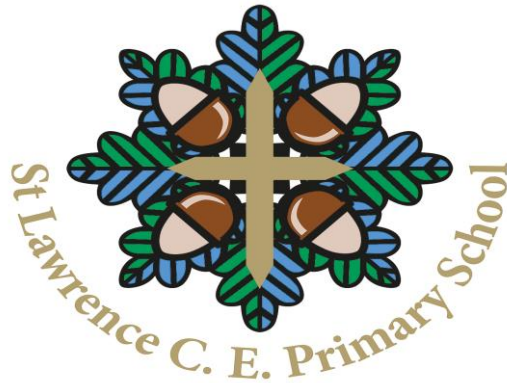


St Lawrence CE Primary School



Pay Policy Appeals Procedure

Revised: October 2020

Consultation with staff and Governors

and adoption of policy: Autumn Term 2020

Review date: Autumn Term 2021

Introduction

The School Teachers' Pay and Conditions Document ("the Document") requires schools and local authorities to have a pay policy in place that sets out the basis on which teachers' pay is determined and the procedures for handling appeals.

A pay recommendation can be made as part of the appraisal cycle and when an application is made to the upper pay range. In both circumstances, decisions will be made by the relevant body in the school. Written details of and the reasons for the pay recommendation will be given to the teacher.

Process

Where a teacher is dissatisfied with the pay recommendation they may:

Stage one –

Wish to have an informal discussion with the appraiser/head teacher before the pay decision is made.

If the teacher believes that an incorrect recommendation had been made, they may:

Stage two –

Make formal representations to the decision maker in writing stating the grounds for not agreeing to the pay recommendation.

The teacher may make representations which include presenting evidence, calling witnesses and have the opportunity to ask questions of the decision maker at a formal meeting. The teacher is entitled to be accompanied by a colleague or trade union representative. The decision will be communicated in writing within 5 working days.

Where this is not possible or they are still dissatisfied, the teacher may follow a formal appeals process as stated below – Stage Three:

Stage three –

- If the teacher wishes to exercise their right of appeal, they must write to the Chair of the Governing Body at the earliest opportunity and within 5 working days of the decision at stage two, stating the grounds of the appeal and the facts on which they will rely.
- Upon receipt of the appeal, an Appeals Committee will be established consisting of 3 Governors, none of whom are employees of the School or have been involved in the decision making process.
- A date for an appeal should be convened at the earliest opportunity, ideally within 20 working days of receipt of the appeal letter.
- The teacher will be invited to attend and is entitled to be accompanied by a colleague or trade union representative. Those involved in the decision making will also be invited. (NB This may involve the person who made the original recommendation and the decision maker. Where the decision maker is a Committee, the Chair of that Committee will attend).
- The teacher should provide all relevant evidence to the Committee and decision maker no later than 5 working days before the Appeals Hearing.
- The decision maker should provide the teacher and Committee all relevant documentation e.g. appraisal policy, appraisal documents, decision letter etc by the same date (this may mean that decision maker and teacher share inform each other of the documents to be submitted to avoid duplication)
- Evidence may be submitted after this date by agreement of the Committee.
- The Chair of the Appeals Committee will ensure the conduct of the hearing is as follows:

Conduct of the Appeal Hearing

- Introductions of all parties;
- Clerk takes notes of the hearing;
- Employee/representative to state their case (including relevant evidence to support their case);
- Recommender/decision maker/management has the opportunity to ask questions of the employee/representative;
- Chair & Committee to ask questions of the employee/representative;
- Recommender/decision maker/management to present their case
- Employee has the opportunity to ask questions;
- Chair & Committee to ask questions of the recommender/decision maker/management;
- Ask the employee followed by management to sum up;
- Adjourn to make a decision;

The Appeals Committee will communicate their decision where possible in person. However, if this is not possible, notification will be in writing within 5 working days of the hearing. The Chair will also communicate the decision to the other attendees in the same timescales.

The decision of the Appeals Committee is final.

Please note, there will be no entitlement to invoke the appeal procedure in relation to a pay decision if the teacher has left the employment of the school. Should a teacher lodge an appeal and decide to leave the employment of the school all possible attempts should be made to hear the appeal before that teacher leaves. However, where that is not possible the modified procedure below will be used:

Modified Procedure

Where a teacher has, whilst employed at the school, lodged an appeal against a pay decision but has then subsequently left the school's employment before any appeal hearing is held, the following steps will be observed:

- The teacher must have set out details of their appeal in writing;
- The teacher must have sent a copy of their appeal to the Chair of the Governing Body;
- The Chair of the Governing Body will consult with relevant school personnel and provide the teacher with an appropriate written response on behalf of the school.