



SCHOOL PAY POLICIES NUT COMMENTARY ON ASCL GUIDANCE PAPER

ASCL has not published a model policy but has published advice to members in ASCL Guidance Paper 94. This NUT commentary follows the structure of the NUT NASUWT pay policy checklist in commenting on the contents of the ASCL advice.

General

Although the ASCL advice says at para 4 that, in ASCL's view, "most of the proposals ... are reasonable in principle", it does go on at various points to make comments which can be used by NUT representatives to highlight the likelihood of dispute over unacceptable pay policies and the lack of any specific requirement for substantial changes to existing policies.

For example, para 4 says that the proposals bring "significant challenges to head teachers and governors"; para 27b says that ASCL has argued against change at this time since lack of funding would undermine its credibility; and para 28a points out that none of the unions asked for the level of deregulation set out in the STPCD and that unions will "rightly wish to ensure that ... policies are fair, legal and reasonable". Para 22b is more emphatic in saying that "radical changes may well create radical problems".

Matters appearing in the NUT NASUWT joint pay policy checklist

Performance management/appraisal of teachers

The ASCL advice cross-refers its readers to ASCL's previous advice on performance management/appraisal. It should be borne in mind that ASCL refused to endorse the joint ATL/NUT/NAHT model appraisal policy and that any policy based on the ASCL advice is not therefore likely to meet the requirements of the NUT NASUWT checklists.

Salary determination

The ASCL guidance does not address this issue.

Determining the pay of appointees/maintaining 'pay portability'

Para 26a states unhelpfully that "some teachers will welcome non-portability as an advantage"; but para 26d goes on to recognise that "practically, schools will no doubt offer to match UPR status when appropriate in order to recruit able staff". The ASCL guidance does not otherwise deal with the issue of points on first or subsequent appointment for previous teaching experience or non teaching experience.

Determining the pay ranges for vacant teaching posts

Again the ASCL guidance does not address this issue.

Main Pay Range pay scale Upper Pay Range pay scale

Little is said on this issue other than in para 24 where para 24c discusses the possibility of scales with half points (relating this to the issue of differential provision - see below).

Main Pay Range pay progression

Upper Pay Range pay progression

Helpfully, para 19 speaks out strongly against "relative" approaches to linking pay to performance and describes the approach canvassed in the DfE model as "unrealistic, unhelpful and inflammatory".

The ASCL advice goes on, however, to explore differentiated pay progression in some depth at para 22d. The only helpful element of this, really, is the statement at para 22d(ii) that the principle that "most teachers should be able to progress" if they meet standards and objectives "is essential for the credibility of the system", which logically rejects higher standards for progression. Para 25a introduces the concept of "SMARTID" objectives (SMART + Impact + Differentiated) in order to aid judgements on differentiated progression.

The advice also refers to use of the Teachers Standards. At para 22c, it states that the ASCL position is "that the standards are 'absolute' and that teachers will either meet, exceed or not meet the standards", but at para 25d it states that the Standards "will be a useful reference point" only.

Advice on the information-gathering and decision-making processes is similarly mixed. Para 22e is extremely unhelpful in considering the use of evidence beyond the performance management / appraisal process including student feedback. Para 22h is more helpful in that it emphasises in referring to the mid-year review that "any risk to progression arising from performance must be signalled early". Paras 22i to 22k consider the process of making pay recommendations; para 22k is unacceptable as it envisages the head teacher substituting their own recommendation for that of the reviewer as opposed to merely offering advice in relation to that recommendation or submitting it without comment.

Moving from the Main Pay Range to the Upper Pay Range

The SCL advice in para 26 refers to the requirement on schools to define their interpretation of the statutory criteria but does not offer any recommended interpretations. Para 26e advises that schools may retain the current standards for progression or use higher standards if they wish.

Advanced Skills Teachers (ASTs) / Excellent Teachers (ETs)

Para 32 argues that in ASCL's view these posts are "technically redundant" but does not advocate, as the NUT NASUWT checklist does, that such posts can and should be retained via use of the Leading Practitioner range.

TLR payments

Para 16 envisages that existing policies will be retained unchanged, other than adding appropriate provision for TLR3 payments if used. These provisions should of course be reviewed against the NUT NASUWT checklist even if unchanged.

Appeals procedures

These are referred to in para 36 but no recommendations are made.

Monitoring and review of the policy

Para 23f helpfully supports the case for detailed review of the application of the policy as set out in the NUT NASUWT checklist. Para 30 specifically advises that school should consult the recognised trade unions.

Other matters not in the NUT NASUWT checklist**Funding for pay progression**

Funding for pay progression is considered at various points. Para 24b argues that “teachers entitled to progress should do so; budgetary constraints used as a reason to prevent progression will quickly undermine the credibility of the system”. Para 24e states that the previous system “inflexible as it was, provided a high degree of [budgetary] predictability”.

Teacher / staff governors

It should be noted that para 23 on governing body arrangements contains no suggestion (unlike the NAHT pay policy) that staff governors should not be permitted to play a full part in the decision making process subject only to the rule in the School Governance (Procedures) regulations regarding “personal interest greater than that of the general body of teachers”.

Ofsted scrutiny of pay decisions

Paras 22b and 39 refer to the scrutiny of pay progression decisions by Ofsted. NUT advice on this area will be published shortly.

National Union of Teachers
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