Background

This document gives advice on teachers applying to move to the Upper Pay Range – commonly known as “threshold assessment”. The NEU strongly advises all eligible teachers to apply. In recent years, half of eligible teachers have been failing to apply even though the large majority who do apply succeed in their applications.

It advises on the provisions of the School Teachers’ Pay and Conditions Document (STPCD) which apply automatically to all teachers in local authority maintained schools. If you teach in an academy, you need to establish whether you are covered by the provisions of the STPCD before you use this guidance.1

What we say

When you read through this document you may have questions about what happens in your particular school or workplace and there may be collective issues that affect other members. In most circumstances, you should discuss the matter with your workplace rep initially as s/he will know whether similar concerns have been raised by other members. If you do not have a rep at the moment, it would be a good idea to get members together to elect one. Further advice on this is available at https://neu.org.uk/get-involved.

Although members may sometimes feel that they are the only person who is affected by or concerned about a particular issue, in reality this is seldom the case. Any difficulties you may experience are likely to be linked to wider conditions at the school and as a member of the NEU, you have the advantage of being able to act collectively with your colleagues. This will give you the confidence of knowing that you have the weight of the Union behind you.

What is the “threshold”?

Teachers paid on the Main Pay Range must make a formal application in order to move to the Upper Pay Range. This is called “crossing the threshold”. It is a voluntary process - teachers must submit a request in writing to their head teacher asking to be assessed. Assessment is carried out by reference to national standards and specified criteria and appraisal reviews. Teachers do not, however, have to undertake any additional responsibilities in order to show they meet assessment standards or objectives.

The 2017 STPCD sets out the rules of the threshold assessment process at Section 2 paragraphs 15.1 to 15.4 and at Section 3 paragraphs 29 to 32.

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1 Teachers employed in local authority maintained schools are statutorily covered by the provisions of the STPCD. Many academies and academy chains also employ teaching staff according to terms of the STPCD, but they are not obliged to do so (except in the case of teachers whose STPCD rights are protected by TUPE legislation following the school’s transfer to academy contracts). Members working in academies should check with their NEU rep or should refer to their contracts in cases of doubt.
Who is eligible to apply?

Any qualified teacher on the Main Pay Range can apply for a threshold assessment to be paid on the Upper Pay Range, not just those on the top of the Main Pay Range. The school governing body determines the process and deadline for receipt of applications and this criteria and evidence needed. These should be set out clearly in the school pay policy.

Any decision to pay a teacher on the Upper Pay Range applies only to employment in that same school. In other words a teacher only retains that entitlement for as long as they continue to be employed at the same school.

How are teachers assessed?

Teachers are assessed by reference to the Teachers’ Standards set out in Annex 1 of the 2017 STPCD (or in Wales, the Practising Teacher Standards’ also set out at Annex 1). Head teachers must assess a teacher’s application and make a determination whether a teacher is “highly competent in all elements of the relevant standards” and that the teacher’s “achievements and contribution … are substantial and sustained”. The governing body should set out its interpretation of these criteria in its school pay policy.

How should I submit my application?

Make sure you include the necessary information including your most recent appraisal reviews. The head teacher is required to refer to this information, determining whether it is accurate and indicative of your overall performance against the post-threshold standards. Make a copy of your application and associated information before handing it to your head teacher or line manager. Keep a record of the evidence to which you have referred.

When should I submit my application?

The NEU recommends that teachers should be given a single deadline each year by which they may submit a threshold application. This deadline should be before the date of the autumn appraisal review meeting but does not need to be earlier than 31 August.

Are applications confidential?

Although applications should be ‘confidential’, head teachers are permitted to discuss all or part of your application with leadership group members or your manager. You can therefore ask one of the above for guidance and support on making your application. Some schools have produced internal guidelines for applicants.

How is threshold related to appraisal?

Threshold assessment works alongside appraisal arrangements. Appraisal reviews are particularly important in the period prior to your application, as it is these reviews which will provide the evidence to inform the threshold assessment decision. You should seek to ensure you are happy with the appraisal review. Further guidance on appraisal is available at http://www.teachers.org.uk/help-and-advice/self-help/a/appraisal.

What criteria do I need to meet?

The criteria should be set out in the school’s pay policy. The NEU advises that schools should continue to use the previous statutory criteria for post threshold teachers which appeared in the STPCD until 2014. Assessments should have looked at no more than the two most recent appraisal reviews in order that they focus on current or recent work.

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3 See Appendix 4 of the NEU Model Pay Policy
Head teachers should approve progression to the Upper Pay Range where these criteria are satisfied as evidenced by at least one but no more than two successful appraisal reviews. Appraisal reviews should be deemed successful unless significant concerns about standards of performance have been raised in writing with the teacher during the annual appraisal cycle and have not been sufficiently addressed through support provided by the school by the conclusion of that process.

**What evidence do I need for success?**

Although there is no specific requirement in the STPCD that only the evidence provided by appraisal reviews may be taken into account in determining teachers’ threshold applications, the NEU believes that decisions should relate solely to the contents and outcomes of the appraisal review process. Teachers should not have to fill in time-consuming application forms or provide portfolios of evidence. As noted below, however, if the teacher wishes the head teacher to take into account other available evidence which supports the teacher’s application then that should happen.

**My school has demanded lots of evidence to support my application. Is this right?**

The appraisal reviewer’s recommendation at the end of the cycle should be the only source of evidence teachers require to support pay progression. The reviewer and head teacher should not demand additional evidence to support or inform a decision. The policy should enable teachers to submit additional evidence if they choose - but they should not be requested or directed to submit additional evidence or penalised if they choose not to do so.

**What if my head teacher argues that my appraisal reviews do not provide evidence that I am meeting all of the Teachers’ Standards?**

It is not necessary for a teacher’s appraisal objectives to cover all of the Standards, explicitly or implicitly, for a threshold application to be approved. That would lead either to an excessive number of objectives, placing inappropriate burdens on teachers, or to objectives which did not assist effective professional development reviews. If a head teacher is doubtful that the appraisal reviews provide the necessary evidence, they should consider any other evidence which may be available before making a decision.

**How can potential difficulties be avoided?**

At the start of any appraisal review cycle which may count for the purposes of threshold assessment, you should ensure that you discuss threshold assessment with your reviewer. You should also ensure that the end-of-cycle discussion refers to these requirements, and that your appraisal review statement includes a clear statement by the reviewer that, in her/his opinion, you meet the required Standards.

**What if I do not have sufficient recent evidence?**

The STPCD permits certain periods of absence (e.g. maternity, sickness and similar recognised absences) to be disregarded, so that teachers are assessed over a reduced period of time rather than the full period required by the pay policy. Where appraisal reviews were not completed, the teacher can still cite evidence drawn from that period - schools' failure to carry out appraisals should not deny the teacher the right to apply and progress.

**What if I work in two or more schools simultaneously?**

You should submit your application at the school at which you spend most time. The head teacher's assessment should include appropriate input from the head teachers of the other school(s). Regardless of the number of head teachers involved, only one can decide whether the standards have been met.
What if I have worked in two or more schools during the evidence period?
The current head teacher should consult with the head teachers of the other schools in assessing the application.

Where do I find more information about the process in my school?
The school’s pay policy should set out the criteria to be used in deciding whether you have met the requirements for movement to the UPR. If you think that your school’s policy is imprecise and unhelpful, see the NEU Model Pay Policy which presents a fair pay policy for schools to adopt, in which assessment is focused on the evidence available in the appraisal review process.

What should happen if I have been unsuccessful?
If you have been unsuccessful, feedback should be in writing, explaining the outcome of the application in relation to the Standards and criteria including which have/have not been met and why. Feedback should be sensitive, informative and developmental. Head teachers are not permitted simply to state that an application has not been successful or that particular standards have not been met without explaining why.

Can I appeal?
If you are unsuccessful, you are entitled to appeal against the head teacher’s decision. All appeals must be made using the procedures set out in the school’s own pay policy. Teachers are permitted to appeal on any or all of the following grounds:

- failure to take account of relevant evidence within the appraisal reviews which supported the application;
- failure to take account of other relevant evidence which was not contained within the appraisal reviews but which nevertheless was available and supported the application (particularly relevant where the decision is based on the argument that the evidence required was not contained within the appraisal review); or
- failure to provide reasons why the standards have not been met.

The appeal could either ask the appeals committee to determine that the teacher did meet the standards or ask it to direct the head teacher to carry out a further assessment.

Further Resources
The NEU Model Pay Policy and Pay Policy Checklist - together with further information and guidance on pay generally - can be found here.

Further self-help guidance on school teachers’ pay issues can be found here.

See also the 2017 School Teachers’ Pay & Conditions Document and the DfE non-statutory guidance on implementing pay arrangements in schools.

Where should I go for further advice and support?
If you require further advice regarding a problem connected with any aspect of your pay and conditions as a teacher, you should discuss the matter with the NEU rep at your school, academy or college in the first instance. NEU (NUT section) members in England can also get initial advice from NUT AdviceLine on 0203 006 6266 (or nutadviceline@nut.org.uk) whilst members in Wales should contact NUT Cymru on 029 2049 1818 or email cymru.wales@nut.org.uk. Members of NEU (ATL section) should speak to their school rep or local branch – or make use of the ‘Need Help Now’ facility, details of which are on the ATL section website.

*National Education Union (NUT section)*
*Advice, Policy and Campaigns Dept.*
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