



The Bishop Konstant Catholic Academy Trust

Learning Communities, Inspired by Faith

Trust Support Staff Pay Policy 2022/23



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All policies are written in line with our ethos:

With Jesus Christ at the centre of the life of the Trust, we seek to provide learning communities offering the highest possible standards of education. We are committed to working in partnership and trust for the common good. We strive to encourage and empower children and young people to recognise and realise their God-given potential and to discern their vocation in life. As learning communities inspired by faith, we celebrate achievement, offering each other challenge and support, as together we follow Christ in self-giving love and service.



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Trust Support Staff Pay Policy

1.1 Introduction

The Bishop Konstant Catholic Academy Trust (BKCAT) is a Multi Academy Trust (MAT) founded by, and part of the Catholic Church. The Trust is conducted by the Trust Board, with each academy having an Academy Council as Catholic Schools in accordance with the canon law and teachings of the Catholic Church, and in accordance with the Trust Deed of the Diocese of Leeds. At all times the academy's are to serve as a witness to the Catholic faith in Our Lord Jesus Christ, and will endeavour to provide for both pupils and staff an environment in which all individuals are recognised as sons and daughters of God. The Trust Board will therefore seek to ensure that each member of staff is valued and receives proper recognition for his/her work and contribution to academy life.

Consequently, the Trust Board has adopted this support staff pay policy to provide a clear framework for the exercise of its powers in relation to the pay of individual members of staff. These powers will be exercised to take account of the specific needs of the academy in the light of flexibility inherent in the National Joint Council for Local Government Services and JNC for Senior Officers.

1.2 Framework

To provide a clear framework for the management of pay and grading issues for all support staff employed by the Trust.

An annual review of support staff salaries is not a requirement; the Trust will undertake a regular review of job descriptions and responsibilities in order to ensure appropriate pay levels and differentials are maintained. Salary adjustments will apply (i.e. a re-grading) where there is evidence of increased responsibility comparable to a higher graded post.

The Trust will ensure that administrative and clerical tasks previously undertaken by teachers remain with support staff. There will be a regular review of: the suitability of tasks to the employee's established role; whether sufficient time has been made available; what time could be freed up; whether additional training is needed, and; any implications for pay and grading. Significant changes will be achieved through consultation and agreement or by giving statutory notice of and justification for the change.



1.3 Aims

- i) To maintain and improve the quality of education provided for pupils in the academy by having a support staff pay policy and staffing structure which supports the Trust's Mission Statement and Academy Councils' current Development Plans;
- ii) To ensure that members of support staff receive proper recognition for their work and responsibilities towards achievement of the Mission Statement;
- iii) To ensure fair and open treatment of staff within the central team and academy and to enhance and maintain staff morale through the management of the pay policy and through an awareness of the impact of decisions on all members of staff and on other schools / academies;
- iv) Within the resources available to the Trust Board and each Academy Council, to use the flexibilities inherent in the national and local conditions of service for staff in a positive and constructive fashion so as to assist the Trust Board and Academy Councils in the recruitment, appointment and retention of a well-motivated, high quality staff.

In seeking to implement these aims and to apply this policy the Trust Board may take account of necessary advice issued by the Local Authority (LA), Local Government Association (LGA), the Diocesan Council for Education and recognised Support Staff Associations and Trade Unions.

1.4 Consultation

The Trust Board and Academy Council staffing committees will consult fully with the Headteachers, members of staff and representatives of their professional associations / unions and will seek advice as required from the LA / LGA / Diocese both when drafting amendments to this pay policy and during each annual review of the policy. Every member of support staff and Academy Council and Trust Board will be given a copy of the policy. A copy will also be sent to the Diocese.

1.5 Equalities

The Trust Board and Academy Council will ensure that its processes are open, transparent and fair. All decisions will be objectively justified.

The Trust Board is aware that it must not be in breach of the law on these matters



and wishes to promote and practise the Gospel values of justice and equity. It has consequently adopted the CES Guidance – Public Sector Equality Duty in England which will be followed in the application of this pay policy.

The Trust Board will, as necessary, carry out an equality impact assessment to determine whether the structures agreed will affect some groups differently to others. The intended outcome of the assessment is that it will reduce likelihood that it discriminates and that, where possible, it promotes equality and fairness. Adjustments will be made to take account of special circumstances relating to staff on maternity / adoption leave or extended long term absence.

1.6 Decision Making

All support staff employed at BKCAT are paid in accordance with the statutory provisions of National Joint Council (NJC) for Local Government Services - National Agreement on Pay and Conditions of Service (the Green Book) and JNC for Senior Officers. A copy can be found in the Trust Office. All pay-related decisions are made taking full account of the Trust Board and individual academy development plans and staff members and unions have been consulted on this policy. All pay and performance management policy related decisions are taken in compliance with The Employment Rights Act 1996, The Employment Relations Act 1999 and The Employment Act 2008, The Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000, The Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002 and The Agency Workers Regulation 2010 and Equality Act 2010.

The mechanism for making these decisions is through the Trust Board and / or CEO for Trust Central Team and Academy Council Pay Committees (or equivalent) for Academy staff.

1.7 Pay and Pay Grades

The Trust Board and Academy Councils will ensure that all support staff posts are evaluated using a chosen job evaluation scheme. The Job Evaluation Scheme will be managed by the Trust Head of HR and all requests processed by the Trust HR Team. This analyses all aspects of a job and attributes points to each as appropriate. These numbers, when totalled, indicate which salary scale the job should be placed and how it relates to pay. The process of grading jobs and developing a modern pay structure is to promote fairness (i.e. having regard for Equal Pay legislation), discipline and credibility in the pay policy.

The Trust Board and Academy Councils will work within the NJC for Local



Government Services - National Agreement on Pay and Conditions of Service (the Green Book) and JNC for Senior Officers, and any local arrangements agreed with any trade unions recognised by the Trust as representing support staff and academy based employees.

Academy Councils undertake to establish the pay grade of a post in accordance with guidance issued and will pay the rates of pay, relevant to the grade, as determined by the job evaluation process. The NJC salary scale points 1-43 are shown in Appendix 2.

The Trust are committed to taking account of Local Government Association advice for any Senior Officer positions above spinal column point 43.

Salary for all NJC employees is paid on the 16th of each month for the whole of that calendar month, divided equally into 12 monthly payments.

1.8 Pay Committee

The Pay Committee (Trust Board Pay and Remuneration committee or each Academy Council equivalent committee) is established in accordance with the Articles of Association and Trust Scheme of Delegation and has fully delegated powers to determine the pay of all staff working in the Trust and Academy subject to the relevant statutory requirements.

1.9 Other Matters Relating to Pay

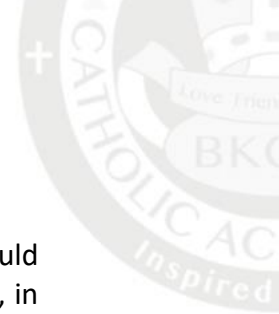
a. Appointments

External Appointments

The Trust and Academy Council will normally appoint a new employee on the first spinal column point within the grade, but may determine in exceptional circumstances (normally recruitment difficulties) to choose a higher spinal column point within the grade. In these circumstances the Trust Board and Academy Council need to be aware of setting precedents and / or of any potential equal pay claims.

Internal Appointments to a Post which carries a higher maximum salary

Where an internal appointment is made to a post which carries a higher maximum salary than the employee's previous grade, an employee should receive one spinal column point in excess of the salary they would have received on their old grade on the day of appointment. Where the employee has been acting up to a higher position and doing the full range of duties of the role prior to formal appointment then the starting salary should be at the



same level as the acting allowance and incremental progression should continue as if the appointment was from the start of the acting up period, in order that the individual does not suffer detriment.

Internal Appointment to a Post of the same grade

Where an internal appointment is made to a similar or like post of the same grade that the employee was previously on then, provided the employee can meet the appropriate levels of skills, experience etc. required of the job, they should be placed on the same spinal column point they were receiving in their old job.

Internal Appointments to a Post of a lesser grade

Where an internal appointment is made to a post of a lesser grade than the employee was previously on then, provided they can meet the appropriate levels of skills, experience etc. required for the job, they could be appointed to a level felt appropriate above the lowest spinal column point of the new job.

External Appointments to a Post attracting a similar or lesser salary

Where an external appointment is being considered and the candidate is currently on a salary higher than the lowest spinal column point of the new job, and it can be demonstrated that the only way they would accept the job is to offer at an appropriate level higher than the lowest spinal column point and that they are the only / most suitable candidate due to skills / experience, then they could be appointed at a level felt appropriate above the lowest spinal column point of the new job.

b. Annual Increments

Annual increments are payable on 1st April until the maximum spinal column point within the salary grade is reached.

This is subject to the qualifying period of six months service being satisfied. Should an employee be appointed between 1st October and 31st March they will receive an increment 6 months after their date of commencement within that position and then on the 1st April thereafter.

An increment can only be withheld as a result of a formal procedure and will be subject to a right of appeal to the Trust Board or Academy Council.

c. Promoted or Re-graded Employees

Employees who are either promoted or re-graded to a higher graded post or whose existing post is re-graded will receive an increase from the agreed effective date. Salary will be paid at the first spinal column point of the new



grade, however the employee should receive one spinal column point in excess of their existing salary that they would have received on their old grade on the day of appointment to the new position or agreed effective date of the re-grade.

There is no discretion to accelerate an employee's incremental progression within a grade.

It is important that staff undertaking common duties are paid the same to maintain pay equality.

2.0 Payment of Acting Allowances

Payment of an acting allowance will normally be made where an employee is called to undertake additional duties in the absence of a more senior colleague (usually during sickness absence or maternity / adoption leave) for a continuous period of at least four weeks and ordinarily for no more than a period of six months.

2.1 Payment of Honoraria

Honoraria are a matter for the Trust Board and / or Academy Council to consider and award on a case by case basis. Payment will only be made as a one-off reward to staff who voluntarily made a significant contribution to the Trust and / or academy in an unforeseen isolated set of circumstances. Payment will not be made to staff on a regular basis for planned responsibility for which other pay provisions apply.

2.2 Working Additional Hours

Where an employee is asked to work additional hours or is asked to attend an activity (e.g. Staff Meeting, Inset, Parent's Evening), they are entitled to additional payments at the appropriate hourly rate. Overtime payments will only be made for hours worked above the standard full time hours for support staff, i.e. 37 hours. Employees may request to take additional hours worked as lieu time. Any additional hours, overtime or lieu time, **must** be approved by the CEO / Headteacher or their designated representative **before** it is undertaken.

2.3 Term Time Only Working

The calculation for the payment of staff working term time only or annualised



hours will be applied for central team and support staff within an academy;

Term time only employees are typically paid for 38 or 39 working weeks, Employees can be appointed on contracts for term time only plus a specific number of additional working days or weeks.

For all term time only employees a pro-rata annual leave entitlement is included within the pay calculation. The calculation of annual leave entitlement depends on length of service. The statutory entitlement to annual leave coincides with periods of academy closure and is therefore considered to be taken during this time. There is no entitlement to take leave during term time.

If a term time only employee is due to leave employment on a Friday, they will be paid until the Sunday. If an employee works until the end of term (having worked the whole term) they will be paid until the notional end of the following holiday period. If an employee works until the end of the academic year (having worked the whole academic year from the first working day in September) they will be paid to 31st August.

2.4 All Year Round Employees

Annual leave is normally expected to be taken during academy holidays unless agreed in advance by the CEO, Headteacher and / or Academy Council. A maximum of two non-consecutive week's annual leave can be taken during term time at the discretion of the CEO, Headteacher and / or Academy Council. The annual leave years runs from 1st April to 31st March for academy based employees. The annual leave year runs from 1st September to 31st August for centrally based employees. Academy Council may amend the leave year to fall in line with the academic year, 1st September to 31st August through consultation and agreement, or by giving statutory notice of and justification for the change (paragraph 1.2).

If an all year round employee is due to leave employment on a Friday, they will be paid until the Sunday, however, there is no right to be paid until the notional holiday end date.

2.5 First Aid Payment

For those support staff who act as a qualified first aiders in the Trust or Academy, an additional allowance will be paid. Where this forms part of a job description, it forms part of the job evaluated grade for the post and so no additional payment is expected.



The level of training required to be eligible is the Health and Safety Executive approved First Aid at Work training.

2.6 Appraisal

Appraisal / Performance Management applies to all support staff in the Trust in line with the Trust Support Staff Appraisal Policy.

The Appraisal period will run for twelve months from 1st October to 30th September each year. All appraisals should be completed by 30th November each year, with interim reviews as necessary.

Accelerated incremental progression is not available to support staff as it may be contrary to Equal Pay legislation.

Support staff reviews will normally occur following the annual appraisal meeting; however, they may take place at other times of the year to reflect changes in circumstances or job description which lead to a change in the basis for calculating an individual's pay.

2.7 Fixed Term and Casual Employees

Employees engaged on fixed term or casual contracts will be paid at the appropriate grade / hourly rate for the role.

2.8 Appeals

The arrangements for considering appeals are as follows:

A staff member may seek a review of any determination in relation to their pay or any other decision taken by the Trust Board or Academy Council (or Pay Committee or individual acting with delegated authority) that affects their pay.

The usual reasons for seeking a review of a pay determination or grounds for appeal are that the person or committee by whom the decision was made:

- a) Incorrectly applied any provision of the Trust Support Staff Pay Policy;
- b) Incorrectly applied any provision of NJC or JNC National Agreements;
- c) Failed to take proper account of relevant evidence;
- d) Took account of irrelevant or inaccurate evidence;
- e) Was biased; or



- f) Otherwise unlawfully discriminated against the staff member.

The above list is not exhaustive.

The order of proceedings is as follows:

The staff member receives written confirmation of the pay determination and where applicable the basis on which the decision was made.

Informal Stage

If the staff member is not satisfied, they should seek to resolve this by discussing the matter informally with the appraiser or Headteacher before the recommendation is actioned and a pay decision made.

If the staff member continues to be dissatisfied following a formal pay determination, they may follow a formal appeal process.

Formal Stage

The staff member should set down in writing the grounds for questioning the pay decision (which must relate to the grounds as set out above) and send it to the Pay Committee (or person) who made the determination, within **10 working days** of the notification of the decision being appealed against or of the outcome of the discussion referred to above.

The Pay Committee (or person) who made the determination should provide a formal meeting within **10 working days** of receipt of the written appeal, to consider the appeal and give the staff member an opportunity to make representations in person. Following the formal meeting the employee should be informed in writing of the decision and the right to appeal.

Where the staff member continues to be dissatisfied, they may follow a formal appeal stage.

Appeal Stage

Any appeal should be heard by a panel of three Governors (Trustees for centrally based employees) who were not involved in the original determination normally within **20 working days** of the receipt of the written appeal notification. The staff member will be given the opportunity to make representations in person. The decision of the appeal panel will be given in writing, and where the appeal is



rejected will include a note of the evidence considered and the reasons for the decision.

The decision is final, there is no further right of appeal and no recourse to the Trust Grievance Resolution Policy and Procedure.

A model procedure to be followed at an Appeal hearing is attached as Appendix 1.

Where a pay determination leads or may lead to the start of salary safeguarding (pay protection), the Trust Board and / or Academy Council will give the required notification as soon as possible and no later than one month after the determination.



Appendix 1

Formal Appeal Procedure for Support Staff

1. Before the Meeting

- a) The Complaint shall be heard by a Panel of three Governors / Trustees.
- b) Human Resources provider will attend to act as Advisor to the Panel.
- c) The complainant will be allowed to be represented by their trade union representative or fellow worker.
- e) Prior to the hearing the written complaint including all witness statements and any other documentation to be used at the hearing should be submitted to HR by the complainant. The deadline for submitting documentation will be **5 working days** prior to the meeting. The Appraiser / Headteacher should submit their written response to the complaint and documentation within the same timescale.
- f) These documents will be issued to the Panel before the meeting. The Panel Members will receive the documentation submitted **by 2 working days prior to the meeting**. Any documents supplied after the date may, or may not be considered by Panel Members on the day of the meeting only.

2. Procedure at the Meeting

- 2.1
 - a) The complainant or representative will state the case detailing the nature of the appeal. Witnesses may be called.
 - b) The Manager / Headteacher will have the opportunity to ask questions of the complainant / representative and any witnesses they have called.
 - c) The Panel Members will have the opportunity to ask questions of the complainant / representative and any witnesses they have called.
 - d) The complainant will have the opportunity to make a statement if their Representative has presented the case.



- 2.2 a) The Manager / Headteacher will be allowed to respond to the complainant and they may call witnesses.
- b) The complainant or representative will have the opportunity to ask questions of the Manager / Headteacher and any witnesses which have been called.
- c) The Panel Members will have the opportunity to ask questions of the Manager / Headteacher and any witnesses which have been called.
- 2.3 a) The complainant or representative will have the opportunity to summarise their case, if they so wish.
- b) The Manager / Headteacher will have the opportunity to summarise their case, if they so wish.
- 2.4 The complainant, representative and Manager / Headteacher will withdraw from the Meeting.
- 2.5 The Panel Members, with the HR Advisor, will deliberate in private, only recalling the two parties to clear points of uncertainty on evidence already given. If recall is necessary, both parties will return even if only one is concerned with the point giving rise to doubt.
- 2.6 Both parties will be invited to return to the meeting and the decision will be announced verbally at the conclusion of the meeting by the Chair of the Panel.

3. After the Meeting

- 3.1 The decision, as announced by the Chair, together with reasons will be confirmed in writing to the complainant and the Manager / Headteacher as soon as possible after the meeting.



Appendix 2

NJC PAY SPINE FROM APRIL 2021

SCP	1 April 2020	Apr 21 Salary
1	£17,842	£18,333
2	£18,198	£18,516
3	£18,562	£18,887
4	£18,933	£19,264
5	£19,312	£19,650
6	£19,698	£20,043
7	£20,092	£20,444
8	£20,493	£20,852
9	£20,903	£21,269
10	£21,322	£21,695
11	£21,748	£22,129
12	£22,183	£22,571
13	£22,627	£23,023
14	£23,080	£23,484
15	£23,541	£23,953
16	£24,012	£24,432
17	£24,491	£24,920
18	£24,982	£25,419
19	£25,481	£25,927
20	£25,991	£26,446
21	£26,511	£26,975
22	£27,041	£27,514
23	£27,741	£28,226
24	£28,672	£29,174
25	£29,577	£30,095
26	£30,451	£30,984
27	£31,346	£31,895
28	£32,234	£32,798
29	£32,910	£33,486
30	£33,782	£34,373
31	£34,728	£35,336
32	£35,745	£36,371
33	£36,922	£37,568
34	£37,890	£38,553
35	£38,890	£39,571



36	£39,880	£40,578
37	£40,876	£41,591
38	£41,881	£42,614
39	£42,821	£43,570
40	£43,857	£44,624
41	£44,863	£45,648
42	£45,859	£46,662
43	£46,845	£47,665

JNC for Senior Officer PAY SPINE 2022

As agreed by the Board.