

GUIDANCE ON THE PAYMENT OF INCREMENTS TO SUPPORT STAFF IN SCHOOLS WHEN APPOINTING NEW EMPLOYEES

Equal Pay

The term 'equal pay' is used specifically to mean making sure that women and men who are doing equal work – whether that be work that is the same, or work which has been rated as equivalent under a Job Evaluations Scheme, or work which is otherwise of equal value, receive the same pay, rewards and benefits under their contracts of employment. This would include how a starting salary is determined.

Job Evaluation

The job evaluation scheme place values on all of the roles within the Council that are covered by Single Status. This means that if a school pays Grade 4 to someone in a role that has been evaluated and rated as Grade 3 and all the others in the same or similarly graded roles are paid at Grade 3, then this runs the risk of an equal pay claim.

This may also apply where, on appointment, the starting salary is higher than the bottom of the grade. The City Council's policy is that candidates, internal and external, should be appointed at the bottom of the relevant salary scale unless there is 'sufficient justification' to start them on a higher point. For this purpose, sufficient justification is normally based on the candidate's existing salary so that they do not suffer a detriment and there can be an appropriate incentive. At this point, consideration must be given to the candidate's ability to perform / operate at a higher level that is appropriate to the salary awarded. Other justification may be if the post is difficult to fill although the candidate would still be expected to perform at a level appropriate to the salary. In these instances it is expected that this can be objectively evidenced. Care also needs to be taken if appointing new starters higher up the scale than existing employees.

What are your responsibilities?

Community Schools, Community Special Schools, Voluntary Controlled Schools, Maintained Nursery Schools and Pupil Referral Units must follow the City Councils policy. Voluntary Aided, Foundation Schools, Academies and Free Schools must follow the policy adopted by the Governing Body when determining starting salaries.

Where justified the Birmingham City Council, may use discretion to pay a higher starting salary, as considered suitable, for appointments in Schools where Birmingham City Council is the employer. This must be supported by a strong business case in order to protect Birmingham City Council against potential equal pay claims or pay drift attached to placing new starters at discretionary points within the grade.

Keeping Records

It is important to keep accurate and relevant notes during the selection process about starting salaries as a verbal agreement is binding. Schools are recommended

to explain that any salary assessment is provisional and subject to verification of current salary, qualifications, etc. Records should adhere to the guidelines in the Code of Practice and to legal advice, particularly in regard to the Data Protection Act 1998. Schools are their own data controllers.

Employees Transferring between Schools or from Other Educational Organisations covered by the Redundancy Modification Order

If the new starter is transferring from an educational establishment or other organisation covered by the Redundancy Modification Order (including academies), then he/she can transfer across on their **current salary** and not start at the bottom of the grade (unless they are taking up a post that is on a higher grade, in which case they will start at the bottom of that grade).

In Schools where Birmingham City Council is the employer, authorisation for the payment of a higher starting salary must be obtained BEFORE the candidate is notified of the salary details. No offer of a higher salary should be made in **Community Schools, Community Special Schools, Voluntary Controlled Schools, Maintained Nursery Schools or Pupil Referral Units prior to appointment without submission of a business case and subsequent agreement from the Authority.**

Any deviation from application of those terms and conditions may constitute a risk to the school and generate equal pay risks within the school and Birmingham City Council.

Casuals

Casuals are always paid at the bottom of the pay scale. They do not receive increments and are not subject to performance appraisal. They also do not receive any enhancements or allowance payments. If the school is using a casual on a regular basis and they have a consistent pattern of work then they should be issued with a fixed term or temporary contract.



**APPLICATION FOR AWARDING ACCELERATED INCREMENTS ON
APPOINTMENT**

**Community Schools, Community Special Schools, Voluntary Controlled
Schools, Maintained Nursery Schools and Pupil Referral Units Only**

Employee's Name		
Job Title		
Grade		
School Name		
Current Salary/SCP		
Proposed Starting Salary/SCP		
Business Case for appointing above the minimum of the grade:		
Has the foregoing been discussed with the Governing Body and agreed? (Tick whichever is applicable) –Please attached the minutes of the GB meeting	YES	NO
I hereby confirm that I wish to make a business case for the payment of an accelerated increment as detailed above.		
Signed:		
Post Title:	Date:	

Please send this form to Birmingham City Council for authorisation.