

The 2016-17 Teachers' Pay Award

The 2016 School Teachers' Pay and Conditions Document (STPCD) has been published following a short period of consultation which took place over the summer break.

The STPCD, which is available on the NASUWT website at www.nasuwt.org.uk/TeachersPay, implements the recommendations in the School Teachers' Review Body's (STRB's) 26th Report, all of which have been accepted by the Secretary of State for Education. The STPCD is statutory provision for all local authority schools and therefore its provisions must be implemented. Whilst the provisions of the STPCD are not statutory for academies, the NASUWT expects that all academies will pay their teachers and headteachers/principals, at the very least, the minimum award recommended by the STRB and contained in the STPCD.

The STRB's 26th Report made the following key recommendation on teachers' pay:

'Our recommendation for September 2016 is for a 1% uplift to the minima and the maxima of all classroom teacher and leadership pay ranges in the national pay framework, and to classroom teacher allowances (TLRs and SEN). We make clear that, if recruitment and retention pressures continue at current levels, we expect an uplift significantly higher than 1% will be required in the course of this Parliament to ensure the teacher pay framework remains competitive.'

The 1% uplift recommended by the STRB for 2016-17 has been incorporated into the pay award section of the 2016 STPCD as follows:

'A 1% uplift has been applied to the statutory minima and maxima of all pay ranges in the national pay framework, including allowances. This Document reflects these new ranges.'

The salary values for the minima and maxima of all of the teachers' pay ranges, together with the allowances in the STPCD, have been uplifted by 1% in accordance with this.

The 1% pay uplift must be paid to all teachers on the minima and maxima of all pay ranges. All allowances received by teachers should also be uplifted by 1%.

The NASUWT also expects that schools will apply a 1% uplift to all teachers regardless of whether they are on the maxima or minima of the pay ranges.

The 1% uplift should not be linked to performance. Teachers' performance pay is determined by separate provisions in paragraphs 11, 15 and 19 of the STPCD.

The NASUWT believes that this is the minimum uplift, which should be received, as the STRB's 26th Report goes further than simply recommending a 1% pay uplift to the minima and maxima of the pay ranges and allowances. Having accepted the detailed evidence submitted by the NASUWT, the STRB's Report makes it clear that uncompetitive teachers' pay levels have contributed to a teacher supply crisis.

The STRB also noted that the relative position of classroom teachers' earnings had worsened since 2011/12 and concluded:

'The picture on profession-wide earnings is clearer, showing that teachers' earnings have undergone a further deterioration in almost all regions since we last reported and continue to trail those of other professional occupations in most regions.'

Recruitment and retention

Through its engagement with the Department for Education (DfE), the NASUWT has secured the inclusion of the following STRB Recommendation in Section 3, paragraph 70, of the STPCD:

'Schools may make payments or provide financial assistance or benefits to aid recruitment or retention. An advance of salary for a rental deposit is one of a number of tools that schools may wish to consider as an incentive for the recruitment of new teachers and the retention in their service of existing teachers. Other examples of assistance are transport season ticket loans for travel costs, a one-off payment such as a contribution to removal costs, or a time-limited allowance.'

The STPCD also makes it clear that, *'Recruitment and retention incentives and benefits must not be made for carrying out specific responsibilities.'* Such incentives must be included in the school's pay policy and the STPCD specifies that the NASUWT must be consulted on these:

'Teachers and representatives of recognised unions should always be consulted on formulating the [pay] policies and on any changes to them' (STPCD, Section 3, paragraph 4).

The NASUWT will be engaging with local authorities and with academy employers to discuss how this provision recommended by the STRB can be implemented to ensure that access is fair and equitable across schools. Further guidance on this will follow.

Performance pay

Teachers' performance should not be linked to the September 2016 pay award or to recruitment and retention incentives.

The NASUWT is all too aware from individual and collective casework that some schools seek to erect as many barriers as possible to teachers' pay progression.

The STRB has stated in its 26th Report:

'We emphasise the expectation, endorsed by the Secretary of State, that good teachers should progress through the main pay range within about five years and that schools should set their pay policies and manage their budgets accordingly.'

It remains unacceptable to the NASUWT for schools to set unreasonable performance management objectives for teachers and to impose harsh and discriminatory success criteria for pay progression. The NASUWT national industrial action instructions specify that school pay policies should be compliant with the NASUWT Pay Policy Checklist, which ensures a pay framework for teachers which avoids discrimination, recruits and retains teachers and thereby raises standards.

A copy of this checklist which applies to pay and performance management policies in maintained and academy schools can be accessed on www.nasuwt.org.uk/PayPolicyChecklists.

Movement down the pay ranges

The NASUWT Pay Policy Checklist is completely compliant with the statutory provisions in the STPCD. It includes the NASUWT's model pay scale between the minima and maxima of the pay ranges, which is widely followed by schools, local authorities and academy trusts.

NASUWT members should note that, in the Pay Policies Checklist, movement from the main pay range to the upper pay range, together with movement up the upper pay range, is on the basis of one successful performance review. The salary values in the pay scales are minimum values only, and schools and local authorities should seek to improve on these.

As previously reported, the NASUWT secured a significant victory having persuaded the STRB, through its written and oral evidence, not to recommend, as some headteacher organisations and the DfE had been advocating, that teachers could be moved by headteachers down from the upper to the main pay range. The STPCD continues to prohibit movement down pay ranges.

Other pay advice

A number of documents are circulating offering advice on teachers' pay for 2016-17, in particular from the DfE, the Local Government Association (LGA) and other teacher unions.

DfE pay advice

The DfE has republished its compendium pay advice, *Implementing your school's approach to pay*, which has been issued in previous years. The DfE makes it clear in the first paragraph of this publication that it is non-statutory. *Implementing your school's approach to pay* remains a highly flawed and conflicted document, as has been the case previously, and NASUWT members should resist its use by schools and employers.

Other teacher unions' advice

Some other teacher unions have issued joint advice on the 2016 pay award. This advice is flawed in several key areas.

The advice was issued following the publication of the draft version of the STPCD and was based on that draft. The unions which issued this advice mistakenly assumed that the DfE would make no changes in the final version of the STPCD following consultation. Changes were however made and the unions' advice does not reflect these.

The advice quotes from a section of the draft STPCD, which was amended in the final version, and is therefore inaccurate in respect of this text. Moreover, the context of this redundant text within the joint unions' advice could easily lead to the conclusion being drawn that flexibilities or discretions apply in circumstances where in fact the pay award must be given by schools.

The advice is also couched in permissive terms – schools and local authorities can take it or leave it as they please. It does not specify that all teachers must receive a pay uplift of 1% in September 2016, irrespective of their current pay point.

The NASUWT is the only union which specifies, backed by national industrial action where necessary, that all teachers must receive a pay award of at least 1%, backdated to 1 September 2016.

Local Government Association

The Local Government Association (LGA) has issued a highly flawed circular on teachers' pay for 2016/17. The circular retains the 6a and 6b pay points which were issued by the LGA in 2015, thereby establishing as a permanent feature in LGA guidance the seven-point pay scale for the main pay range. In doing so, the LGA has placed restrictions and delays on progression up the main pay range and made it much less likely that teachers will reach the maximum of the pay range within five years of beginning teaching, a key priority of the STRB and the Westminster Secretary of State for Education.

The LGA continues to take an approach to the 2016 pay uplift for teachers that is unacceptable to the NASUWT by stating that the STRB's recommendations relate to the 'national pay ranges only' and 'not to the pay of individual teachers.'

However, the LGA's invitation to schools to withhold teachers' pay does not extend to all school staff. Given that the STPCD contains maximum pay points for the headteacher group ranges, the LGA has had to include these. The LGA circular also outlines that schools can exceed these pay values by exceeding the maximum of the headteacher group ranges using the provisions in paragraph 9 of Section 2 of the STPCD.

The NASUWT is determined to ensure that all teachers and school leaders receive fair and appropriate pay levels. The NASUWT would be concerned if schools were to withhold teachers' pay whilst increasing that of headteachers. The NASUWT believes that there should be, at the very least, a minimum 1% pay uplift across the board for all teachers and headteachers.

NASUWT members should seek to ensure that their schools do not adopt this potentially damaging LGA advice.

The DfE, the LGA and other unions' pay advice is not compliant with the NASUWT national action instructions and checklists.

NASUWT members must only accept pay policies which are compliant with the NASUWT Pay Policy Checklist.

The NASUWT trade dispute continues

The NASUWT continues in its trade dispute with the Government over teachers' pay in England and Wales. The continuing pay cuts are unacceptable. Any member who does not receive, at the very least, the minimum uplift of 1% on their pay and on any allowance they hold must immediately contact the NASUWT.

In addition, contact should be made immediately with the NASUWT if your school attempts to introduce a pay policy which is not compliant with the NASUWT Pay Policy Checklist.



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