



Information for schools on the NUT and NASUWT's pay policy checklist

In the Department's view, adoption of the checklist would significantly limit schools' ability to take advantage of the flexibilities now available to them in terms of managing their budgets and rewarding performance.

In particular, we would like to draw schools' attention to the following serious restrictions in the NUT/NASUWT pay policy checklist, including unlawful elements:

Movement from Main Pay Range (MPR) to Upper Pay Range (UPR)

- The checklist states that all teachers with two years of successful appraisals will have been assumed to have met the teacher standards – so anyone (on M6) who applies with two years of successful appraisal will be able to access the UPR.
- The School Teachers' Pay and Conditions Document (STPCD) states that all teachers are to be assessed as highly competent against all aspects of Teacher Standards and must have made a sustained and substantial contribution to the school in order to move to the UPR.
- The checklist advocates a substantial and serious weakening of the process. **Any schools adopting this proposal would be acting unlawfully.**

Progression within the Main Pay Range (MPR) and the Upper Pay Range (UPR)

- The checklist states that teachers should automatically progress each year on the MPR, and every two years on the UPR, based on "successful appraisal" ("successful" unless significant concerns about standards have been made in writing and not addressed).
- The STPCD gives maximum flexibility to schools to award or not award progression based on evidence that is "clearly attributable to the performance of the teacher".
- The checklist provides no provision for differentiating for top performers. Schools will be limiting their flexibility over incentives to recruit, retain and reward teachers by adopting the approach proposed in the checklist.

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

- AST/ETs cease to exist from 31st August and new role of Leading Practitioner (LP) is created.
- The checklist states that all AST/ETs should automatically be placed on the LP pay range.
- The STPCD makes no provision for a link between the AST/ET roles and the new LP roles.
- Schools will be limiting their flexibility over incentives to recruit, retain and reward teachers by adopting the approach proposed in the checklist. **Schools would also**

be acting unlawfully if they simply transferred AST/ETs to LP pay rates with no attempt to satisfy themselves that their posts already have the primary purpose of modelling and/or leading improvement of teaching skills, or creating such posts for them.

Non-portability of salary

- The checklist states that schools should sign-up to an agreement that they will uphold the principle of portability of salary for incoming teachers.
- The STPCD states that schools will no longer have to match salaries when teachers move school.
- Schools will be limiting their flexibility over incentives to recruit, retain and reward teachers by adopting the approach proposed in the checklist.

Completion of induction

- The checklist advocates pay progression for all teachers who successfully complete induction.
- The STPCD states that teachers who successfully complete induction can be placed anywhere on the MPR, however there is no specific presumption of progression.
- Schools will be limiting their flexibility over incentives to recruit, retain and reward teachers by adopting the approach proposed in the checklist.

Unlawful discrimination

- At various points in their advice to schools the NASUWT and NUT claim that acting in any way that is contrary to their policy will put schools at risk of unlawful discrimination.
- As now, schools need to have regard to how they set objectives and appraise performance and decisions need to be evidence based. However, making differentiated pay decisions is not in itself unlawful.