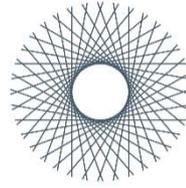


Pay and Appraisal Policy (cross MAT employees)



HERTS FOR
LEARNING
**MULTI
ACADEMY
TRUST**

| | |
|-----------------|---|
| NAME OF POLICY: | Pay and Performance Appraisal (cross MAT employees) |
| STATUS: | Non statutory |
| DATE ISSUED: | May 2018 |
| REVIEW DATE: | September 2019 |
| APPROVED BY: | Board of Trustees |
| APPROVAL DATE: | July 2018 |

1 OBJECTIVE, SCOPE AND PRINCIPLES

- 1.1 This policy applies to those employed to work cross-MAT within the central team. The pay, appraisal and development of the Chief Executive Officer will be the responsibility of the Trust Board Remuneration Committee. This policy is based on the Pay and Appraisal policy for Trust schools and academies, which has been consulted upon with professional associations and trade unions, and applies to school staff employed within the Trust.
- 1.2 The Trustees recognise the requirement that all pay progression decisions for employees must be linked to an annual performance appraisal. This policy sets out the framework for a clear and consistent assessment of the overall performance of staff. It also sets out the arrangements that will apply when staff fall below the levels of competence expected of them.
- 1.3 This policy applies to all employees working in the central team across the MAT, except the performance appraisal section for those on contracts of less than one term, those undergoing induction, staff during their probation period, and those who are subject to the formal stages of the capability policy.
- 1.4 This policy aims to:
 - maximise the quality of leadership and support to the Trust's schools
 - support the recruitment and retention of a high quality workforce

- recognise and reward staff for their contribution to school improvement
- ensure that pay and performance appraisal arrangements enable the current and future delivery of the Trust's Strategic Plan
- ensure that pay decisions are made in a fair and transparent way; and
- ensure that available monies are allocated appropriately

2 BASIC PAY DETERMINATION ON APPOINTMENT

- 2.1 The job description and pay range for any Board or executive team appointment will be agreed with the Chair of the Board, Chair of the HR Committee and the Chair of the FARE Committee before recruitment commences. On appointment, the CEO will determine the starting salary within that range to be offered to the successful candidate.
- 2.2 In making such determinations, the CEO will take into account a range of factors, including:
- the nature of the post
 - if leadership, the range will be related to the national range for leaders in schools
 - if administrative, the range will related to the NJC (Green Book) Salary Scales for employees undertaking similar duties in Trust schools
 - the level of qualifications, skills and experience required
 - market conditions
 - the need to ensure that staffing costs remain manageable within the capacity of the Trust's budget; and
 - whether the appointee is a single point of failure within the MAT
- 2.3 There is no assumption that any employee, will be paid at the same rate as they were being paid in a previous employment.
- 2.4 In exceptional circumstances, the CEO may seek agreement from the Finance, Audit, Risk and Estates (FARE) Committee of the HfL MAT to award an additional payment in respect of housing or relocation costs; Trustees retain a right of veto over this matter. Exceptional circumstances may include, and are not limited to, recruitment difficulties and an application by an exceptional individual who cannot reasonably take up the post without relocating. It is expected that relocation expenses would only be offered in extremely rare occasions.
- ### 2.5 Leadership Posts on the Executive Team
- 2.5.1 The pay ranges for those employed on the Executive Team (excluding the CEO) will be determined in accordance with the criteria set out above.
- 2.5.2 The pay range for executive posts is set out in a table (appendix 1), showing maximum salary for each post and taking into consideration the skills and experience required for benchmarking.

- 2.5.3 The amount paid to a previous post holder will not influence the range that may be set for a new appointment.
- 2.5.4 On appointment, the salary of the successful candidate will be within the agreed range, the CEO may make an offer at any point on the range for an exceptional candidate.
- 2.5.5 The pay range for those on the Executive Team will be reviewed where there is a significant permanent change in the duties and responsibilities of the post, or where it is necessary to maintain consistency.

2.6 Other posts

- 2.6.1 The pay ranges for those employed by the Central MAT not on the Executive Team will be determined in accordance with the criteria set out above in section 2.2.
- 2.6.2 The CEO will assign a range for other posts based on equivalent ranges for schools.

3 PAY INCREASES DUE TO 'COST OF LIVING' AWARDS AND PERFORMANCE REVIEWS

- 3.1 *Cost of living award*
The Trust Board will annually determine the extent of any cost of living uplift to pay ranges, there is however no obligation on the Trust to uplift.
- 3.2 *Pay progression following performance review*
See paragraph 5.8.8 re recommendations on pay following performance review. If performance is below expectations there is no obligation on the Trust for employees to progress within the scale. Additionally the Trust may choose not to award a cost of living increase if performance is below expectations, the exception to this is those staff at the bottom of a range who will, as a minimum, be uplifted to ensure their pay does not fall outside the relevant range.
- 3.3 For executive posts the CEO will recommend any decisions on performance pay increases for approval by the Trust's Remuneration Committee.

4 OTHER PAYMENTS

4.1 Acting allowances

Where a member of the Executive is assigned and carries out the duties of the CEO, but has not been appointed in an acting capacity, the Trust shall, within four weeks, determine whether an allowance should be paid. Consideration

may be given to backdating any increase to when the additional duties commenced.

4.2 Honoraria payments

4.2.1 Such payments will be exceptional in their use rather than the norm. Honoraria payments can be used when an individual is undertaking work that is part but not all of a higher graded position for a period of 4 weeks or more.

4.2.2 Honoraria payments can also be used to reward additional or onerous tasks or a specific piece of project work at the same grade or lower, for a specific period over four weeks or more. In such circumstances the payment would not normally exceed the value of the difference of an employee's monthly salary and one or two incremental points higher, this relates to spinal column points not hay grades.

4.2.3 Where the full duties of a higher grade are undertaken this will be treated as acting up. The difference in salary between the two posts should be paid in relation to the percentage of duties of the higher post being undertaken i.e. if taking on 50% of higher graded post duties, the post will usually be paid 50% of the difference between the two posts.

5 PERFORMANCE APPRAISAL AND DEVELOPMENT SCHEME (PADS)

5.1 Performance Appraisal for all staff working for the HfL MAT Central Team will be a supportive and developmental process designed to ensure that all staff have the skills and support they need to carry out their role effectively. It will help to ensure that staff are able to continue to improve their professional practice and to develop.

5.2 In this MAT all employees can expect to receive regular, constructive feedback on their performance and are subject to an annual appraisal that recognises their strengths, informs plans for their future development, and helps to enhance their professional practice.

5.3 The performance appraisal and development scheme period

5.3.1 For all staff the PADS period will run for twelve months from 1 September to 31 August.

5.3.2 Staff who are employed on a fixed term contract of less than one year will have their performance managed in accordance with the principles underpinning this policy. The length of the period will be determined by the duration of their contract.

5.4 Appointment of Appraisers

5.4.1 The CEO will be appraised by the Remuneration Committee, supported by a skilled and experienced adviser who has been appointed for that purpose.

5.4.2 The CEO will decide who will appraise other employees.

5.5 Setting objectives

5.5.1 The CEO's objectives will be set by the Trust Board in consultation and with the agreement of the external adviser. Objectives will be focused on key strategic priorities.

5.5.2 Objectives for all employees, including the CEO, will be set before, or as soon as practicable after, the start of each appraisal period. In most circumstances it may be possible to set objectives for the upcoming year in the same meeting that objectives are reviewed from the previous year.

5.5.3 The objectives set will be linked to any relevant occupational standards for the role undertaken, where applicable, and take account of the individual's job description and person specification for the role.

5.5.4 The appraiser and employee will seek to agree the objectives but, if that is not possible, the appraiser will determine the objectives. The employee may record their comments in writing as an appendix to the appraisal statement or make an appeal to the HR Committee. A panel of two Trustees (from the HR Committee unless previously involved), will review the objectives proposed and make recommendations to the CEO and employee (appraisee). Their decision would be binding on both parties.

5.5.5 Objectives may be revised if circumstances change.

5.5.6 The objectives set for each employee, will, if achieved, contribute to the Trust's plans for improving the schools educational provision and performance and improving the education of pupils across the Trust.

5.5.7 Objectives should therefore link directly to the strategic plan and should reflect its priorities.

5.5.8 Agreed continuing professional development (CPD) for individuals should support the achievement of these objectives.

5.5.9 Under normal circumstances employees will have a reasonable number of objectives that is relative to the role that they undertake. This will usually be between three and four objectives. However, employees who are found not to be meeting standards at the appropriate level may be given as many additional objectives as are required to ensure that the most appropriate support can be provided. If there is evidence of ongoing and serious underperformance, the

performance, appraisal and development cycle may be suspended and the employee will transition into capability (outlined in 5.7 below).

5.5.10 The CEO will be responsible for ensuring that the appraisal process operates consistently and that there is moderation of staff fulfilling equivalent roles.

5.6 Reviewing performance

5.6.1 Development and support

Appraisal is a supportive process, which will be used to inform continuing professional development. The Trust wishes to encourage a culture in which all employees take responsibility for improving their professional skills through appropriate professional development. Professional development will be linked to the Trust's priorities and to the ongoing professional development needs and priorities of individual employees as detailed in the section on "Setting Objectives" above.

5.6.2 Feedback

Employees will receive constructive feedback on their performance throughout the year. Feedback will include discussion with the employee, will highlight particular areas of strength as well as any areas that need attention and will determine any appropriate action required.

If during the review cycle, there are concerns about any aspects of an employee's performance these will be addressed in accordance with section 6.6.

When progress is reviewed mid cycle, if the appraiser is satisfied that the employee has made, or is making, sufficient improvement, the appraisal process will continue as normal, with any remaining issues continuing to be addressed through that process.

5.7 Transition to Capability

5.7.1 Where standards (such as the national standards for teachers) in line with the school's expectations, are found not to be met at the appropriate professional skills level/behaviour descriptors, special arrangements will be made to ensure that the appropriate support can be provided. These may include:

- the appointment of an appraiser from the Executive
- the setting of an appropriate number of additional performance management objectives above the norm
- further lesson observations, many or all of which may be unannounced

5.7.2 Where information comes to light during the course of an appraisal cycle that leads the CEO/line manager to conclude that national standards are not met

at the appropriate professional skills level/behaviour descriptors, these new arrangements (as outlined in 5.7.1 above), which may include a change of appraiser, will come into force as soon as possible after the decision has been made.

5.7.3 Where national standards are identified as not being met at the appropriate career stage expectation level/ behaviour descriptors, performance objectives will be action planned to a much shorter timescale, typically between half a term and a term as the CEO/line manager decides the situation warrants. At the end of each such period, progress will be reviewed, and a decision made on whether:

- to end the support programme and resume normal appraisal arrangements
- to continue to provide support within appraisal by setting further short-term objectives
- to suspend performance appraisal and move immediately into the formal capability procedure

5.8 Annual Assessment

5.8.1 Where the appraiser indicates that performance is unsatisfactory, they will be able to present evidence previously shared with the member of staff.

5.8.2 Employees and their appraiser will, as a minimum, annually attend a formal appraisal meeting, where their performance will be formally assessed in respect of each appraisal period. The aim of the meeting will be to determine appraisal review outcomes or performance related pay (PRP) outcomes where appropriate, to set objectives for the coming year and to determine any professional development requirements.

5.8.3 Where appraisee and appraiser cannot reach agreement as to appraisal review outcomes or PRP outcomes, the matter will be referred to the CEO (or to the member of senior staff with delegated responsibility for the process) who will meet with the appraisee, consider all available evidence, and inform the appraisee of their decision.

5.8.4 Disputes concerning appraisal review or pay outcomes will be dealt with through the appeal process in section 8.

5.8.5 This assessment is the end point of the annual appraisal process, but performance and development priorities will be reviewed and addressed on a regular basis throughout the year by means of:

- professional dialogue and one-to-one meetings
- termly meeting with appraiser
- mid-cycle review meeting with appraiser
- observation / scrutiny of leadership and management activities where appropriate

- other feedback obtained during the cycle relevant to the employee's overall performance

5.8.6 As soon as practicable following the end of each appraisal period, the employee will receive, and have the opportunity to comment in writing on, a written appraisal report. The appraisal report will include:

- details of the employee's objectives for the appraisal period in question
- an assessment of the employee's performance of their role and responsibilities against their objectives, the relevant standards, and their job description and person specification
- an assessment of the employee's training and development needs and identification of any action that should be taken to address them
- a recommendation on pay progression where that is relevant and in keeping with the relevant terms and conditions of employment

5.8.7 The assessment of performance and of training and development needs will inform the planning process for the following appraisal and training period.

5.8.8 Recommendations on pay will be referred to the CEO.

5.8.9 An anonymised PAD will be presented to the Remuneration Committee annually for quality assurance purposes.

5.9 Confidentiality

Access to the written PADS report will normally be limited to the appraisee, the appraiser, the CEO and/or nominated member of the Executive Team and those with line management responsibilities. Where an appraisee has requested mediation in respect of the appraisal objectives (see 5.5.4 above) access to PADS for the relevant Trustees will be provided.

5.10 Equality and consistency

5.10.1 The CEO will have overall responsibility for the quality assurance of the appraisal process across the central MAT team. This will include ensuring the consistency and equality of application of the process throughout the Trust. The CEO may delegate responsibility for monitoring consistency and equality of application to a member of the Executive team.

5.10.2 The CEO will be responsible for reporting regularly to the Trust Board: HR Committee on any relevant issues, including those of underperformance, arising from the annual review cycle and on any action required to address those issues. The report will enable Trustees to receive an overall general report of the process but will not include specific details relating to individual members of staff.

5.10.3 The Trust Board is committed to ensuring consistency of treatment and fairness and will abide by all relevant equality legislation.

5.11 Retention of statements

The CEO and Trust Board will ensure that all written appraisal records are retained in a secure place for six years and then destroyed.

6 PAY REVIEWS

- 6.1 The Trust Board will ensure that each central team member's salary is reviewed annually (see paragraph 3.1 – 3.3) with effect from 1 September and that each member of staff is notified of the outcome by no later than 31 October each year or 31 December for the CEO, and that all staff members are given a written statement setting out their salary and any other financial benefits to which they are entitled.
- 6.2 Reviews may take place at other times of the year to reflect any changes in circumstances or job description that lead to a change in the basis for calculating an individual's pay. A written statement will be given after any review and where applicable will give information about the basis on which it was made.
- 6.3 Where a pay determination leads or may lead to the start of a period of salary safeguarding, the Trust will give the required notification as soon as possible and no later than one month after the date of the determination.
- 6.4 It will be possible for a 'no progression' determination to be made without recourse to the capability procedure.
- 6.5 To be fair and transparent, assessments of performance will be properly rooted in evidence. Fairness will be assured by annual monitoring of the application of the pay policy and pay decisions.
- 6.6 Decisions regarding pay progression will be made with reference to PADS reports and the pay recommendations they contain.
- 6.7 PADS reports will contain pay recommendations. Final decisions about whether or not to accept a pay recommendation will be made by the CEO except in cases of executive team posts (as outlined above), having regard to the performance appraisal report. The CEO will consider the approach in the light of the Trust's strategic priorities and ensure that appropriate funding is allocated for pay progression at all levels.
- 6.8 In this Trust, judgements of performance will be made against objectives met and any relevant standards which apply to the role.

7 PAY PROGRESSION BASED ON PERFORMANCE

- 7.1 Progression on the pay range for a member of central MAT staff (excluding the CEO) will be subject to a review of their performance set against the annual appraisal review.
- 7.2 The CEO may award one increment for sustained high quality performance or may award two or more increments where performance has been exceptional and exceeded the expectations.
- 7.3 Where performance has not been of a sustained high quality the CEO may decide that there should be no pay progression.
- 7.4 The Trust expects all employees to perform at the highest possible level and to continue to improve their professional practice year on year. Performance appraisal objectives will be progressive and developmental, thereby ensuring that good performance is rewarded.
- 7.5 Decisions on performance pay progression will be based on an assessment of the overall performance of an employee.
- 7.6 The evidence which will be considered in assessing performance might include:
 - pupil progress data in Trust schools
 - Trust success in meeting its strategic objectives
 - self-assessment
 - professional dialogue
 - received feedback
 - performance appraisal statements
 - CPD records
- 7.7 Where a member of staff has been absent for some or all of the assessment period, an assessment will be based on performance during any periods of attendance and/or prior performance.
- 7.8 Where the performance pay progression criteria are **not** met, the employee will not receive any performance pay progression. A decision not to award performance pay progression may be made without recourse to capability procedures. However, members of staff who fail to meet the minimum standards and/or who consistently fail to improve their practice or to sustain the expected level of performance for their pay level, may be subject to these procedures.
- 7.9 Where a decision not to progress is made, the member of staff will be supported through the performance appraisal process to improve their performance.

8 APPEALS

- 8.1 Pay recommendations will be contained within Performance Appraisal Review Statements and these will be discussed with employees at the review meeting. Where an employee has concerns about the pay recommendation which cannot be resolved at the review meeting, they should include these on the review statement for consideration by those responsible for making pay decisions.
- 8.2 An employee may make a formal appeal against a decision on pay, which must be submitted in writing within seven calendar days of receipt of written notification of that decision.
- 8.3 The grounds of appeals are that the decision maker(s):
 - incorrectly applied the provisions within this policy
 - failed to take proper account of relevant evidence and/or took account irrelevant or inaccurate evidence
 - were biased or
 - otherwise unlawfully discriminated against the employee
- 8.4 Appeals will be heard by a working group of trustees drawn from the Trust HR Committee. The group will consist of no less than three trustees.
- 8.5 All appeals will be heard at a meeting, normally within 20 working days of receipt of the written appeal. The employee will be entitled to attend the appeal meeting, to make representations and to be accompanied by a work colleague or a member of a Professional Association or Trade Union.
- 8.6 Any written submissions relevant to the appeal must be circulated to all parties at least three working days prior to the meeting.
- 8.7 The decision of the appeals' working group will be notified in writing and, where the appeal is rejected, this will include a note of the evidence considered and the reasons for the decision.
- 8.8 The decision of the working group is final and there is no recourse to the staff grievance procedure.
- 8.9 The CEO shall be entitled to attend, for the purposes of providing information and advice (except in the case of his/her own salary), all proceedings of the Remuneration Committee.
- 8.10 The role of the working group is not to make judgement about the effectiveness of individual staff. It is to satisfy themselves that any recommendation/decision has been made on the basis of evidence and has been made taking proper account of equal opportunities and that correct procedures have been followed.

9 MONITORING THE IMPACT OF THE POLICY

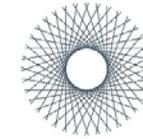
- 9.1 The Trust Board will monitor the outcome and impact of this policy and annually assess its effect and continued compliance with equalities legislation. The effect of the policy will be assessed particularly with reference to trends in progression across specific groups.
- 9.2 The pay of individual staff will remain confidential, shared only with those responsible for making pay decisions and managing administrative matters.

APPENDIX 1: STAFF REFERENCE POINTS/SALARY BANDS

In this Trust Executive Team members will be paid within a range with the following maximum and minimum values:

The specific pay ranges and bands for leadership posts on the executive team 2017/18 are:

| Post | Minimum | Maximum |
|--|----------------|----------------|
| Academy Improvement Lead | £75,000 | £84,999 |
| Chief Financial Officer | £55,002 | £64,998 |
| Company Secretary and Policy Officer | £50,001 | £59,997 |
| Other Posts: tba with staffing plan as this develops | tba | tba |



Appendix 2: Performance Appraisal and Development Scheme (PADS)

| | | | |
|-------------------------------------|--|---|--|
| Annual Performance Appraisal | | Overall rating: Fully achieved / partly met / not met / too early/not able to assess | |
| Name: | | Job title: | |
| Manager name: | | Department: | |
| Date of appraisal: | | Last appraisal date: | |

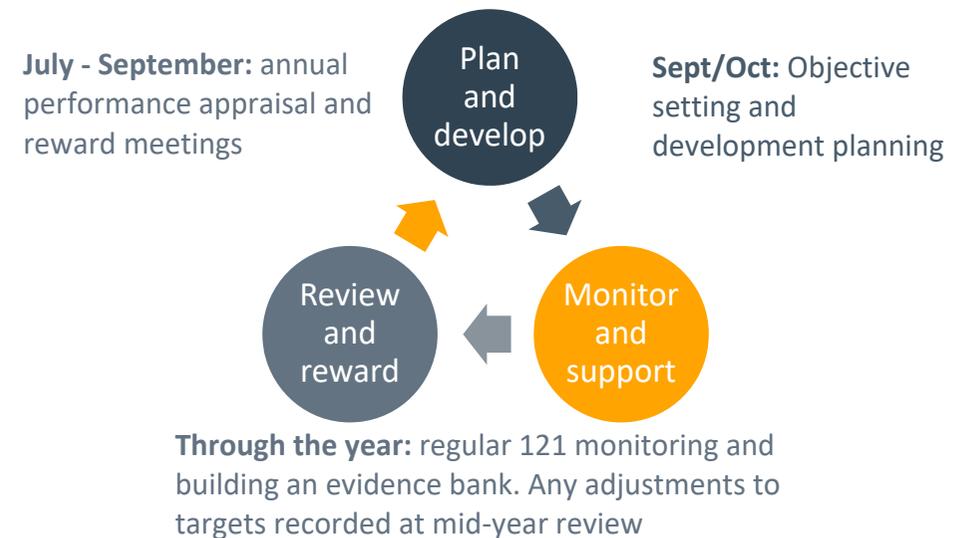
Scheme overview

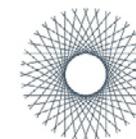
The aim of the Performance Appraisal and Development Scheme is to meet the needs of the overall MAT, by providing an opportunity for recognition, feedback and development for every individual contributing to the success of the MAT.

The scheme is underpinned by the following overall MAT objectives:

- XXXXX
- XXXXX
- XXXXX
- XXXXX
- XXXXX

For more information, see the HfL MAT's **People strategy and Pay and Appraisal Policy**





Performance objectives

Overall ambition in _____ is

| | | | |
|--|----|---------------------------------|---|
| | | Links to other documents: | • |
| Due date: | | Weight: | |
| Actions / steps: | ▪ | | |
| Measure(s) of success: | a. | | |
| Areas for personal development: | ▪ | | |
| Mid-year commentary (employee): | | Mid-year commentary (manager): | |
| | | | |
| Full year commentary (employee): | | Full year commentary (manager): | |
| | | | |
| Overall Outcome: Fully met / Partly met / Not met / Not able to assess | | | |