1. Make effective personalised provision in their teaching including taking practical account of diversity and promoting equality and inclusion.
 1. Challenge instances of prejudice, stereotyping, bullying and harassment, in line with school policies and procedures.
 1. Teach clearly structured lessons or sequences of work so that all learners understand and meet the intended learning objectives.
 1. Employ appropriate teaching strategies which develop all learners' capacity to work collaboratively and independently.
 1. Build on the varying experiences, achievements and interests of learners to help them make progress.

1. Manage teaching and learning time effectively.
1. Manage the physical learning environment, equipment, materials, texts and other resources safely and effectively.
1. Employ appropriate teaching strategies to secure positive behaviour.
1. Employ appropriate teaching strategies to promote the well-being of children and young people.
1. Employ appropriate teaching strategies to promote good progress and outcomes for learners over a sustained period of time.
1. Use ICT effectively in teaching and learning.
1. Encourage learners to progress independently by providing activities or other out-of-school study which consolidates and extends work carried out in school.
1. Work co-operatively and collaboratively with other teachers and colleagues, including those from external agencies, to enhance the learning and wellbeing of those they teach.
1. Promote learners' understanding of the bilingual nature of Wales and develop their bilingual skills as appropriate.

ANNEX 2 – Standards for Chartered London teachers

The applicant must show how the applicant's knowledge, skills and expertise have a positive impact on teaching and learning for London education, through working individually and collegially to meet the following standards-

Pedagogy and pupil learning

1. Create and manage a classroom environment to ensure a secure and supportive achievement culture and behaviour strategy to meet the needs of London's diverse and mobile pupil population.
2. Apply a wide range of teaching and learning strategies to reduce individual barriers to learning and to meet the variety of pupil needs in London.
3. Develop and implement inclusive practices in a range of learning settings appropriate to the diversity of pupils in London and the complexity of their personal learning, including support for special educational needs, to raise pupils' achievements.
4. Progress partnerships within and beyond the classroom with support staff, teachers, other professionals, agencies and community resources, to promote pupils' achievements, learning, development and well-being.
5. Analyse and use relevant data to inform and promote the highest possible aspirations for pupils and to target expectations and actions to raise pupil achievements.

Subject, specialism and phase

6. Demonstrate ongoing development and application of subject, specialism and/or phase knowledge and expertise, drawing on opportunities and resources in London to enrich the learning experience.
7. Identify and use the knowledge and experiences that pupils, their families and other communities bring from outside the school to enrich curriculum development and teaching practices.

Whole school

8. Contribute to the development and application of whole school policies and activities, to extend opportunities for pupil and school achievements in London.
9. Promote and apply shared professional learning and other forms of

support and development for teachers to learn and work together, taking account of teacher mobility, to strengthen collective knowledge and expertise across teachers in London.

Diversity, communities and cultures

10. Build on, extend and apply knowledge of the range of communities, cultures and sub-cultures in London, to inform and promote individual pupils' learning.
11. Promote and implement policies and practices that encourage mutual tolerance and respect for diversity, challenge discrimination and widen pupils' understanding of their contribution to society.
12. Demonstrate a capacity to deal constructively and sensitively with conflicting community and cultural values in classrooms and schools.

ANNEX 3 – Administrative and clerical tasks

1. Collecting money from pupils and parents.
2. Investigating a pupil's absence.
3. Bulk photocopying.
4. Typing or making word-processed versions of manuscript material and producing revisions of such versions.
5. Word-processing, copying and distributing bulk communications, including standard letters, to parents and pupils.
6. Producing class lists on the basis of information provided by teachers.
7. Keeping and filing records, including records based on data supplied by teachers.
8. Preparing, setting up and taking down classroom displays in accordance with decisions taken by teachers.
9. Producing analyses of attendance figures.
10. Producing analyses of examination results.
11. Collating pupil reports.
12. Administration of work experience (but not selecting placements and supporting pupils by advice or visits).
13. Administration of public and internal examinations.
14. Administration of cover for absent teachers.
15. Ordering, setting up and maintaining ICT equipment and software.
16. Ordering supplies and equipment.
17. Cataloguing, preparing, issuing and maintaining materials and equipment and stocktaking the same.
18. Taking verbatim notes or producing formal minutes of meetings.
19. Co-ordinating and submitting bids (for funding, school status and the like) using contributions by teachers and others.

20. Transferring manual data about pupils not covered by the above into computerised school management systems.
21. Managing the data in school management systems.

ANNEX 4 - Commencement and Interpretation

1.1 The provisions of this Document take effect from 1st September 2013.

1.2 In this Document-

“the 2011 Regulations” means the School Teacher Appraisal (Wales) Regulations 2011⁽²⁰⁾ and any reference to “reviewer”, “review”, “results of the review” or “planning and review statement” within the context of a reference to these Regulations must be construed in accordance with them;

“the 2012 Regulations” means the Education (School Teachers’ Appraisal) (England) Regulations 2012⁽²¹⁾ and any reference to “appraisal” “appraisal report” or “results of the appraisal” within the context of a reference to those Regulations must be construed in accordance with them;

“the Act” means the Education Act 2002⁽²²⁾;

“advanced skills teacher” means a teacher who held an advanced skills teacher post under the 2012 Document;

“appraisal” should be read in accordance with the 2011 regulations (in Wales) or the 2012 regulations (in England);

“assistant head teacher” means a qualified teacher with leadership responsibilities across the whole school who is appointed to the post of assistant head teacher;

“authority” means a local authority in England and Wales; and in relation to a school means the authority by which the school is maintained;

“Chartered London Teacher” means a qualified teacher who has been awarded Chartered London Teacher status in accordance with paragraph 34;

“leading practitioner” means a teacher in a post the primary purpose of which is to model and lead improvement of teaching skills;

⁽²⁰⁾ S.I. 2011/2940.

⁽²¹⁾ S.I. 2012/115 as amended by 2012/431

⁽²²⁾ 2002 (c.32.).

“deputy head teacher” means, in relation to England⁽²³⁾, a qualified teacher appointed to the teaching staff of a school as a deputy head teacher in accordance with the School Staffing (England) Regulations 2009⁽²⁴⁾ and includes a teacher appointed as an acting deputy head teacher but not a teacher who is assigned and carries out the duties of a deputy head teacher without being so appointed;

“earlier Document” means any Document referred to in any order made under section 122 of the Act or section 2 of the School Teachers’ Pay and Conditions Act 1991⁽²⁵⁾, other than this Document;

“ERA 1996” means the Employment Rights Act 1996⁽²⁶⁾;

“employment–based teacher training scheme” means in relation to England the scheme established by the Secretary of State under the Education (School Teachers’ Qualifications) (England) Regulations 2003⁽²⁷⁾, or, in relation to Wales, any scheme established by the Welsh Ministers under the Education (School Teachers’ Qualifications) (Wales) Regulations 2012⁽²⁸⁾;

“European Economic Area and Switzerland” means-

- a. the European Community;
- b. subject to the conditions laid down in the EEA Agreement, the area comprising the Republic of Iceland, the Kingdom of Norway and the Principality of Liechtenstein; and
- c. subject to the conditions laid down in the Swiss Agreement, the Swiss Confederation;

“excellent teacher” means a teacher who held an excellent teacher post under the 2012 Document;

“the Fringe Area” means-

⁽²³⁾ In relation to Wales, “deputy head teacher” is defined with “head teacher”.

⁽²⁴⁾ S.I. 2009/2680 as amended by S.I. 2012/1740.

⁽²⁵⁾ 1991 (c.49),repealed by the Act.

⁽²⁶⁾ 1996 (c.18.) Part VIII was substituted by Part 1 of Schedule 4 to the Employment Relations Act 1999 (c. 26). Part VIIIA was inserted by section 47 of the Employment Act 2002 (c. 22).

⁽²⁷⁾ S.I. 2003/1662, as amended by S.I. 2007/2782.

⁽²⁸⁾ S.I. 2012/724

- (a) in Berkshire- the Districts of Bracknell Forest, Slough and Windsor and Maidenhead;
- (b) in Buckinghamshire- the Districts of South Buckinghamshire and Chiltern;
- (c) in Essex- the Districts of Basildon, Brentwood, Epping Forest, Harlow and Thurrock;
- (d) in Hertfordshire- the Districts of Broxbourne, Dacorum, East Hertfordshire, Hertsmere, St Albans, Three Rivers, Watford and Welwyn Hatfield;
- (e) in Kent- the Districts of Dartford and Sevenoaks;
- (f) in Surrey- the whole county; and
- (g) in West Sussex- the District of Crawley;

“graduate teacher” means in relation to England a teacher who has been granted an authorisation to teach in accordance with paragraphs 5 to 9 of Schedule 2 to the Education (Teachers’ Qualifications and Health Standards) (England) Regulations 1999⁽²⁹⁾ before 1st September 2002 or in relation to Wales paragraphs 5 to 9 of Schedule 2 to the Education (Teachers’ Qualifications and Health Standards) (Wales) Regulations 1999⁽³⁰⁾ before 1st September 2004;

“head teacher” means, in relation to England, a person appointed to the teaching staff of a school as head teacher, and includes a person appointed as acting head teacher to carry out the functions of a head teacher pursuant to section 35(3) or 36(3) of the Act but not a teacher who is assigned and carries out duties of a head teacher without being so appointed;

“head teacher” and “deputy head teacher” mean, in relation to Wales, a qualified teacher appointed to the post of head teacher and deputy head teacher respectively in a school, and include a teacher appointed as acting head teacher or deputy head teacher pursuant to section 54 or 55 of, or paragraph 4 of Schedule 16 or paragraph 5 of Schedule 17 to, or regulations made under section

⁽²⁹⁾ S.I. 1999/2166, as amended by S.I. 2002/2704, 2001/1391, 2001/2896 and 2001/3737. These Regulations have been revoked by S.I. 2003/1662 and 2003/3139.

⁽³⁰⁾ S.I. 1999/2817. Schedule 2 was revoked by S.I. 2004/1744.

72 of, the School Standards and Framework Act 1998⁽³¹⁾ but not a teacher who is assigned and carries out duties of a head teacher or deputy head teacher without being so appointed;

“hearing impaired” means deaf or partially hearing;

“individual school range” means the head teacher’s pay range determined in accordance with paragraph 11;

“Induction Regulations” means The Education (Induction Arrangements for School Teachers) (England) Regulations 2012⁽³²⁾ or the Education (Induction Arrangements for School Teachers) (Wales) Regulations 2005⁽³³⁾, as amended from time to time;

“the Inner London Area” means the area comprising the areas of the London boroughs of Barking and Dagenham, Brent, Camden, City of London, Ealing, Greenwich, Hackney, Hammersmith and Fulham, Haringey, Islington, Kensington and Chelsea, Lambeth, Lewisham, Merton, Newham, Southwark, Tower Hamlets, Wandsworth and Westminster;

“institution of further or higher education” includes an institution providing both further and higher education;

“the London Area” comprises the Inner London Area, the Outer London Area and the Fringe Area;

“member of the leadership group” means a head teacher, a deputy head teacher or an assistant head teacher;

“MOD school” means an educational establishment primarily for children with a parent in the armed forces of the Crown and administered by the Ministry of Defence, other than the educational establishments known as Queen Victoria School, Dunblane and Welbeck College, Loughborough;

“ordinary school” means a school other than a special school;

“the Outer London Area” means the area comprising the areas of the London boroughs of Barnet, Bexley, Bromley, Croydon, Enfield, Harrow, Havering, Hillingdon, Hounslow, Kingston-upon-Thames, Redbridge, Richmond-upon-Thames, Sutton and

⁽³¹⁾ 1998 (c.31.)

⁽³²⁾ S.I. 2012/1115.

⁽³³⁾ S.I. 2005/1818 (W.146), as amended by S.I. 2007/2811 and S.I. 2012/1675.

Waltham Forest;

“post-threshold teacher” and “post-threshold standards” have the same meanings as in the 2012 Document;
“pupil referral unit” has the meaning given to that expression in section 19(2) of the Education Act 1996⁽³⁴⁾;

“qualified teacher” means a person who satisfies requirements specified in regulations under section 132 of the Act⁽³⁵⁾;

“registered teacher” means in relation to England a teacher who has been granted an authorisation to teach in accordance with paragraphs 12 to 18 of Schedule 2 to the Education (Teachers’ Qualifications and Health Standards) (England) Regulations 1999⁽³⁶⁾ before 1st September 2002, or, in relation to Wales, paragraphs 12 to 18 of Schedule 2 to the Education (Teachers’ Qualifications and Health Standards)(Wales) Regulations 1999⁽³⁷⁾ before 1st September 2004;

“relevant body” means-

- (a) in the case of a teacher at a school without a delegated budget, the authority by which that school is maintained;
- (b) in the case of a teacher at a school which has a delegated budget, the governing body of that school; and
- (c) in the case of an unattached teacher, the authority by which the teacher is employed;

“relevant standards” in England means the Teachers’ Standards and in Wales means the Practising Teacher Standards, both of which are set out in Annex 1 of this Document;

“remuneration” means, except where otherwise stated, salary plus any allowances;

“school” means, except where otherwise stated, a school maintained by an authority;

⁽³⁴⁾ 1996 (c.56.)

⁽³⁵⁾ S.I.2003/1662, as amended by S.I. 2007/2782 (in relation to England) and S.I. 2012/724 (in relation to Wales).

⁽³⁶⁾ S.I. 1999/2166, revoked by S.I. 2003/3139.

⁽³⁷⁾ S.I. 1999/2817, Schedule 2 of which was revoked by S.I. 2004/1744.

“school causing concern” means a school to which section 15 of the School Standards and Framework Act 1998⁽³⁸⁾ applies by virtue of subsection (1) (school subject to a formal warning), (4) (school requiring significant improvement) or (6) (school requiring special measures);

“school which has a delegated budget” means a school which has a delegated budget within the meaning of Chapter 1 of Part 3 of the Act, and “school without a delegated budget” shall be construed accordingly;

“school year” means a period of 12 months commencing on 1st September unless the school’s academic year begins in August in which case it means a period of 12 months commencing on 1st August;

“SEN allowance” means a special educational needs allowance awarded to a classroom teacher in accordance with paragraph 25;

“special school” means a special school maintained by an authority;

“Swiss Agreement” means the Agreement, made between the European Community and its Member States of the one part and the Swiss Confederation of the other, on the Free Movement of Persons signed at Luxembourg on 21st June 1999⁽³⁹⁾ and which came into force on 1st June 2002;

“teacher” means, except where otherwise stated, a teacher who is a school teacher within the meaning of section 122 of the Act;

“teacher in further or higher education” means a teacher who is-

- (a) employed in an institution of further or higher education; or
- (b) otherwise employed by a local authority for the purposes of their functions relating to further and higher education;

other than a teacher seconded to a body which reimburses the employing authority the amount of the teacher’s salary;

⁽³⁸⁾ 1998 (c.31), as amended by the Learning and Skills Act 2000 (c. 21), and by section 55 of the Act, the Education Act 2005 (c.18), the Education and Inspections Act 2006 (c. 40) and the Apprenticeships, Skills, Children and Learning Act 2009 (c.22).

⁽³⁹⁾ Cmnd. 4904.

“the 2012 Document” mean the document published by The Stationery Office entitled “School Teachers’ Pay and Conditions Document 2012” [DN – Insert reference to ISBN No - ISBN 978-0-11-271201-5]

“TLR” means a teaching and learning responsibility payment awarded to a classroom teacher in accordance with paragraph 18;

“unattached teacher” means-

- (a) a teacher not attached to a particular school;
- (b) a teacher employed otherwise than at a school; or
- (c) in Parts 2 to 7, a teacher at a pupil referral unit (including a teacher in charge);

“unqualified teacher” means a teacher who is not a qualified teacher and who is prescribed by Order under section 122(5) of the Act as a school teacher for the purposes of that section⁽⁴⁰⁾;

“visually impaired” means blind or partially sighted.

- 1.3 The Interpretation Act 1978⁽⁴¹⁾ applies to the interpretation of this Document as if it were an Order made under the Act.
- 1.4 Where, by or in consequence of a structural or boundary change (or both such changes) as defined in section 14 of the Local Government Act 1992⁽⁴²⁾ effected by an order made under section 17 of that Act (as amended), an authority (“the transferor authority”) ceases to exercise the functions of an authority in relation to an area and such functions are thereafter exercisable by another authority (“the transferee authority”) in relation to that area, the transferor authority and the transferee authority must be regarded, in this Document, as the same authority.
- 1.5 Where, by virtue of the Local Government (Wales) Act 1994⁽⁴³⁾, the functions of an abolished authority (“the old authority”) under the Education Acts in relation to an area are vested in a new

⁽⁴⁰⁾ S.I. 2003/1709.

⁽⁴¹⁾ 1978 (c.30.)

⁽⁴²⁾ 1992 (c.19.)

⁽⁴³⁾ 1994 (c.19.)

authority in relation to that area (“the new authority”), the old authority and the new authority must be regarded, in this Document, as the same authority.

- 1.7 An unqualified teacher who is a head teacher must be treated as a qualified teacher for the purposes of Parts 2 and 3 of this Document.

- 9. Authorities and governing bodies, in exercising functions and discretions conferred on them by this Document must have regard to any guidance issued by the Secretary of State pursuant to 127 of the Act. In applying provisions of this Document authorities and governing bodies must have regard to any guidance about the procedure to be followed issued by the Secretary of State pursuant to 127 of the Act.

- 1.10 Any reference to a numbered sub-paragraph is a reference to the sub-paragraph of that number in the paragraph in which that reference appears, except where otherwise stated.