



FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

APPOINTMENTS AND CONDITIONS OF SERVICE COMMITTEE

WEDNESDAY, 8 MARCH 2022

Report of the Interim Director of Organisation Development & Policy

Pay Policy for Teachers employed by the Local Authority and not attached to schools

1. Purpose

- 1.1 To note the details of the nationally agreed School Teachers' Pay Award paid from 1 September 2022 and to approve the revised Teachers' Pay Policy for teachers employed by the Local Authority and not attached to schools.

2. Information and Analysis

- 2.1 The regulations governing teachers' pay and conditions of service are contained in the School Teachers Pay and Conditions Document (STPCD) which is revised by the Secretary of State annually.
- 2.2 The STPCD imposes various duties on relevant bodies in relation to the determination of teachers' pay. Any changes need to be reflected in the authority's policies for the management of teachers employed in the education support services.
- 2.3 The main changes to the Teachers Pay Policy for 2022 are listed below:
- The nationally agreed Teachers' Pay Award effective from 1 September 2022 is a 5% uplift to all pay and allowance ranges and advisory points with higher increases to some parts of the Main Pay Range. All pay uplifts are dated to 1 September 2022.

- The policy reflects the reduction of working hours for teachers for the Academic Year 2022/23 to reflect the additional bank holidays agreed for the Queens funeral on 19 September 2022 and the coronation of King Charles III on 8 May 2023.
- The policy contains all the other continuing provisions for the determination of individual salary ranges (ISR) for teachers paid on the leadership spine, payment of responsibility and special educational needs allowances, and part time teachers' pay calculation. These elements are unchanged.
- The policy has been updated to clarify that references to the Head of Service may include any Designated Senior Leader in charge of a service, where the role is paid in accordance with School Teachers' Pay and Conditions of Service.
- Additional paragraphs have been added in relation to acting allowances and the pay arrangements for Teachers who have chosen to step down from a leadership role

2.4 The recommendation to school Governing Boards was that they adopt the same approach and agree the increase as detailed above, considering the benefits of a consistent approach across the Authority.

2.5 The policy will be made available to relevant managers and employees so that they are aware of the specific policies in relation to teachers employed by the Local Authority and not attached to schools.

2.6 The revised pay uplifts were applied in November 2022 backdated to 1 September 2022.

3. **Consultation**

3.1 The policy is a non-contractual document and does not therefore, require the agreement of the relevant workforce prior to application. However, as this is a policy which will apply to all relevant employees in accordance with their terms and conditions of employment it was developed with extensive discussion at SJCC with the recognised teacher trade unions and professional associations.

3.2 NASUWT could not agree the 2022-23 Derbyshire pay policy in full, as the pay points are those set out in the STPCD and are therefore not compatible with the NASUWT's position of seeking a minimum 12% award this year. In all other respects, NASUWT agrees with the policy.

4. Alternative Options Considered

- 4.1 An alternative option would be to not implement the revised pay policy. However, this would mean that the policy adopted previously would not reflect the School Teachers Pay and Conditions Document (STPCD) 2022 and would not comply with the School Teachers' Pay and Conditions (England) Order 2022.

5. Implications

- 5.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

6. Background Papers

- 6.1 School Teachers Pay and Conditions Document 2022.

7. Appendices

- 7.1 Appendix 1 - Implications
7.2 Appendix 2 – Pay Policy for Teachers employed by the LA and not attached to schools.

8. Recommendation(s)

- 8.1 That Committee:
- a) notes the details of the nationally agreed School Teachers' Pay Award payable from 1 September 2022
 - b) approves the adoption of the revised Pay Policy for Teachers employed by the Local Authority and not attached to Schools.

9. Reasons for Recommendation(s)

- 9.1 The policy meets the council's obligations to review the Teachers Pay Policy to reflect changes outlined in the School Teachers Pay & Conditions Document 2022.

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Implications

Financial

- 1.1 The cost of the Teachers' Pay Award for teachers employed by the Local Authority in a central function based on the 22/23 percentage increases outlined above, is estimated at an annual cost of £0.548m the 23/24 increase is estimated at an annual cost of £0.345m including estimates for associated pensions and national insurance costs.
- 1.2 Based on the September 2022 implementation date £0.320m additional cost is anticipated to arise in the financial year 2022/23 with a further increase of £0.430 in financial year 23/24 and £0.144m in financial year 25/26. Central functions employing teachers are primarily funded from the High Needs Block of the Dedicated Schools Grant. Whilst there's no additional funding for the central DSG budgets specifically for the pay award, these budgets were generally set with an assumption of a 2% increase in costs. This equates to a £0.219m cost for the pay award and leaves £0.101m unfunded in the current financial year which will need to be met from existing budgets. The costs included in the above figures not within the Dedicated Schools Grant amount to a total of £0.007m and will be funded by traded income or other Grant funding.

Legal

- 2.1 The STPCD imposes various duties on relevant bodies in relation to the determination of teachers' pay. Any changes need to be reflected in the authority's policies for the management of teachers employed in the education support services.
- 2.2 Local authorities must abide by the statutory requirements and must have regard to the guidance issued, as a court or tribunal may take any failure to do so into account in any legal proceedings.
- 2.4 The policy is a non-contractual document and does not therefore, require the agreement of the relevant workforce prior to application.
- 2.5 The terms of reference for the Appointments and Conditions of Service Committee provide for the Committee to approve corporate employment policies and to determine terms and conditions on which staff hold office.

Human Resources

- 3.1 There has been formal consultation at Schools' Joint Consultative Committee (SJCC) with the recognised trade unions and professional associations in relation to the proposed pay policy. The NASUWT could not agree the 2022-23 Derbyshire pay policy in full, as the pay points are those set out in the STPCD and are therefore not compatible with the NASUWT's position of seeking a minimum 12% award this year. In all other respects, NASUWT agrees with the policy.

Information Technology

- 4.1 There are no IT implications in applying a specific Pay Policy for Teachers employed by the Local Authority and not attached to schools.

Equalities Impact

- 5.1 The provisions of the Pay Policy and the pay uplifts are compliant with the relevant provisions of anti-discrimination legislation contained in the Employment Relations Act 1999, the Equality Act 2010, the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 and the Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002. It is also consistent with the principles of public life – objectivity, openness, and accountability.
- 5.2 Monitoring of equalities will take place throughout the implementation of this Policy.

Corporate objectives and priorities for change

- 6.1 The Pay Policy aligns with the Council's People Strategy and People Priorities.

Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)

- 7.1 N/A