



## **SCHOOL PAY POLICIES NUT COMMENTARY ON NAHT MODEL PAY POLICY**

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**This document sets out NUT comments on the NAHT model pay policy. It follows the structure of the NUT NASUWT joint pay policy checklist in commenting on the NAHT model policy and also comments on other matters of importance. It refers, where appropriate, to the NUT NASUWT model pay policy in order to identify provisions which would meet the requirements of the joint checklist.**

### **Matters appearing in the NUT NASUWT joint pay policy checklist**

#### **Performance management/appraisal of teachers**

The NAHT model policy cross refers to the school's appraisal policy. This policy must itself comply, as the NUT NASUWT joint checklist makes clear, with the separate NUT NASUWT checklist on such matters.

#### **Salary determination**

The NAHT model policy suggests that in some cases decisions would be taken later than the timetable required by the STPCD. All policies should accept the statutory requirements - as the NUT NASUWT model policy does at para 5.

#### **Determining the pay of appointees/maintaining 'pay portability'**

##### ***Portability of pay entitlements -***

The NAHT model policy does not include provisions on pay portability. Such provisions are necessary in order to ensure that teachers can be certain, when applying for jobs, that the school will at least maintain the pay entitlements they have already built up through pay progression. This omission is self-defeating since the result, inevitably, is that teachers will not want to apply to work in schools if it is not clear that their pay entitlements will be maintained. The NAHT model policy refers only to making recruitment & retention payments in order to secure a preferred candidate. The NUT NASUWT model policy includes relevant provisions at paras 4, 11 and 12 which should be used to maintain pay portability.

##### ***Exercise of discretion in relation to previous experience -***

Similarly, the NAHT model policy does not include any provisions for appointees to receive additional points for non-teaching experience on entering teaching; or for the use of the discretion to appoint certain teachers (eg sixth form college teachers who have passed their equivalent threshold test) to the Upper Pay Range immediately. The NUT NASUWT model policy includes relevant provisions at para 12.

#### **Determining the pay ranges for vacant teaching posts**

The NAHT model policy does not include any undertaking that the pay available to appointees, or their pay progression prospects when in post, will not be restricted, for example by saying a post is "main pay range only". The NUT NASUWT model policy provides for this at para 11.

**Main Pay Range pay scale**  
**Upper Pay Range pay scale**

The NAHT model policy provides for governing bodies to adopt a six point scale on the Main Pay Range and refers implicitly to a three point pay scale on the Upper Pay Range. However, both scales should be explicitly set out in any pay policy.

**Main Pay Range pay progression**  
**Upper Pay Range pay progression**  
**Moving from the Main Pay Range to the Upper Pay Range**

The NAHT model policy sets out criteria which fail to meet the NUT / NASUWT checklist for all of the following groups:

***Main Pay Range pay progression -***

The NAHT model policy requires teachers to make "good progress towards objectives", be competent in all areas of the relevant Standards and achieve a grading of "good" in classroom observations. Furthermore, it suggests that teachers' objectives should become progressively more challenging as they move up the scale; that evidence wider than that available from the performance management / appraisal review may be considered eg "impact on pupil progress" and "impact on wider outcomes for pupils"; and that teachers who are not graded as "good" should not progress. These provisions will substantially reduce the numbers progressing in comparison to now.

A particular concern is the suggestion that teachers who are not graded as "good" during a classroom observation should not progress. This is tantamount to a "limiting judgement" - not only does it relate the teacher's pay progression to their perceived performance during just a few minutes during the year, it will substantially increase the pressure of classroom observation for those in the very first few years of teaching. This will simply be counter-productive.

The suggestion that evidence wider than the performance management / appraisal review should be considered will pose immense risks for teachers, with subjective, uninformed and indeed irrelevant opinion potentially becoming central to teachers' pay progression.

The NUT NASUWT model policy contains provisions which would restrict the assessment to the evidence available from the performance management / appraisal review and would avoid the emphasis on classroom observations and remove the prospect of these being used as a "limiting judgement". More importantly, they would maintain the current position whereby progression is not automatic but equally is not unfairly denied to those who are, after all, in their early years of teaching and cannot be expected to develop their professional expertise on the mathematically uniform basis that the NAHT model policy envisages.

***Moving from the Main Pay Range to the Upper Pay Range -***

The NAHT model policy defines the standards for progression in a way which will substantially reduce the numbers progressing in comparison to now.

As with the Main Pay Range, there is again no specific requirement to change the current standards required for progression. The NAHT's definitions of "highly competent", "substantial" and "sustained", however, are more demanding than the current standards and the provisions of the NUT NASUWT checklist and model policy.

The NAHT's definition of "substantial" requires that the teacher is "making a significant wider contribution to school improvement, which impacts on pupil progress and the effectiveness

of staff and colleagues" - a criterion which is poorly defined and which also risks inappropriate and indeed exploitative expectations of teachers approaching the threshold by encouraging schools to expect them to undertake additional responsibilities without additional payment. Its definition of "sustained" requires that teachers have two successful performance management / appraisal reviews - a similar criterion to the NUT NASUWT checklist and model policy - but defines that as requiring teachers to be "consistently good to outstanding" in observations, an inappropriately high standard which also suggests that those who do not meet it will be deemed not to have had a successful review.

The rigidities of the NAHT model policy would significantly reduce the flexibility to respond to the reality of circumstances which can only properly and fully be discussed and considered as part of a professional dialogue. If, for example, a teacher who has been receiving support for unsatisfactory performance has made progress after willingly co-operating with the support programme put in place, but remains classed for the moment as "requires improvement", would it actually be appropriate to punish the teacher by withholding pay progression and thereby put at risk the expectation of reaching the desired levels of performance?

The NAHT model policy also provides for the development of a portfolio of evidence, an inappropriate waste of time given that the focus should be on the structured professional discussion against objectives and evidence which will take place during the performance management / appraisal process.

The NUT NASUWT checklist and model policy instead continues to use the current "post threshold standards" (set out in Appendix 4) which - as the guidance on the NUT NASUWT model policy points out - have been developed and used extensively across schools to enable robust and objective judgements to be made to enable governing bodies to be satisfied that the required standards have been met. Its focus on the performance management / appraisal review provides the flexibility to respond to real situations and also avoids the time consuming process of compiling and considering portfolios of evidence which may not actually be relevant to the decision.

### ***Upper Pay Range pay progression -***

The NAHT model policy states that teachers must maintain the (inappropriately high) criteria for accessing the range. Again the NUT NASUWT model policy continues to use the current "post threshold" standards, providing an approach which is preferable because it is consistent with current practice, maintains existing standards and avoids the clear risk that fewer teachers would progress than now.

### ***Leading Practitioner teachers -***

The same considerations apply here as to Upper Pay Range teachers.

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

The NAHT model policy does not provide for the assimilation of such teachers on to the Leading Practitioners scale in order to protect their post and pay position. The NUT NASUWT model policy includes provision for this at para 17.

### **TLR payments**

The provisions of the NAHT model policy go part of the way towards meeting the requirements of the NUT NASUWT checklist but the fuller provisions of the NUT NASUWT model policy (paras 52 to 59) should be used in order to cover all of the requirements.

## **Appeals procedures**

The NAHT model policy's appeals procedure is procedurally acceptable but it confuses an appeal against the pay recommendation by the reviewer and an appeal against the pay decision taken by the governing body or sub-committee. The school's performance management / appraisal policy should have appeals provisions for all stages of the process. The appeals procedure in the pay policy should apply to appeals against pay decisions taken by the governing body or sub-committee. There should be clarity on this matter.

## **Monitoring and review of the policy**

The NAHT model policy refers to this in its section on Governing Body Obligations. The provisions are, however, inadequate and omit important detail (in particular on reviewing the policy in consultation with the recognised unions) which appears in para 71 of the NUT/NASUWT model policy.

## **Other matters not in the NUT NASUWT checklist**

### **Funding for pay progression**

In relation to funding for pay progression, the NAHT policy offers two options:

*It will also allocate X% to allow for the best teachers to make more rapid progress up the relevant pay range OR Due to budget constraints, there will no accelerated progression on any pay scale. The NUT/NASUWT policy requires simply that, when the budget for the year is determined, the governing body allocates sufficient funding to allow pay progression for all eligible teachers for the year.*

### **Teacher / staff governors**

The NAHT policy states that staff governors shall not be eligible for membership of the Committee. This goes far beyond the requirements of the relevant Schools Governance Regulations and should not be accepted. Under the terms of those Regulations, staff governors are only ineligible to participate in discussions in which their interest is greater than that of the generality of employees. They can be members of the Pay Committee and can participate in its policy discussions subject only to that restriction. An NUT briefing note on teacher governors' rights is on our website and can be used to respond to attempts to implement the NAHT proposal.