

THE TEACHERS' PAY STRUCTURE

NEU Guidance for members in England & Wales

This Q&A document is a comprehensive overview to the teachers' pay structure and classroom teachers' pay scales for 2018 – 19.

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 initially discuss the matter with your workplace rep, as they 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/becoming-a-rep>

Although you may sometimes feel that you are the only person 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 your workplace and as a member of the NEU you have the advantage of being able to act collectively with your colleagues. This should give you the confidence of knowing that you have the weight of the Union behind you.

NB – This document refers to the School Teachers' Pay and Conditions Document (STPCD). 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.

What are the basics of the teachers' pay structure?

The **School Teachers' Pay and Conditions Document (STPCD)**, published annually, contains statutory provisions on teachers' pay which are binding in all local authority maintained schools. It also contains statutory guidance to which governing bodies and head teachers must 'have regard' when taking decisions. The majority of academy trusts incorporate the STPCD into teachers' employment contracts, meaning that they too are bound by its contents – albeit not statutorily.

The STPCD requires every governing body to have a written school pay policy, setting out the decision-making structure for all pay decisions, including annual pay assessments, discretionary decisions and appeals procedures; the pay scales for teachers; and the criteria to be applied in taking decisions on pay. All decisions should be taken in accordance with the pay policy, which should be reviewed annually (in consultation with teachers and union representatives) and kept up to date. The pay policy should preferably also contain a commitment to fairness, openness, consultation and accountability - the NEU's own model pay policy includes some useful statements for this purpose.

I'm a classroom teacher. What can I expect to be paid?

As a classroom teacher (someone who is not a head teacher, deputy or assistant head teacher or leading practitioner) you will be paid on one of two pay ranges, the Main Pay Range and the Upper Pay Range. Classroom teachers can also access additional payments for a number of reasons including in particular for additional responsibilities. Since 2013, there have been no mandatory fixed pay points on these ranges, just minimum and maximum values. There are no longer any statutory pay scale points within the teachers' pay structure. Governing bodies are responsible for determining the value of any pay scale points *and* the school's progression criteria based on performance determined with reference to the outcomes of teacher appraisal. The NEU and other unions believe that governing bodies should retain a 6-point Main Pay Scale and a 3-point Upper Pay Scale. The joint union recommended pay scale points for 2018 can be found at <http://www.neu.org.uk/help-and-advice/pay>.

I'm on point M5 of the main scale in my school. Is it true that if I were to get a job at another school they could pay me less?

Yes. Provisions giving the right to 'portability' of existing or previous pay entitlements have been removed. Previously, if teachers moved school or took a break, they were entitled to be paid in their new job on at least the same pay as before. Governing bodies now have the discretion to pay teachers at any pay rate. The NEU believes that governing bodies should maintain pay portability for newly appointed teachers.

Can a school allocate additional scale points for other relevant employment?

Governing bodies still have a discretionary power to allocate additional scale points for other teaching employment, such as teaching in independent schools, academies, sixth form and FE colleges or teaching overseas; or other paid or unpaid non-teaching experience. The NEU supports allocating one discretionary point on the recommended 6 point scale for every one year of teaching employment and one point for every three years of relevant non-teaching experience. In all cases the pay policy should set out the governing body's criteria for allocating discretionary experience points.

I'm on the Upper Pay Range and I want to apply for jobs in other schools. If I move will I have to go back to the Main Pay Range because pay portability has been scrapped?

Teachers paid on the UPR are now only entitled to be paid on the UPR while they continue to be employed in that same school. Governing bodies do however have the discretion to appoint new teachers to the UPR where they have been paid on the UPR at their previous school. As with the MPR, the NEU believes that governing bodies should maintain UPR pay portability for newly appointed teachers. Teachers progressing from the MPR to the UPR will be paid at a point on the UPR in line with the provisions of the school's pay policy.

How do I receive pay progression on the Main and Upper Pay Ranges?

Pay progression on the Main Pay Range and Upper Pay Range is based on appraisal - a written recommendation on pay must accompany a teacher's appraisal report.

Governing bodies will decide whether to increase the pay for teachers on the Main and Upper Pay Ranges based on appraisal and, if so, by how much - although progression on the Upper Pay Range can now be permitted every year rather than every two years.

Governing bodies determine the criteria and standards for pay progression, subject only to broad requirements in the STPCD. The STPCD requires that continued good performance should give a classroom teacher "*an expectation of progression to the top of their respective*

pay range” (para 19.2 (e), section 2, STPCD). Paragraph 19.3 states: “*The relevant body must set out clearly in the school’s pay policy how pay progression will be determined.*” Para 19.2(d) states that “*Pay increases must be clearly attributable to the performance of the individual teacher*”. This does not, however, mean that schools cannot adopt fixed pay scales.

The school pay policy should set out clearly how pay increases are determined. Governing bodies must have regard to the pay policy and the teacher’s post within the staffing structure in making pay decisions.

There is no requirement for teachers to apply for pay progression. Governing bodies are required to carry out pay assessments and cannot impose any requirement to complete application forms or refuse progression where teachers decline to do so. There should be no restrictions on pay progression on the basis of funding.

The [NEU model pay policy](#) contains model provisions on pay progression which schools are asked to adopt. The NEU advises that teachers should be awarded pay progression on the MPR following a successful appraisal review; and be awarded progression on the UPR having regard to no more than the two most recent appraisal reviews. Reviews should be deemed successful unless significant concerns about standards of performance were raised in writing with the teacher concerned during the annual appraisal cycle and have not been sufficiently addressed through support provided by the school by the conclusion of that process.

Further guidance on pay progression is available in the NEU pay progression toolkit at <https://neu.org.uk/pay-toolkit>. The pay toolkit also includes the NEU model pay policy mentioned above.

I’m at the top of the Main Pay Range – how to I go about applying to be paid on the Upper Pay Range?

Any qualified teacher on the Main Pay Range can apply to be paid on the Upper Pay Range, not just those on the top of the Main Pay Range.

Paragraph 15.2 of the STPCD provides that for an application to be successful, the relevant body must be satisfied that the teacher is: “*highly competent in all elements of the relevant standards; and that the teacher’s achievements and contribution to an education setting or settings are substantial and sustained*”. Teachers who apply successfully to be paid on the Upper Pay Range will be then paid at a rate on the range decided by the school. The right to be paid on the UPR only applies, however, while employed in that school.

Applications for “threshold assessment”, as it is known, continue to be voluntary. Head teachers are required to consider applications against the statutory requirements set out in the STPCD, criteria set by the governing body and the outcomes of appraisal. The school governing body determines the deadline for receipt of applications and who can apply for an assessment. These should be set out clearly in the school pay policy.

The NEU strongly advises all eligible teachers to apply for threshold assessment. In recent years, half of eligible teachers have been failing to apply even though the large majority who do apply succeed in their applications. See the separate NEU member advice document Threshold Progression and the Upper Pay Range for further details.

What are TLRs?

Teaching and Learning Responsibility Payments (TLRs) reward additional leadership and management responsibilities undertaken by classroom teachers. Governing bodies determine

the overall number of TLR payments available in the school and the levels and values of those payments.

The STPCD provides three payment bands, TLR1, TLR2 and TLR3 bands, which govern the values of TLR payments. Governing bodies can establish more than one level of TLR payment within each TLR band as well as the value of TLR payments at each level. There is no longer any prescribed minimum differential between each level of TLR payment in a school.

The STPCD sets out criteria for TLR payments. In order to qualify for any TLR payment, teachers must undertake a “significant responsibility ... not required of all classroom teachers” in relation to the leadership and management of teaching and learning. In order to qualify for a TLR1 payment, teachers’ duties must include in addition “line management responsibility for a significant number of people”. TLR3 payments must be fixed-term payments for “clearly time-limited school improvement projects, or one-off externally driven responsibilities”.

TLR payments are payable for different purposes and under different criteria to Special Educational Needs (SEN) allowances and recruitment/retention payments. Some teachers may be eligible to receive TLR payments and also SEN allowances and recruitment/retention payments.

TLR1 and TLR2 payments should be allocated on a permanent basis, so that teachers continue to receive the payments unless they leave the school or responsibilities are reorganised. TLR1 and TLR2 payments should not be allocated on a temporary basis other than in circumstances such as cover for sickness, maternity or secondment or pending a permanent appointment.

Although a teacher cannot hold more than one TLR1 or TLR 2 payment, it is possible for a post carrying a TLR payment to involve a single job description comprising several different areas of significant responsibility. Teachers can however receive one or more TLR3 payments in addition to a TLR1 or TLR2 payment

The values of the bands and individual TLR payments are usually increased in line with the general increase in pay scales. For 2018-19, the lower band, TLR2, is set at £2,721 to £6,646, while the higher band, TLR1, is set at £7,853 to £13,288. The more recently introduced TLR3 payment must be no less than £540 and no greater than £2,683. A school can decide to establish as many levels of TLR payment in each band as it wishes.

The duration of TLR3 payments must be established at the outset. These must be for “*clearly time-limited school improvement projects or one-off externally driven responsibilities*” (2018 STPCD, para 20.3). There should be clear criteria for the award, level and duration of these payments. See the separate NEU member advice document, TLR Payments and Other Allowances, for further details.

What are SEN allowances and how do teachers receive them?

The STPCD provides that teachers may receive Special Educational Needs allowances in respect of certain work with children with special needs.

Payments on the SEN Allowance range must be made to teachers in special schools or in SEN posts requiring a mandatory SEN qualification and to teachers teaching pupils with SEN in designated special classes/units or LA services/units. Payments must also be made to teachers in mainstream schools or PRUs where the setting is “analogous to a designated special class or unit” and the post meets specified criteria referring to substantial direct work with children with SEN beyond that normally required of teachers in the school or service/unit.

SEN allowances are determined by the governing body, taking into account the structure of the school's SEN provision; any qualifications and expertise relevant to the post; and the relative demands of the post. The STPCD advises that a teacher who teaches a special class for which a mandatory qualification is required and who also has considerable experience and expertise would be more likely to be paid towards the top end of the range. The STPCD statutory guidance makes it clear that SEN allowances can be held at the same time as TLRs.

Teachers who meet the statutory criteria can receive an appropriate allowance ranging from a minimum of £2,149 and a maximum of £4,242, commensurate with their skills and experience in the role.

I've just become a school leader – how is my pay worked out?

The STPCD provides a minimum and maximum value for the overall leadership pay range; and also minimum and maximum pay rates for head teachers for each of the eight school groups.

Individual pay ranges for head teachers and for deputy and assistant head teachers are determined by the governing body and may be of whatever length the governing body deems appropriate and may or may not include fixed scale points.

The individual pay range for head teachers should be set within the overall leadership pay range and within the pay ranges for the relevant school group. The individual pay range for deputy and assistant head teachers may be located anywhere within the overall leadership pay range (subject to certain caveats as set out below).

DfE advice for schools sets out a three-stage process for governing bodies to follow in setting the pay for head teachers and other leadership group teachers. When determining an individual pay range, the governing body should take into account "all of the permanent responsibilities of the role, any challenges specific to the role and all other relevant considerations". For that reason, the provision for additional discretionary payments to head teachers has been restricted (see below). The governing body should also allow appropriate scope within the individual pay range for performance based pay progression.

Leadership teachers can be allocated recruitment and retention allowances and payments for involvement in CPD, ITE and out of hours learning activity. Additional provisions give guidance on payments in circumstances where head teachers have charge of more than one school, on a permanent or acting basis, or take on additional responsibilities outside the school.

The STPCD permits discretionary payments only for "clearly temporary [additional] responsibilities or duties" which have not previously been taken into account in setting the individual pay range. These payments are limited to 25 per cent of pay other than in "wholly exceptional circumstances" (excluding payments for residential duties or for relocation purposes). Governing bodies are required to document decisions clearly and also ensure they have oversight of all contractual arrangements and income streams applying to head teachers. Head teachers already in receipt of discretionary payments which would not be payable under the new provisions should continue to receive them until their individual pay range is reassessed (i.e. they move post or their role changes significantly).

Such discretionary payments should therefore be payable in defined and limited circumstances and for legitimate purposes. Where governing bodies wish to make such payments, they should carefully follow the statutory provisions and be cautious in determining that payments are justified and are of appropriate value.

What about pay progression for leadership teachers?

The STPCD continues to require governing bodies to undertake pay assessments each year for all qualified teachers, including leadership teachers. As with other teachers, there is no requirement for leadership teachers to apply for progression within their pay ranges. Assessments should be carried out as at 1 September each year and progression is a permanent entitlement while the teacher remains in the same post.

The STPCD provides that governing bodies determine the criteria for pay progression. While decisions must be related to performance, the school pay policy should set out the precise criteria for pay progression. The STPCD includes an expectation that “sustained high quality of performance... should give an expectation of progression” (STPCD, para. 11.2 (e)). The governing body is required to “have regard” to the appraisal reviewer’s pay recommendation and the provisions of the STPCD, statutory guidance and pay policy. In the case of the head teacher, the governors responsible for her/his performance review continue to provide the pay recommendation. The governing body also determines the level of any pay increase.

The NEU believes that decisions on pay progression should form part of a “whole school” approach. Leadership teachers may of course meet the necessary standards without having had to meet all appraisal targets in full. Decisions not to allocate pay progression should not preclude the review of pay for other reasons such as increases in responsibilities.

How does pay operate for Leading Practitioners?

The Leading Practitioners Pay Range is for teaching posts “whose primary purpose is modelling and leading improvement of teaching skills”. It effectively replaced the AST and ET grades discontinued in September 2013.

The STPCD sets out minimum and maximum values for payment on the Range. There are no national criteria for appointment to such posts and governing bodies determine the pay ranges for such posts, having regard to the challenge and demands of the post and internal pay relativities. Progression on the Leading Practitioners Pay Range is based on the same system as for the Main and Upper Pay Ranges. Leading Practitioners are not subject to the working time provisions for classroom teachers.

What are recruitment and retention payments?

The STPCD provides that a governing body may make “such payments ... as it considers necessary” to any teachers, other than leadership teachers, for recruitment and retention purposes. Any such payments may be made either as a one-off payment or for a fixed period.

The previous three year limit on recruitment and retention payments has been replaced by a requirement for relevant bodies to conduct a “regular formal review” of such awards including the expected duration of such awards and the review date after which they can be withdrawn.

Whilst recruitment and retention payments have come in for some criticism due to the extent to which they may reduce transparency within the pay structure, it is recognised that some governing bodies may wish to use them in response to local recruitment and retention difficulties. In such cases, payments should be made only according to clearly defined criteria set out in the school pay policy. Such payments may, however, justifiably be used to avoid pay losses for teachers who would lose pay due to the end of safeguarding as this would help retention of teachers who might otherwise seek employment elsewhere.

What about other payments?

The STPCD permits governing bodies to make such payments as they see fit to any teachers, including leadership teachers, in respect of continuing professional development (CPD) undertaken outside the school day, out-of-school-hours learning activities and initial teacher training (ITT) activities. For full-time classroom teachers, payment can only be made for activities undertaken outside directed time.

The STPCD statutory guidance advises that appropriate levels of payment and circumstances in which payments will be made should be set out in the school pay policy, which should be reviewed annually.

Classroom teachers' participation in such activities is entirely voluntary (i.e. optional as opposed to unpaid). There should be no pressure, direct or indirect, to become involved. The STPCD Section 3 statutory guidance states that "*participation in CPD outside of directed time is voluntary and cannot be directed*"; that teachers must "*agree to participate in out-of-school-hours learning*"; and that "*teachers undertaking school-based ITT activities do so on an entirely voluntary basis*" unless they are Leading Practitioners who may be required to do so.

All teachers, including head teachers, who undertake such activities should receive additional payment at a daily or hourly rate calculated with reference to the teacher's actual pay spine position or, where appropriate, at a higher level reflecting the responsibility and size of commitment.

What about acting allowances?

The STPCD provides that, where a teacher carries out the duties of head teacher, deputy head teacher or assistant head teacher on a temporary basis, the governing body must consider within four weeks of the commencement of those duties whether the teacher should be paid an acting allowance as a separate addition to normal pay. This provision does not apply where the teacher is formally appointed on a temporary basis as an acting head or acting deputy head. In such cases, teachers should be appointed to the leadership pay spine on the usual basis for such posts for the duration of their acting appointment.

Decisions on whether an acting allowance should be paid, and from what date, are at the discretion of the governing body. While they are paid acting allowances, teachers are subject to the conditions of service of the posts in which they are acting up.

The NEU advises that acting allowances should be paid in all cases, backdated to the day the teachers assumed these duties. No pressure, direct or indirect, should however be placed on teachers to act up where the decision to agree to act up is voluntary on their part.

I'm a part time teacher – how does this affect my pay?

The STPCD provides that part-time teachers' pay scale position should be calculated on the same basis as if they were employed full time. They should then be paid on a pro rata basis according to the proportion of the 'school timetabled teaching week' for which they are employed. Part-time teachers are entitled to pay progression and to receive TLR payments, SEN allowances and recruitment and retention payments on the same basis as full-time teachers. All part time teachers should consult our more detailed guidance on the website in order to ensure fairness in terms of pay and working time.

I'm thinking of doing some supply teaching – what are the pay arrangements for supply teachers?

Supply teachers employed directly by local authorities or governing bodies are subject to the provisions of the STPCD. Their pay and pay progression must be determined on the same basis as classroom teachers in regular employment. They are entitled to be paid 1/195 of the appropriate annual pay rate for each day's employment. The NEU advises that pay for less than a day should be calculated with reference to an hourly rate derived from dividing the daily rate by the number of hours in the school day at that school, lunch periods excluded.

The pay of supply teachers employed via agencies is not subject to the provisions of the STPCD. Their pay is determined by the agency concerned.

What are the pay provisions for unqualified teachers?

The STPCD includes an unqualified teacher pay range. Like the Main and Upper Pay Ranges, it has only a minimum and maximum value. Governing bodies determine the pay of unqualified teachers and the number and value of pay scale points within the pay range.

Governing bodies may determine the starting pay for newly appointed unqualified teachers by reference to any experience they deem to be relevant. Pay progression is based on the same system for the Main and Upper Pay Range. If such teachers move school or take a break, are no longer automatically entitled to be paid on at least the same pay point as before.

Unqualified teachers are not eligible for TLR payments or SEN allowances but can be paid additional responsibility allowances. They can be paid recruitment and retention allowances and payments for involvement in CPD, ITE and out of hours learning activities. An unqualified teacher becoming qualified must be paid at least on the next point on the Main Pay Range above the sum of that teacher's unqualified pay including any allowance paid.

Governing bodies may choose to pay unqualified teachers on an employment-based route to QTS as qualified teachers or unqualified teachers. The NEU supports their payment as qualified teachers, with all other unqualified teachers paid on the unqualified teachers range.

Teachers with the FE sector's Qualified Teacher Learning and Skills (QTLS) status are recognised as qualified teachers in schools and do not need to apply formally for qualified teacher status (QTS).

What about pay in London?

There are separate and higher pay scales for the Inner London, Outer London and Fringe areas in place of separate additional area allowances.

The Inner London area comprises Barking & Dagenham; Brent; Camden; City of London; Ealing; Greenwich; Hackney; Hammersmith & Fulham; Haringey; Islington; Kensington & Chelsea; Lambeth; Lewisham; Merton; Newham; Southwark; Tower Hamlets; Wandsworth; and Westminster. The Inner London differential at the maximum of the pay ranges is more than £5,000 on the Main Pay Range and over £8,000 on the Upper Pay Range.

The Outer London area comprises all the other London authorities excluding those above. The Outer London differential is around £3,800 at the maximum of the pay ranges.

The Fringe Area comprises Bracknell Forest, Slough, Windsor & Maidenhead in Berkshire; South Bucks and Chiltern in Buckinghamshire; Basildon, Brentwood, Epping Forest, Harlow

and Thurrock in Essex; Broxbourne, Dacorum, East Herts, Hertsmere, St Albans, Three Rivers, Watford and Welwyn Hatfield in Hertfordshire; Dartford and Sevenoaks in Kent; the whole of Surrey; and Crawley in West Sussex. The Fringe Area differential is just over £1,000 at the maximum of the pay ranges.

I want to appeal a pay decision – how do I go about it?

The STPCD requires that the governing body should establish, as part of the school's pay policy, procedures to deal with teachers' grievances in relation to their pay. DfE advice to schools covers the issue of managing pay appeals in more detail including a model appeals procedure. Procedures for appeals against pay decisions established by schools must meet the requirements of employment law.

Detailed NEU advice on pay appeals is contained in the NEU Pay Progression Toolkit, at <https://neu.org.uk/pay-toolkit>.

As a result of a reorganisation I have had to move to lower paid post and am now receiving “pay safeguarding”. How does this work?

The STPCD contains provisions for teachers to receive “pay safeguarding” where they suffer pay losses in a range of different circumstances, including where they have lost their previous posts as a result of closure or amalgamation of their previous school or as a result of internal reorganisation in their school.

Safeguarding arrangements now operate on the basis of a maximum period of three years' pay protection. Safeguarding in place before 1 January 2006, however, continues as a permanent entitlement. Safeguarding may in some circumstances end earlier than the three year period and teachers entitled to safeguarding in excess of £500 may be required to undertake additional responsibilities “commensurate with the safeguarded sum” during the period of safeguarding.

Our more detailed guidance on safeguarding considers issues such as when pay safeguarding may arise, when safeguarding can end and further information on “additional duties”.

PAY SCALE POINTS – MAIN AND UPPER PAY RANGES SEPTEMBER 2018

The following pay scale points are jointly recommended by the NEU and other teacher unions for the Main and Upper Pay Ranges:

MAIN PAY RANGE

	England & Wales £	Inner London £	Outer London £	Fringe Area £
Minimum	23,720	29,664	27,596	24,859
	25,594	31,211	29,307	26,732
	27,652	32,837	31,120	28,789
	29,780	34,548	33,047	30,924
	32,126	37,206	35,850	33,264
Maximum	35,008	40,372	38,963	36,157

UPPER PAY RANGE

	England & Wales £	Inner London £	Outer London £	Fringe Area £
Minimum	36,646	44,489	40,310	37,758
	38,004	46,676	41,801	39,113
Maximum	39,406	48,244	43,348	40,520

Where should I go for further advice and support?

If further advice is needed, contact your NEU workplace rep in the first instance. If there is no NEU rep in your workplace, or the peripatetic nature of your employment makes contact with a workplace rep difficult, contact the NEU AdviceLine, or the NEU Wales office instead. Their details may be found at <https://neu.org.uk/contact-us>.

Further Resources

Further NEU guidance on school teachers' pay generally can be found at <https://neu.org.uk/help-and-advice/pay>. Pay advice for teachers working in Sixth Form Colleges or employed as Soulbury Officers is also available at the same link.

The 2018 School Teachers' Pay & Conditions Document is available at <https://www.gov.uk/government/publications/school-teachers-pay-and-conditions>.

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