



Department  
for Education

# **Evidence to the STRB: Leadership pay, non-pay conditions of service, allowances and safeguarding**

**18 June 2013**

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## Introduction

1. The Secretary of State's remit letter to the School Teachers' Review Body (STRB), on 17 January 2013, asked the STRB to make recommendations about:
  - a) How to provide a simplified and flexible framework for ensuring school leaders' pay is appropriate to the challenge of the post and their contribution to their school or schools
  - b) How the current detailed provisions for allowances, other pay flexibilities and safeguarding could be reformed to allow a simpler and more flexible School Teachers' Pay and Conditions Document (STPCD), and
  - c) How the framework for teachers' non-pay conditions of service could be reformed to raise the status of the profession and support the recruitment and retention of high quality teachers, and raise standards of education for all children.
2. This document provides the Secretary of State's evidence to support the STRB's consideration of this remit.

## The principles of reform

3. In its 21st report the STRB made recommendations about how the current arrangements for teachers' pay should be reformed to raise the status of the profession, support professional development, and reward teachers in line with their contribution to improving pupil outcomes. In making its recommendations the STRB emphasised that local flexibility should be increased within a simplified and consistent national framework. It is these same principles that should now be applied to reforming leadership pay, allowances, salary safeguarding and non-pay terms and conditions.

## Leadership pay

4. We know that the overall performance of a school almost never exceeds the quality of its leadership and management. For every 100 schools that have good leadership and management, 93 will have good standards of pupil achievement. However, for every 100 schools that do not have good leadership and management, only one will have a good standard of pupil achievement<sup>1</sup>.
5. There is wide-spread support for a full review of the pay of school leaders to ensure that we properly reward school leaders for good performance with a package that reflects the challenges that they face. The current arrangements require the relevant body to determine ranges from within the 43 point regional pay scales based largely on the number and age of the pupils in the school. A detailed description of the current system is included at [annex B](#).
6. The provisions in the STPCD have changed over time but assume a model of leadership that no longer reflects how the system works. Increasingly we are looking to the best school leaders to lead improvements to the system as a whole by supporting improvements in more than one school. This system leadership may take the form of collaboration, informal or formal support arrangements, direct responsibility and accountability for more than one school, or formal oversight of other headteachers. Further information about approaches to system leadership is included at [annex E](#). This illustrates how varied these arrangements can be and they are likely to continue to develop over time.
7. The current pay framework does not reflect the system leadership roles that we are encouraging the best leaders to take on. Where the STPCD does allow additional reward for headteachers who take on more than one school it does so based on pupil numbers and does not take into account the additional challenge of managing more than one institution, or of taking on failing schools. In the case of small schools the requirements of the STPCD can serve to disincentivise headteachers from taking on responsibility for more than one school.
8. Whether they are responsible for one school or many we should give governing bodies the flexibility to incentivise leaders to take on the most challenging schools in the areas of greatest educational disadvantage by paying them more, and give them greater scope to reward them when they achieve outstanding results with the most disadvantaged pupils. This requires a system that can be responsive to more than just the age and numbers of pupils.
9. The current requirements for determining leadership pay are unnecessarily bureaucratic. For example, the purpose of the formula to determine the “salary of the highest paid classroom teacher” is unclear. Similarly, the requirement that there be no overlap at all between the pay scales for deputy headteachers and headteachers is unnecessarily restrictive.

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<sup>1</sup> Barber et al. *Capturing the leadership premium: How the world's top school systems are building leadership capacity for the future* (2008)

10. There is a risk that such restrictions could prevent a school from retaining an excellent deputy headteacher, for example, without being forced to alter the salaries of others in the leadership team to meet the complex requirements of a formula set in Whitehall. It is doubtful that any centrally determined formula can capture the full challenge of 60,000 leadership posts across the country.
11. We would welcome the STRB's advice on a broad national framework within which governing bodies can make decisions about the appropriate salary range for each member of their leadership team. The STPCD should give them the flexibility to continue to take into account the age and numbers of pupils in the school, but also other factors such as:
  - pupil characteristics
  - the nature of the role
  - direct responsibility for more than one institution
  - other forms of support for other schools
  - school performance
  - the wider school context
  - the performance, skills and experience of individual school leaders
  - the local, regional and national market for school leaders and
  - affordability issues.
12. This would give more flexibility than the current provisions for discretionary payments, which can only be awarded for recruitment and retention purposes, or where a school is causing concern. It would also ensure that governing bodies can take into account the demands of specific leadership posts and give them greater flexibility to encourage the best headteachers to work in underperforming schools.
13. There are already links between performance and pay progression in the current framework (**annex C** includes further information about pay progression and performance). The current Ofsted framework requires inspectors to consider how effectively governors hold senior leaders to account for the school's performance and ensure financial stability. We consider decisions over the reward package available to school leaders to be a key consideration in making this judgement.
14. We would welcome the STRB's comments on how the current accountability and governance arrangements might need to be strengthened to support the reform of leadership pay. We want to ensure that giving greater flexibility on leadership pay does not lead to unaffordable wage inflation or inadvertently result in rewards for poor performance. School governance and accountability frameworks provide some mitigation. The relevant body is responsible for ensuring pay decisions are affordable and justified by the performance of the school and that contracts are drafted appropriately to ensure that poor performance is not rewarded. Any

recommendations on leadership pay should also be considered with reference to the likely effect on teachers' pensions.

## Allowances

15. There are a large number of allowances in the STPCD, mostly for classroom teachers:

- Teaching and Learning Responsibility payments (TLRs)
- Special Educational Needs (SEN) allowances
- Recruitment and retention incentives and benefits
- Other additional payments
- Residential allowance
- Unqualified teachers allowance
- Acting allowance
- Performance payment to seconded teachers
- Other discretionary payments to headteachers and
- Chartered London Teacher status (CLTS).

Further details of the current provisions in the STPCD are provided at [annex B](#).

16. Of the allowances for classroom teachers only TLRs and SEN allowances have attached to them any specific value or restrictions. These complex arrangements have built up over time to reflect different demands for schools to be able to pay allowances for certain activities.

17. The reform of teachers' pay following the STRB's 21st report gives schools greater flexibilities to decide how much they pay teachers on appointment and how quickly they should progress. Some of the provisions appear less relevant in a system where headteachers have substantial local flexibility over setting initial salaries and salary progression.

18. The current arrangements also reflect the approach to detailed central prescription of what teachers' and headteachers' professional duties are, which the STRB are considering in the context of non-pay conditions of service and we discuss elsewhere in this evidence.

19. As well as deploying and rewarding properly our existing leaders, we should ensure that talented teachers can access opportunities to progress to leadership as quickly as they are able successfully to do so. It should be schools that take the lead in developing staffing structures that reward teachers for taking on additional responsibilities that contribute to their development as future leaders.

20. In considering options it is also important to consider the potential benefits of increasingly the flexibility to recognise the work of all teachers in working with pupils who have SEN and also which will work best to secure the high quality recruits who are so essential in special education settings.

21. There is a question, however, over whether allowances are the right vehicle for developing future leaders. Evidence in [annex G](#) suggests that currently the link



between receipt of allowances and promotion to leadership grades is mixed across different allowances and school phases. It would be timely to consider whether the criteria and duties associated with different allowances are still appropriate in the current context and to consider whether it is appropriate that activities which may actually be core to a post should be recognised through an allowance or might be better reflected in the pay for that post. The STRB will wish, when considering recommendations on leadership pay, to consider what the relative purpose is of allowances, the leading practitioner pay range, and the leadership pay scales.

22. The STPCD specifically prevents the payment of non-consolidated performance payments. Such payments are used elsewhere in the public sector, and some consultees suggested in their evidence towards the 21st Report of the STRB that they should be allowed for teachers. A full review of allowances should consider this issue. Any proposals should be considered with reference to the likely effect on teachers' pensions.
23. Given other reforms to teachers' pay the rationale for Chartered London Teacher status (CLTS) with a continuing professional development (CPD) related allowance only available to teachers in London is unclear. Schools currently have no control over who amongst their teachers are awarded CLTS, but they are expected to meet the £1000 cost of the award to teachers out of their existing budgets. We are not aware of any evidence on the effect of the scheme on standards, or on the likelihood of those completing the scheme going on to achieve a relevant masters-level qualification. We would suggest that the relevant provisions of the STPCD be phased out as soon as practicable.
24. **Table 1** shows four options for a simplified structure of allowances that would give schools additional freedom to establish staffing structures in the best interests of their pupils. Options 3 or 4 would give schools the greatest flexibility. Option 4 also implies a reform of TLRs so that teachers with significant leadership and management responsibilities can be recognised as part of the leadership group rather than through the use of an allowance. We would, however, wish to avoid the possibility of increased flexibility leading to perverse consequences, whereby additional payments cannot be withdrawn even if a teacher ceases to perform the additional responsibilities. Options 1 or 2 involve least change and may be easier for schools to manage.
25. We believe greater flexibility and a more streamlined system of allowances could also help schools to achieve better value for money and would welcome the STRB's recommendations on the best way to achieve this.

**Table 1: Options for reforming allowances**

Option 1 – Simplification	Option 2 – Single additional payment system, specific SEN allowances retained	Option 3 – Single additional payment system	Option 4 – Salaries to replace higher value allowances
<p><b>Teaching and Learning Responsibility (TLR) payments</b> – As now but with no requirement to maintain a fixed difference between two or more allowances paid on the same scale within one school.</p> <p><b>Special Educational Needs (SEN) allowances</b> – as now.</p> <p><b>Additional payments</b> – Headteacher discretion to make consolidated or non-consolidated payments to:</p> <ul style="list-style-type: none"> <li>• address a recruitment or retention problem</li> <li>• reward or compensate for additional short-term or long-term activities related to the efficient and effective running of the school, or</li> <li>• reward outstanding performance.</li> </ul> <p><b>Discretionary payments to headteachers</b> – Discretion for</p>	<p><b>Special Educational Needs (SEN) allowances</b> – As now.</p> <p><b>Additional payments</b> – Headteacher discretion to make consolidated or non-consolidated payments, fixed-term or safeguarded for up to three years, of £500-£12,393 for responsibilities such as those currently covered by TLRs or to:</p> <ul style="list-style-type: none"> <li>• address a recruitment or retention problem</li> <li>• reward or compensate for additional short-term or long-term activities related to the efficient and effective running of the school, or</li> <li>• reward outstanding performance.</li> </ul> <p><b>Discretionary payments to headteachers</b> – As in option 1.</p>	<p><b>A single system of additional payments</b> – As in option 2 but also encompassing recognition of additional work undertaken with pupils with Special Educational Needs rather than providing a separate SEN allowance.</p> <p><b>Discretionary payments to headteachers</b> – As in option 1.</p>	<p><b>A single system of additional payments</b> – As in option 3 but up to a maximum of £6,197. Under this option teachers who would have previously been awarded a TLR1 would instead be paid on the Leading Practitioner or Leadership Group pay scales.</p> <p><b>Discretionary payments to headteachers</b> – As in option 1.</p>

<b>Option 1 – Simplification</b>	<b>Option 2 – Single additional payment system, specific SEN allowances retained</b>	<b>Option 3 – Single additional payment system</b>	<b>Option 4 – Salaries to replace higher value allowances</b>
<p>the governing body to make consolidated or non-consolidated payments to a headteacher to:</p> <ul style="list-style-type: none"> <li>• address a recruitment or retention problem</li> <li>• reward or compensate for additional short-term or long-term activities related to the efficient and effective running of the school</li> <li>• reward or compensate for additional short-term or long-term activities related to the efficient and effective running of additional schools, or</li> <li>• reward outstanding performance.</li> </ul>			

## Safeguarding

26. Safeguarding arrangements protect the salaries and allowances of teachers for three years following a school closure or reorganisation; changes to the provisions of the STPCD; or a school-level decision to reorganise their staffing structure.
27. The current arrangements in the STPCD are explained in seven separate sections over 25 pages of the document. The arrangements themselves are complex and their treatment in the STPCD is also complicated, with a large amount of repetition between sections. A summary of the current provisions is in **annex B**.
28. The intention of safeguarding is to help schools manage their workforces during period of transition and to provide reassurance to teachers about how change will impact on their pay. If the safeguarding provisions in the STPCD were removed, teachers would still be entitled to the protections that are available to everyone through employment law. In some cases safeguarding may have helped to prevent headteachers from having to follow redundancy procedures in order to remove a post from their staffing structure.
29. Safeguarding is not unique to the teaching profession, but is predominantly used in the public sector. For example, for prison officers some allowances are protected for up to two years. Safeguarding is not available to all public sector workforces, and there are counter-examples such as the police where allowances are not payable when the responsibilities for which they were paid are no longer undertaken.
30. In its 21st report, the STRB argued in favour of a radical simplification of the STPCD. We believe it would be helpful for any provisions on safeguarding to be streamlined into a single section, but we would also wish the STRB to consider the implications of reducing the period for which safeguarding is payable or removing the safeguarding provisions entirely.
31. We want to ensure that headteachers have the freedom that they need to establish staffing structures in the best interests of their pupils and to maximise value for money. We know that safeguarding is not available to all public sector workers. Removing or amending the safeguarding provisions could provide additional freedom for headteachers to allocate their resources in the best interests of their pupils. We should be looking at best practice across the public and private sectors to find the most appropriate system.

## Non-pay terms and conditions

32. The Secretary of State's remit letter to the STRB on 21 February 2012 set out his objective of reforming teachers' pay in order to raise the status of the profession and contribute to improving the standard of teaching in our schools. This included an invitation to the STRB to consider what other reforms should be made to teachers' conditions in order to raise the status of the profession and best support the recruitment and retention of high-quality teachers in all schools.
33. The STRB report published on 5 December 2012 did not contain any recommendations on teachers' non-pay terms and conditions. The STRB did say that it would welcome a further remit to examine aspects of the existing pay and conditions framework that were not considered in that report, including non-pay terms and conditions.
34. The Secretary of State's remit letter of 17 April 2013 invited the STRB to review the framework for non-pay terms and conditions to ensure that it is suited to a high status profession, and gives schools the flexibilities they need to deliver outstanding education provision. It referred the following matter for recommendation:
- how the framework for teachers' non-pay conditions of service could be reformed to raise the status of the profession and support the recruitment and retention of high quality teachers, and raise standards of education for all children.*
35. Given the importance of supporting teacher quality and improving the professional status of teachers, the Secretary of State's objectives for the reform of teachers' terms and conditions are:
- to provide both teachers and headteachers with greater freedom and flexibility to determine how they can best serve their pupils and schools and fulfil their responsibilities
  - to give schools as much freedom as possible to manage their resources effectively and efficiently so as to improve their practice and outcomes and achieve better value for money
  - to increase flexibility so that teachers have more opportunities for professional development, to work collaboratively and share ideas
  - to support professionalism and enable teachers to demonstrate their personal effectiveness and commitment to their pupils and schools and
  - to simplify the current detailed provisions wherever possible.
36. This section provides the Secretary of State's evidence to support the STRB's consideration of these issues.

## Improving the professionalism of teachers

37. Teaching is a profession – not just another job that anyone can do. Teachers and headteachers are dedicated and highly competent individuals who deserve the utmost respect for the role that they perform for society – helping young people to achieve the best possible start in life.
38. The OECD Report “*Preparing Teachers and Developing School Leaders for the 21st Century*” (2012) observed that one of the important strategies to attract the most talented teachers to the most challenging classrooms is to give teachers responsibility as professionals. The STRB’s 21st report noted that the status of the teaching profession is key in attracting and retaining high quality teachers and that statutory consultees had recognised the importance of professionalism and of a public perception of teaching as a high status profession.
39. As professionals, teachers are accountable for achieving the highest possible standards in work and conduct, acting with honesty and integrity. They represent a school’s most important asset and it is therefore not surprising that staffing costs make up the majority of a school’s expenditure. Teachers need to:
- have high expectations of themselves and of each other, ensuring they are able to meet the high standards of personal and professional conduct set out in the Teachers’ Standards and seeking to improve their skills and update their knowledge throughout their careers
  - put the needs of their pupils at the forefront of their concerns, using their skills to develop high aspirations and expectations for each and every young person, and
  - embrace autonomy, using the full range of freedoms available to them to demonstrate their personal effectiveness and commitment to their schools so as best to serve their pupils and local community.
40. Enabling teachers and headteachers to demonstrate this level and range of professionalism is important if we are to raise the status of teaching so as to attract the most talented into the profession and improve the standard of teaching in our schools.

## The case for change

41. The STPCD provides the national framework within which teachers and headteachers operate. It sets out headteachers’ and teachers’ responsibilities and their entitlements and matters relating to their working time. **Annex B** provides a summary of the STPCD’s provisions that relate to non-pay conditions of service. These provisions specify in detail what teachers and headteachers can or cannot do and the amount of time that must be spent on particular tasks.
42. For teaching to be recognised unreservedly as a profession, teachers and headteachers need to be able to demonstrate their professionalism. They need

to be able to exercise appropriate professional autonomy in making judgements about what they do and how they do it within the context of the high standards expected of them, of the needs of the school or schools where they work and in the best interests of their pupils. Detailed central prescription of what teachers and headteachers should do and how they should spend their working time limits the scope they have to demonstrate their professionalism.

43. Equally, such detailed prescription can limit a school's ability to make decisions about how teachers are deployed and so restrict its capacity to get the best value from its teaching staff and use their skills to achieve maximum impact for their pupils.
44. The current provisions have developed over time and were introduced with the very best of intentions – for example to respond to concerns about teacher workload or to provide other protection for teachers. It is timely to review how well they are serving their original purpose or whether there may be a better approach. The experience of academies suggests that where schools are given the freedom to make their own decisions about the non-pay conditions of service for teachers and headteachers they will exercise those freedoms responsibly and selectively.
45. An analysis of the impact of the current provisions is provided in [annex F](#). The evidence is mixed but it is clear that in some cases there are concerns that the current approach may have made it more difficult for schools to manage their staff effectively. For example, there is some evidence that the provisions have created additional inflexibility in the system that might make it more difficult for teachers to manage their time.
46. Overall our analysis suggests that the current set of statutory conditions is too rigid and does not help to promote professionalism. It actively prevents schools from:
  - deploying their teachers in ways that best meet the needs to the school and the children they teach and
  - defining teachers' roles in ways that enable individual teachers demonstrate and develop their skills and meet their aspirations.
47. The provisions which are particularly overly-prescriptive and limiting are those that cover working time and professional duties.

## Working Time

48. The provisions in the STPCD place limits on the overall amount of time that teachers should be available for work – 1,265 hours over 195 days a year of which five days are for duties other than teaching pupils. There are also a number of provisions which specify that teachers and headteachers are entitled to time for specific activities, such as: planning, preparation and assessment (PPA); dedicated headship time; and dedicated leadership and management

time. It provides that teachers who are serving an induction period should not teach for more than 90% of the teaching time expected of other teachers at the school. It also specifies that there should be a daily break and includes provisions intended to help headteachers and teachers to be able to achieve a satisfactory work/life balance.

49. A recent review of teacher employment in Scotland<sup>2</sup> noted that the main focus of teachers' work should be to lead the learning of children and young people, but it was strongly of the view that the strict division of hours into blocks of time, for teaching, preparation, collegiate activities etc. runs contrary to effective school improvement. It recommended a more flexible, professional approach that would allow time to be used in the interests of improved outcomes for learners and the professional obligations of teachers.
50. There is evidence that the principle of PPA time for teachers has been welcomed, but that the current provisions are overly prescriptive in their approach, requiring schools to allocate it in half hourly blocks and on a weekly basis. This is unhelpfully restrictive for schools that are seeking to manage their teaching staff and plan their timetable as effectively and efficiently as possible. We believe the STRB should consider recommending the removal from the STPCD of the detailed specification of how PPA time should be allocated.
51. As indicated above, academies have been selective in the extent to which they have exercised their freedoms in relation to non-pay conditions of service. Evidence to date suggests that it is in relation to the provisions around working time that academies are most likely to have moved away from the STPCD's provisions - for example, to enable them to undertake professional development or to enable them to extend the teaching and learning that they offer to their pupils.
52. There is evidence, especially from the US, that extended school hours that provide opportunities for additional high-quality activities can have real benefits for children's education. Research on the Expanded Schools initiative - where schools in Baltimore, New York and New Orleans extended their school day by three hours – demonstrated a marked improvement in maths results in some schools. Pattall et al. (2010) conducted a systematic review of 15 studies, which used a mixture of methodologies to examine the effects of extending the school day or year in American schools. While the outcomes were mixed, the studies that explored the impact of extending the school day did find some positive impact on attainment.
53. Children in the Far East are also often learning for many more hours than their peers in England, giving them a critical edge when they leave school. We want schools in this country to learn from these examples, and some of them already do. The David Young Community Academy in Leeds operates a seven-term year

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<sup>2</sup> The Scottish Government, *Advancing professionalism in teaching: the report of the review of teacher employment in Scotland*, (September 2011)



starting in June, with a maximum of six weeks at school followed by a maximum of four weeks' holiday. All ARK schools operate a longer school day: at secondary level, ARK schools are open from 8.30am-4.30pm Monday to Thursday, and 8.30am-3.00pm on Fridays, providing 31 hours of teaching per week. The Free School Norwich is open 51 weeks a year – and is proving very popular with parents struggling with childcare costs.

54. Academies and free schools have always had the freedom to extend school hours. In September 2011, we removed the prescriptive process that maintained schools had to go through when changing their school day, so that all maintained schools now have the freedom to set the length of their school day as they see fit. Despite the extension of these freedoms, many schools are unable to use them because of the restrictive terms under which they currently employ teachers.
55. Reforms to date have been about trusting headteachers to run their schools as they see fit. There is a strong case for a reform of the current working time provisions in the STPCD to give schools more scope to determine how they organise the school day and the school term in the best interests of children, parents and teachers.
56. If the current overall limits on working time were removed from the STPCD, this would not mean that teachers and headteachers had no protection - the Working Time Directive would continue to apply. Nor do we believe that schools would immediately seek to rewrite teachers' contracts to extend their working hours. Such a change would, however, extend to all schools the freedom to consider and consult on making changes to how they organise their provision. The STPCD does not set a limit on the number of days when members of the leadership group should be available for work. We believe the STRB should consider removing the central specification of teachers' working days and hours from the STPCD.
57. This is not about making teachers work longer hours without some form of compensation. To the extent that academies have used their flexibilities in relation to working time, they tend to apply more flexible working conditions so that they can operate a longer school day. For example, the ARK Schools' contract enables them to operate between the hours of 8am to 5pm. Teachers are expected to be available in the school and to cover most of their work within this longer school day, but no teacher would teach continuously throughout the day. The expectation is that in most cases the teaching load would be no greater than at other schools.

## **Professional duties**

58. The provisions in the STPCD specify in detail what teachers and headteachers are required to do; what they may be asked to do; and also a number of tasks which they should not routinely be required to do.

59. This approach is unusual when compared to other professions which define and manage a balance between professional roles and local duties without central government prescription and direction. The terms and conditions that apply in the National Health Service, for example, do not prescribe in detail what staff are able or not able to do while supporting working practices that recognise that modern forms of healthcare rely on flexible teams of staff providing patient care 24 hours a day, 7 days a week, 365 days a year and applying a wide range of skills.
60. Teaching is out of step when compared to other high status professions in setting out in statute a list of tasks that it would be considered inappropriate for one of its members to perform. Some of the concerns that have been expressed about these provisions have arisen from confusion over how to interpret the word “routinely”. But the list itself places artificial and potentially over-prescriptive limits on what a teacher can do. In the context of exam invigilation, for example, the involvement of a teacher who is known to the children could be less stressful for them than engaging another member of staff who they don’t know.
61. Central prescription of what a teacher should not routinely do may also have implications for other staff and may be an unhelpful constraint in terms of achieving best value for money. In small schools headteachers may have very limited options and there is a risk that activities teachers don’t do are displaced onto the leadership team. There is no evidence in the experience of academies to suggest that the lack of a list of 21 tasks has been abused by managers. We recommend the STRB considers the removal of the list of the 21 tasks from the STPCD.
62. The interpretation of the entitlement that teachers only “rarely cover” for absent colleagues also appears to have been a cause for concern. We believe schools need to feel confident that they can legitimately ask teachers to provide cover for colleagues and that greater flexibility would be welcome. There is a risk that concerns about cover can be a barrier to teachers being released for professional development. An approach that trusts teachers to cover for each other as appropriate is more befitting to their status as professionals. We recommend that the STRB considers the removal of “rarely cover” from the STPCD.
63. The STPCD includes detailed lists of professional duties for the various categories of teacher and duties associated with the receipt of particular allowances. While there may be a case for retaining a broad national framework, the needs of individual schools and specific posts differ. A number of additions have been made to the lists of duties over time. We recommend that the STRB should streamline the current lists of professional duties in the STPCD – not with a view to diminishing the role of teacher and headteachers, but rather to recognise that central definition can only go so far and to give the profession greater freedom.

64. The focus for any school should be on what is best for children's learning. Increased freedom for schools to determine the non-pay terms and conditions for their staff would enable them to organise their resources in a more efficient and effective way in accordance with their needs and priorities. Increased flexibility would also give teachers themselves greater freedom to demonstrate their skills and remove the artificial limits that current arrangements place on how they contribute to the school.

## Leadership, pay and conditions in Wales

65. The Secretary of State is responsible for the pay and conditions of teachers in Wales. However, the Welsh Government is responsible for most other aspects of the school system in Wales, including funding, accountability, teacher recruitment and teacher performance.
66. There is a different system of teacher and headteacher appraisal in Wales as well as a different system of accountability for schools, delivered in part through the ESTYN inspectorate.
67. It should be noted that in Wales the term “System Leader” is not used as a general descriptor of school leaders but refers to a specific role. “System Leaders” in Wales are appointed by regional education consortia to provide professional challenge, monitoring and support to schools. Their role includes being a member of the appraisal panel for the performance management of the headteacher.
68. Much of the data presented in this evidence is taken from the School Workforce Census, which only takes place in England. In most cases equivalent data is not available for schools in Wales. However, given that teachers' pay is not devolved to Wales it would be reasonable to assume that the distributions in the pay scales in the two countries would not vary greatly. Therefore, so far as possible, data provided by DfE from the School Workforce Census (SWC) in England should generally equate to the position in Wales. Information on the number and age of headteachers in Wales is included in [annex D](#).
69. The Welsh Government will submit separate evidence to the STRB.

## Conclusion

70. The principles for further reform remain those that underpinned the STRB's recommendations in its 21st Report – increased flexibility for schools within a simplified and consistent national framework. Our aim continues to be to raise the status of the profession and ensure that those in the profession are rewarded in line with their contribution to improving standards. The evidence above sets out the need for further reform in the areas of leadership pay, allowances, salary safeguarding and non-pay terms and conditions so as to meet those aims.
71. The current leadership pay provisions are unnecessarily bureaucratic and no longer fit for purpose, reflecting a system of leadership that no longer represents the way the system now works. We are, therefore, asking the STRB for advice on how more flexibility can be introduced to enable governing bodies to make decisions about the appropriate salary range for each member of their leadership team.
72. A wide range of different allowances has built up over time. Given the greater flexibility that schools now have in determining teachers' pay, there is a question as to whether such a wide range remains relevant. We are asking the STRB to recommend how greater flexibility and a more streamlined system of allowances could help schools establish staffing structures that are relevant to their particular circumstances.
73. The safeguarding provisions are complex and repetitive. We are asking the STRB to consider whether the safeguarding provisions are still required, how the current provisions could be simplified and streamlined and whether schools should have greater flexibility to decide on the period of time that safeguarding should apply.
74. Finally, the evidence shows that many of the provisions related to non-pay terms and conditions can limit a school's flexibility to deploy staff and manage business effectively. The specificity of many of the provisions seems inappropriate for committed professionals, which suggests that, to raise the professional status of teachers, a fundamental reform of teachers' terms and conditions that would enable a greater element of flexibility is required. We are asking the STRB to consider the extent to which regulation and prescription in the area of teachers' terms and conditions remains appropriate and how best to provide greater autonomy for schools to make their own arrangements.

## Annex A – The economic context

### Growth

- A1** The Government inherited the largest deficit since the Second World War and the UK experienced one of the deepest recessions of any major economy. Across the world, recovery over the past four years has been slower than forecast.
- A2** The Office for Budget Responsibility's (OBR) October 2012 forecast evaluation report showed that the shortfall in growth compared to its June Budget 2010 forecast could largely be explained by private consumption, investment and net trade, in roughly equal measure, reflecting shocks from commodity prices, financial conditions and confidence.
- A3** The Government's strategy is designed to protect the economy through this period of global uncertainty, to maintain market confidence in the UK and to lay the foundations for a stronger more balanced economy in the future. The Government is taking decisive action through: monetary activism and credit easing, stimulating demand, maintaining price stability and supporting the flow of credit in the economy, deficit reduction, reform of the financial system, and a comprehensive package of structural reforms.
- A4** Compared with the Autumn Statement 2012, the OBR's March 2013 *Economic and fiscal outlook* revised down its forecast for Gross Domestic Product (GDP) growth in 2013 to 0.6% from 1.2% and GDP growth in 2014 to 1.8% from 2.0%, reflecting smaller contributions to growth from net trade and consumption.
- A5** Risks to UK growth have become more balanced. Global risks have started to ease. As the Funding for Lending Scheme begins to gain traction, UK credit conditions have improved. There are signs of increasing momentum. The Bank of England revised up its forecast for growth and revised down its forecast for inflation in May's quarterly *Inflation Report*. The Governor said "*there is a welcome change in the economic outlook*".
- A6** The Government is delivering ambitious structural reforms to enable the UK to compete in a rapidly changing global economy. These reforms are a key part of the Government's economic strategy, alongside fiscal consolidation, monetary activism, and reform of the financial system.
- A7** Since November 2010, the Government has set out a programme of structural reforms to remove barriers to growth for businesses and equip the UK to compete in the global race. These reforms span a range of policies, including improving the UK's infrastructure, cutting red tape, root and branch reform of the planning system and boosting trade and inward investment.
- A8** Budget 2013 announced a further reduction in corporation tax to 20% by 2015, £18 billion of additional capital investment over next Parliament, and a major

housing package worth £5.4 billion to support home ownership, new development and affordable housing.

- A9** The UK is not immune to what happens elsewhere. As our biggest trading partner the euro area represents more than 40% of UK exports. The successful implementation of a comprehensive resolution to this crisis remains a key priority for the global economy.

**Table 1A: Forecasts for GDP growth 2013-2015**

Forecasts for GDP growth (%)	2013	2014	2015
OBR (March Budget 2013)	0.6	1.8	2.1
IMF WEO (April 2013)	0.7	1.5	1.8
Avg. of independent forecasters (May 2013)	0.8	1.6	2.1

## Inflation

- A10** Despite the difficult current conditions, inflation has more than halved since its peak in September 2011. CPI inflation peaked at 5.2% in September 2011 but fell back in 2012 as past rises in commodity and energy prices and VAT dropped out of the twelve month comparison. Inflation over the first quarter of 2012 was 2.8%.

**Table 2A: Forecasts for CPI inflation 2013-2015**

Forecasts for CPI Inflation (% change on a year earlier)	2013	2014	2015
OBR (March Budget 2013)	2.8	2.4	2.1
IMF WEO (April 2013)	2.7	2.5	2.2
Avg. of independent forecasters (May 2013)	2.8	2.3	2.2

- A11** Compared to the February *Inflation Report*, the outlook for inflation in the May report is lower, reflecting a modest reduction in the assumed path of world prices and a weaker path for nominal wage growth. The Monetary Policy Committee's (MPC) judgement is that inflation is more likely to be above than below the 2% target for much of the next two years and is likely to rise around 3% in the middle of 2013. This partly reflects reductions in energy prices in Q2 2012 dropping out of the twelve-month comparison.

## Affordability

- A12** The Government inherited the largest deficit in post-war history due to the financial crisis of 2008 and 2009 and unsustainable pre-crisis increases in public spending. The historically high level of borrowing risked undermining fairness, growth and economic stability in the UK. In 2010 the Government set out clear, credible and specific medium-term fiscal consolidation plans to return the public finances to a sustainable path.
- A13** The Government's fiscal strategy has been effective in providing protection against a challenging backdrop of global uncertainty and fiscal vulnerabilities. This has restored fiscal credibility, allowing activist monetary policy and the automatic stabilisers to support the economy, and is consistent with the approach recommended by international organisations. Uncertainty in the global outlook further reinforces the case for stability in the Government's consolidation plans.
- A14** The Government remains committed to reducing the deficit and addressing the permanent structural deterioration in the public finances caused by the lasting impact of the financial crisis. By the end of 2012-13, around 70% of the annual fiscal consolidation planned for the Spending Review 2010 period will have been achieved, with around 65% of the spending and around 90% of the tax consolidation in place. 80% of the total consolidation in 2015-16 will be delivered by lower spending.
- A15** As a result, the Government has made significant progress in reversing the unprecedented rise in borrowing between 2007-08 and 2009-10, with public sector net borrowing forecast to fall by a third over the three years from 2009-10, from 11.2% of GDP in 2009-10 to 7.4% of GDP in 2012-13.
- A16** The UK's fiscal vulnerabilities argue strongly in favour of maintaining a credible path of deficit reduction. Despite significant progress since 2010, the UK is forecast to have the largest deficit in the EU in 2013/14. Among the G7, only the US and Japan are forecast to have larger deficits in 2013/14. Uncertainty in the global outlook reinforces the case for stability in the Government's plans for fiscal consolidation. Clear and credible consolidation plans remain essential for reducing the risk of a costly loss of market confidence in the UK.
- A17** In February Moody's downgraded the UK sovereign credit rating from Aaa to Aa1 with stable outlook. Among the G7, only Canada and Germany are now rated Aaa by all three major credit rating agencies: Canada and Germany had the lowest pre-crisis structural deficits in 2007.
- A18** The credit rating is one of many important benchmarks, but near historic low gilt yields continue to reflect the market-tested credibility earned by the Government's economic strategy. UK long-term interest rates were around the same level as those of Italy and Spain in May 2010. Italy and Spain now face long-term interest rates of around 5%, compared with near record lows of around



2% for the UK. A one percentage point increase in government bond yields would add around £8.1 billion to annual debt interest payments by 2017-18.

- A19** The implication of fiscal consolidation for departmental spending levels can be seen in the table below, which shows resource DEL budgets for each department (as at Budget 2013). An estimated £166 billion in 2011-12 was spent on public sector pay, around 50% of departmental resource spending.

**Table 3A: Departmental programme and administration budgets**

	£ billion		
	Estimate 2012-13	Plans 2013-14	Plans 2014-15
<b>Departmental Programme and Administration Budgets (Resource DEL excluding depreciation<sup>1</sup>)</b>			
Education	51.4	53.1	53.8
NHS (Health) <sup>2</sup>	102.9	106.9	109.8
Transport	4.4	4.8	4.4
CLG Communities	1.4	2.0	1.3
CLG Local Government	24.0	23.9	21.7
Business, Innovation and Skills <sup>3</sup>	15.4	14.9	13.8
Home Office	7.9	8.0	7.4
Justice	8.1	7.2	6.8
Law Officers' Departments	0.6	0.6	0.5
Defence <sup>4</sup>	27.1	26.5	24.5
Foreign and Commonwealth Office	2.0	1.8	1.1
International Development	6.1	8.8	8.3
Energy and Climate Change	1.2	1.4	1.1
Environment, Food and Rural Affairs	1.9	1.9	1.7
Culture, Media and Sport <sup>5</sup>	1.9	1.2	1.1
Work and Pensions	7.1	7.6	7.4
Scotland	25.0	25.3	25.3
Wales	13.3	13.5	13.5
Northern Ireland	9.5	9.5	9.5
Chancellor's Departments	3.3	3.7	3.5
Cabinet Office	2.1	2.1	2.3
Small and Independent Bodies	1.4	1.5	1.4
Reserve	0.0	2.2	2.8
Special Reserve	0.0	0.4	1.8
Adjustment for Budget Exchange <sup>6</sup>	0.0	-1.7	-1.2
Green Investment Bank	0.0	1.0	0.0
<b>Total Resource DEL excluding depreciation</b>	<b>317.8</b>	<b>328.3</b>	<b>323.6</b>

## Labour market

- A20** Having strengthened in the second half of 2012, headline labour market indicators weakened at the start of 2013, in line with OBR forecasts. The level of employment fell in the first quarter of 2013, driven by a decline in self-employment, having reached its highest ever level in the final quarter of 2012. Employment was down 43,000 on the quarter but up 434,000 on the year. Unemployment increased in the first quarter of 2013 by 15,000 on the previous quarter but was down 92,000 on the year, the ILO unemployment rate at 7.8% was down 0.4 percentage points on the year. The claimant count continued to fall throughout the quarter to 1.5 million (4.6%) in March.
- A21** In the first quarter of 2013, the overall LFS employment level was 136,000 above its pre-recession peak in the three months to May 2008, but the employment rate at 71.4% was 1.6% lower than its pre-recession peak. The recovery of the level of employment over this period was driven by strong increases in part-time employment (up 534,000) and self-employment (up 340,000) while full-time employment and the number of employees have fallen by 397,000 and 223,000 respectively.

**A22** The performance of other labour market indicators are providing mixed signals on the recovery in labour demand. Average earnings growth remains weak, with regular pay growth (excluding bonuses) at the lowest since records began in 2001. However the number of vacancies increased by 42,000 over the year to 503,000 in the three months to March 2013, the highest level since the final quarter of 2008, workforce jobs also performed strongly in the first quarter of 2013, increasing by 211,000, and by 161,000 over the year to their highest ever level.

## Employment and unemployment

**A23 Private sector employment** rose by 46,000 in March 2013 and was up by 544,000 over the year, more than offsetting the fall in public sector employment which decreased by 22,000 from the December 2012 and by 112,000 over the year. This takes into account reclassifications of education corporations in the second quarter of 2012.

**A24** The increase in the level of employment of 434,000 over the year to the first quarter of 2013 gave indications of a positive change in the composition of employment, with the number of employees increasing by 388,000 while self-employment increased by only 13,000. The increase saw those working full-time increase by 404,000 while those working part-time increased by only 29,000. It is also notable that the increase of employment has been driven by women, which increased by 240,000 over the period.

**A25** The **ILO unemployment rate**, which rose from a low of 5.2% in the first quarter of 2008 to peak at 8.4% (2.66m people) in the final quarter of 2011, has subsequently fallen to 7.8% in the first quarter of 2013.

**A26** Working age inactivity (16-64) was down by 212,000 over the year at 22.4%. This has been driven almost entirely by the fall in female inactivity, which accounts for 85% of the overall fall in the level. The female inactivity rate at 28.0% in the three months to March 2013 was up slightly (0.1%) on the three months to February, which recorded the lowest ever inactivity rate for women.

**A27 Youth unemployment** (16-24) fell by 17,000 in the first quarter of 2013 to 958,000 (20.7%). Excluding those that are in full-time education, the level is 668,000 (or 19.1%).

**A28 Long term unemployment** (unemployment of 12 months or more) increased by 21,000 over the year up to the first quarter of 2013 to stand at 902,000. This was an increase of 23,000 from the final quarter of 2012.

**A29** The **claimant count** (the number of people claiming Jobseeker's Allowance) fell throughout the first quarter of 2012, continuing the downward momentum from the final quarter of 2011. The claimant count fell by 26,000 by March 2012 from the level at December 2011, and was down 80,400 on the year at 4.5 per cent. Table 4 summarises these statistics:

**Table 4A: Labour market statistics summary (Levels in 1,000s. rates in %)**

	2009	2010	2011	2012	Latest <sup>3</sup>
<b>Employment level (All aged 16 and over)</b>	28,960	29,019	29,166	29,751	29,708
<b>Employment rate (All aged 16-64)</b>	70.9	70.5	70.5	71.6	71.4
<b>Unemployment level (All aged 16 and over)</b>	2,390	2,476	2,564	2,503	2,518
<b>Unemployment rate (All aged 16 and over)</b>	7.7	7.8	8.1	7.8	7.8
<b>Youth unemployment level (All aged 16-24)</b>	912	932	986	975	958
<b>Youth unemployment rate (All aged 16-24)</b>	19.1	19.8	21.1	20.8	20.7
<b>Claimant Count</b>	1,528	1,496	1,534	1,554	1,520

## Public and private sector earnings

**A30** Pay in the public sector continues to be, on average, above that of the private sector. A 2012 study by the Institute of Fiscal Studies estimated that the average difference between public and private sector pay in 2011 was 8.3%, controlling for the type and characteristic of employees<sup>4</sup>. A similar study by the ONS estimates the premium to be between 2.2% and 7.3%<sup>5</sup>.

## Changes in average earnings

**A31** Average total pay growth (including) bonuses continued to weaken in the first quarter of 2013. Regular pay growth (excluding bonuses) also weakened to the lowest growth rate since records began in 2001, while bonus pay in the private sector continues to be weak and fell by 4.0% in the three months to March 2013.

**A32** Average total pay growth rose by 0.6% in the year up to March 2013, while average regular total pay rose by 0.8%. Over the same period, the Consumer Price Index (CPI) increased by 2.8%, meaning that real pay growth was negative over the period.

**A33** Average private sector regular pay grew by 1.4% in 2010 and gained some strength in 2011 and at the beginning of 2012. However, it weakened in the latter half of 2012 and into 2013. Public sector (excluding financial services) average regular pay was 2.3% in 2010 and 1.8% in 2011. While this recovered slightly in the middle of 2012, growing by 2.4% in the three months to September 2012, it weakened towards the end of the year and grew by 1.4% in the first quarter of 2013.

<sup>3</sup> Latest data: three months to March 2013

<sup>4</sup> The IFS Green Budget, <http://www.ifs.org.uk/budgets/gb2012/gb2012.pdf> (February 2012)

<sup>5</sup> ONS, *Estimating differences in public and private sector pay at the national and regional level*. [http://www.ons.gov.uk/ons/dcp171776\\_288081.pdf](http://www.ons.gov.uk/ons/dcp171776_288081.pdf) (2012)

**A34** The sharp drop in bonuses seen in 2009 put more downward pressure on total pay (pay including bonuses), while there were some tentative increases in the levels during 2010 and 2011, it has remained mostly subdued. Bonus pay in the private sector has continued to be weak throughout 2012, falling on average by 1.6% compared to average growth of 10.56% in 2011. Bonus pay fell by 4% in the three months to March 2013.

**A35** Total private sector pay has recovered somewhat from its large decline in 2009 but remains mostly weak, growing by just 2% in 2010 and 2.5% in 2011, compared to above 4% prior to the recession. Private sector pay growth weakened throughout 2012 and into 2013, growing by just 0.1% on the year in the first quarter of 2013.

**A36** Table 5 sets out the differences in regular and total pay growth across years in the public and private sector.

**Table 5: Regular pay (excluding bonuses) and total pay growth<sup>6</sup>**

	Total Pay, annual growth			Regular pay, annual growth		
	All	Private	Public <sup>7</sup>	All	Private	Public <sup>8</sup>
2009	-0.1%	-1.0%	2.8%	1.7%	1.2%	3.0%
2010	2.3%	2.0%	2.1%	1.9%	1.4%	2.3%
2011	2.5%	2.5%	1.5%	2.0%	2.0%	1.8%
2012	1.5%	1.6%	1.6%	1.7%	1.9%	1.5%
Three months to March 2013	0.6%	0.1%	1.5%	0.8%	0.8%	1.4%

**A37** Despite the pay freeze, average earnings in the public sector (as measured by the ONS) still display positive growth for a number of reasons: the provision of £250 to those earning £21,000 or less, upwards pay drift due to constrained recruitment, and the fact that some three year pay deals only ended in September 2011.

## Public sector pensions

**A38** When considering changes to remuneration, it is important to consider the overall value of the public sector reward package. As set out above, pay in the public sector continues to be above that of the private sector on average. However, there are many reasons aside from pay that may drive an individual's decision as to whether they will work in the public or private sector.

**A39** One major factor in the overall reward package is pension provision. In the last few decades pension provision in the public and private sectors has diverged, in

<sup>6</sup> Source: ONS, AWE; HMT calculations annual percentage change for quarter one.

<sup>7</sup> Public Sector excluding financial services

<sup>8</sup> IBID

response to pressures around longevity, changes in the business environment and investment risk. This has led to a sharp decrease in the provision of defined benefit schemes in the private sector. Around 85% of public sector employees are members of employer sponsored pension schemes, compared to only 35% in the private sector.

**A40** Following a fundamental review of public service pension provision by the Independent Public Service Pensions Commission, the Government is introducing key changes to the pension element of the remuneration package. New public service pension schemes will be introduced in April 2015, which will:

- calculate pension entitlement using the average earnings of a member over their career, rather than their salary at or near to retirement;
- calculate pension benefits based on Normal Pension Age linked to the member's State Pension Age; and
- include an employer cost cap mechanism, where unforeseen changes in scheme costs are shared by members and employers (based on 2% of the scheme's total pensionable pay bill).

**A41** The changes being introduced through the Public Service Pensions Act 2013 will save an estimated £65 billion by 2061-62.

**A42** Wider changes to public service pension provision have also taken place. Progressive increases in the amount that members contribute towards their public service pension began in April 2012. Members will contribute an average of 3.2 percentage points more, phased in over three years (increases will be finalised in April 2014). This will deliver £2.8 billion of savings a year by 2014-15.

**A43** Protections from the impact of the contribution changes have been put in place for the lowest paid. Those earning less than £15,000 will see no increases; and those earning up to £21,000 (£26,000 for Teachers) will not see increases of more than 1.5 percentage points by 2014-15.

**A44** Public service pensions will remain among the best available and will continue to offer members guaranteed, index linked benefits in retirement that are protected against inflation. Private sector workers buying benefits in the market would have to contribute over a third of their salary each year to buy an equivalent pension.

**A45** Putting together the evidence on pension provision and pay levels – and recognising that there will be significant variation between and within individual workforces – the overall remuneration of public sector employees is above that of the market. The Government is therefore clear that any changes to public service pensions, including the progressive increase in contributions from 2012-13, do not justify upward pressure on pay.

## Annex B – The current system

### Leadership

- B1** The leadership group in the STPCD includes headteachers, deputy headteachers and assistant headteachers. In order to be appointed as a deputy or assistant headteacher a person must be in a role that meets the requirements set out in Section 2 of the STPCD (which are summarised in **Box 1B**).
- B2** The arrangements for leadership pay are long established with few changes in recent years. In 2009 some amendments were made to better recognise changing models of school leadership, including headteachers with responsibility for more than one school and who provided support services to other schools. In 2011 a 25% limit on discretionary payments to headteachers was introduced.

#### **Box 1B – Requirements of the role of deputy or assistant headteacher**

In addition to carrying out the professional duties of a teacher other than a headteacher, must-

- play a major role under the overall direction of the headteacher in-
  - (a) formulating the aims and objectives of the school
  - (b) establishing the policies through which they are to be achieved
  - (c) managing staff and resources to that end, and
  - (d) monitoring progress towards their achievement.
- undertake any professional duties of the headteacher reasonably delegated by the headteacher.

If the headteacher is absent from the school a deputy headteacher must undertake their professional duties to the extent required by the headteacher or the relevant body or, in the case of a foundation, voluntary aided or foundation special school, the governing body.

- B3** There is a single leadership pay spine which has 43 points for each of the four regional pay bands. The lowest spine point on the Rest of England and Wales pay band is worth £37,461, and the highest on the Inner London pay band is worth £112,181.
- B4** Each school is assigned by the relevant body to a Headteacher Group (HTG) using a formula based on numbers of full-time equivalent pupils. Older pupils are given greater weighting than younger pupils, and pupils with a statement of special educational needs (SENs) are given additional weighting on top of the normal points for their key stage. In the case of special schools an additional factor based on the staff-pupil ration is taken into account, with teachers given more weighting than support staff.

### Box 2B: Example of applying the leadership pay formula

- Maintained school in the Rest of England and Wales pay band. The full scale has a minimum of £37,461 and a maximum of £105,097.
- 528 pupils in preliminary stage and key stages 1 and 2, 10 of which have statements of SENs. The relevant body decides that pupils with statements should be counted as having three more points than they would if they did not have a statement. The total unit score is therefore  $(518 \times 7) + (10 \times 10)$ , or 3,726.
- The school is, therefore, assigned to School Group 4 as it has a unit score of between 3,501 and 5,000. School Group 4 pay band is L14-L27, or £51,614-£70,991 in Rest of England and Wales.
- The relevant body next determines “the salary of the highest paid classroom teacher”. In this case this is £34,181 (point 1 on the upper pay scale), plus £7,323 (the value of any TLR awarded to the teacher with the highest total TLR and SEN allowance). The same teacher does not hold an SEN allowance, so the total is £41,504. As this is below the minimum of the Headteacher Group range this does not affect the salary of anyone on the leadership team.
- The school has two assistant headteachers, both of which are assigned to the lowest possible range within the group, which is L14-L18 or £51,614-£56,950. The relevant body wants to appoint the experienced deputy to the highest possible range. As they are required to leave seven points above this range on which to put the headteacher, the maximum range they can allow is L16-20 or £54,305-£59,809.
- The Individual School Range (ISR) on which the headteacher sits is, therefore, L21-L27 or £61,288-£70,991.

- B5** The “relevant body” (usually the governing body) must then determine the Individual School Range (ISR). The ISR is seven consecutive spine points within the HTG for the school. The minimum of the ISR must be at least the next point higher than the maximum of the pay range for any deputy or assistant headteacher at the school, each of which must be a five point range within the HTG.
- B6** The ranges for all leaders must also sit above the ‘salary of the highest paid classroom teacher’. This is defined as the sum of the value of point 1 on the upper pay scale; the value of any TLR awarded to the classroom teacher with the highest combined SEN and TLR allowance total; and the value of any SEN allowance awarded to the same classroom teacher.

## Salary determination, progression and discretionary payments

- B7** On appointment at a school a headteacher must be paid a salary equal to the amount specified for one of the bottom four points of the ISR. A newly appointed deputy or assistant headteacher must be paid a salary equal to the amount specified for one of the bottom three points of the relevant deputy or assistant headteacher pay range.
- B8** Members of the leadership group can progress up to two spine points in any given year. Progression must not be awarded unless there has been sustained high quality performance, having regard to an appraisal of an individual's performance against agreed objectives relating to school leadership and management and pupil progress.
- B9** In addition, the relevant body may make discretionary payments as described in paragraphs B25-26 below.

## Allowances

- B10** The STPCD contains a number of distinct allowances which can be awarded in addition to a teacher's salary, including seven for classroom teachers. In addition, the STPCD provides for a cash reward scheme for teachers who achieve Chartered London Teacher's status (CLTS) and a refund for teachers in Wales of the fee they pay for registration with the General Teaching Council for Wales (GTCW).
- B11** There is no provision in the current STPCD for the payment of bonuses or honoraria.

## Teaching and Learning Responsibility payments (TLRs)

- B12** TLRs were introduced in January 2006 when they replaced Management Allowances. There are currently three TLR ranges, which the relevant body may award to a classroom teacher.
- B13** TLR1s (£7,323 – £12,393) and TLR2s (£2,535 - £6,197) are awarded where the post carries a sustained additional responsibility. The criteria for awarding a TLR1 or TLR2 must be clearly set out in the job description of the postholder. Both TLR1 and TLR2 are subject to safeguarding.
- B14** TLR3s (£500 - £2,500) are fixed-term and will be introduced in September 2013 following a recommendation in the STRB's 21<sup>st</sup> Report. They can be awarded for clearly time-limited school improvement projects or one-off externally driven responsibilities.
- B15** Before awarding a TLR the relevant body must be satisfied that a teacher's duties include a significant responsibility that is not required of all classroom teachers and that meets the criteria shown in **Table 1B**.



**Table 1B: TLR payment criteria**

Criteria	TLR1	TLR2	TLR3
Focused on teaching and learning	*	*	*
Exercises a teacher's professional skills and judgement	*	*	*
Requires them to lead, manage and develop a subject or curriculum area; or lead and manage pupil development across the curriculum	*	*	
Impacts on the educational progress of pupils other than the teacher's assigned classes or groups of pupils	*	*	
Involves leading, developing and enhancing the teaching practice of other staff	*	*	*
Has line management responsibility for a significant number of people	*		

## Special Educational Needs (SEN) allowance

**B16** The STPCD 2010 introduced a new SEN range with revised criteria which replaced the previous system of two separate SEN allowances.

**B17** Classroom teachers of pupils with SEN must receive an allowance of £2,001 - £3,954 per annum:

- a) in any SEN post that requires a mandatory SEN qualification
- b) in a special school
- c) if they teach pupils in designated special classes/units in a school or in a local authority unit/service, or
- d) in any non-designated setting (including PRU):
  - that involves a substantial element of working with children with SEN
  - where professional skills and judgement are exercised in the teaching of children with SEN or
  - has a greater level of involvement in the teaching of children with SEN than is the normal requirement of teachers.

**B18** It is for the relevant body to determine the spot value of the allowance, taking into account the structure of the school's SEN provision and:

- a) whether any mandatory qualifications are required
- b) the qualifications or expertise of the teacher relevant to the post, and
- c) the relevant demands of the post.

## Other allowances for classroom teachers

- B19 Recruitment and retention incentives and benefits:** Additional payments or other benefits for recruitment and retention (R&R) purposes. The relevant body is free to determine the value and nature of any award, which may be an addition to salary or another type of benefit such as contributions to travel or housing costs. The original R&R payments were replaced by flexible, fixed-term R&R payments in 2004.
- B20 Other additional payments:** Introduced in 2003, with further revision in 2009 to free up the arrangements for making additional payments to teachers for undertaking professional development outside the school day; activities relating to the provision of ITT; participation in out-of-school hours learning activity or additional responsibilities and activities by the headteacher relating to the raising of educational standards to one or more additional schools.
- B21 Residential allowance:** For teachers undertaking residential duties.
- B22 Unqualified teachers allowance:** Paid to unqualified teachers where they have taken on a sustained additional responsibility focused on teaching and learning and requiring the exercise of their professional skills/judgement/experience and/or qualifications which add value. TLRs or SEN allowances are not available to unqualified teachers.

## Allowances for headteachers and acting leaders

- B23 Acting allowance:** Payable to a teacher for assuming the duties of a leadership post, without formally being appointed to that post.
- B24 Performance payment to seconded teachers:** A lump sum payable to a teacher if they are seconded to a post as a headteacher in a school causing concern, which is not the teacher's normal place of work.
- B25 Other discretionary payments to headteachers:** Discretionary payments to headteachers that can be awarded where:
- a) the school is causing concern
  - b) without additional payment the school would have substantial difficulty in filling a vacant headteacher post or substantial difficulty in retaining the existing headteacher, or
  - c) the headteacher is appointed as a temporary headteacher of one or more additional schools.
- B26** Discretionary payments to headteachers must not exceed 25% of their salary except in "wholly exceptional circumstances", where external independent advice must be sought by the governing body before the provision of such agreement.

## Other payments

### Chartered London Teacher (CLT)

**B27** Awarded to teachers who have remained working in London for a minimum of four years, are paid above the main pay range and can demonstrate they meet the CLT standards with two years having elapsed since the intention to apply was registered<sup>9</sup>. The programme rewards teachers with a Master's credit and a one-off award of £1000. The cost of the award is met from individual schools' budgets.

**B28** Just under 7000 teachers had been awarded CLT status by April 2013. 226 teachers gained the status in 2012/13<sup>10</sup> compared to 439 for 2011/12.

### General Teaching Council for Wales (GTC(W))

**B29** The relevant body must pay the sum of £33 per annum to any teacher who is required to be registered with the GTC(W), and is therefore subject to an annual registration fee.

## Safeguarding

**B30** Safeguarding arrangements protect the salaries of teachers for a fixed period following a school closure or reorganisation; changes to the provisions of the STPCD; or a school-level decision to reorganise the staffing structure. In the 2013 Document there are six sections on safeguarding.

**B31** General safeguarding arrangements have been included in the STPCD since the first document in 1987 to protect the salaries of teachers during reorganisations or closures of schools. Where following such a reorganisation a teacher continues to be employed by the same authority they are entitled to the same salary for three years if they took up post from 1 January 2006 or indefinitely if they took up post before that date.

**B32** Transitional safeguarding arrangements have historically been used for similar purposes during the transition to a new national structure of teachers' pay. For example, in the 2005 STPCD specific safeguarding arrangements were introduced to protect the salaries of teachers during the transition from Management Allowances to TLRs. Similarly, 'assimilation safeguarding' was applied to manage the transition to the new pay-scales in the 2000 STPCD after the abolition of 'half-points'.

**B33** Specific safeguarding arrangements apply to TLR payments; Advanced Skills Teacher (AST) and Excellent Teacher (ET) posts; and posts on the leadership

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<sup>9</sup> There is no time limit in which to complete the registration process.

<sup>10</sup> March 2013 saw one of the highest numbers of registrations within the financial year (40 registrations).

pay scales. These protect the salaries of those teachers for three years if the post for which they were awarded is no longer required for any reason.

## Non-pay terms and conditions

- B34** The Education Act 2002 provides the current statutory framework for teachers' terms and conditions. It gives the Secretary of State the power to specify teachers' terms and conditions of employment in maintained schools in England and Wales<sup>11</sup>. These are set out in the STPCD.
- B35** Different sections of the STPCD have different legal forces. Section 2 (Parts 8-10) of the 2012 STPCD covers the contractual framework within which teachers and headteachers operate and is legally-binding. In summary, this includes headteachers' and teachers' responsibilities, entitlements and matters relating to their working time, such as: guaranteed planning, preparation and assessment (PPA) time; rarely cover and clerical duties. Section 4 of the STPCD provides non-statutory guidance on how these provisions should be interpreted in practice and was agreed between the previous Government, employers and the main teacher unions.
- B36** Non-pay conditions of employment have been included in the STPCD since 1987 when this section was relatively minimal, essentially consisting of the professional duties of headteachers, deputy headteachers and classroom teachers and a working time requirement of 195 days and 1265 hours. Additions to the non-pay conditions since then have reflected the proliferation over time of teacher and headteacher roles and the specification of their various duties. The most recent changes arose from the National Agreement on Raising Standards and Tackling Workload (signed by the previous administration, employers and school workforce unions in 2003) following concerns about teacher workload, recruitment and retention. The Agreement resulted in several statutory entitlements for teachers being included within the STPCD between 2003 and 2009, which were intended to reduce teacher workload and raise standards by ensuring teachers' time was focused on teaching.

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<sup>11</sup> The STPCD does not apply to teachers in: academies, free schools, private/independent schools; city technology colleges, city colleges for the technology of the arts, European Schools, MOD Schools, further or higher education establishments, those working for private supply agencies. However, these institutions might choose to adopt the provisions within the STPCD.

**Table 2B: Working time provisions in section 2 of the STPCD**

Provision	Section 2 (statutory) Reference
Working Time <sup>12</sup>	<p><b>Paragraph 62.2:</b> A full-time teacher must be available to work 195 days (190 teaching pupils or performing other duties; and five days to only perform other duties).</p> <p><b>Paragraph 62.4:</b> Teachers must be available to perform duties as specified by the headteacher for 1265 hours in any school year.</p> <p><b>Paragraph 63.1:</b> Teachers are not required to work Saturdays, Sundays or public holidays.</p> <p><b>Paragraph 62.6:</b> In addition a teacher must work such reasonable additional hours as may be necessary to enable effective discharge of their duties.</p>
Daily Breaks	<p><b>Paragraph 63.3:</b> Teachers must be allowed one break of reasonable length between school sessions or between 12pm-2pm. Deputy headteachers, assistant headteachers, ASTs and ETs are entitled to a similar break as near to the middle of each school day as reasonably practicable.</p> <p><b>Paragraph 57.3:</b> Similarly, headteachers are entitled to a break of reasonable length in the course of each school day, and must arrange for a suitable person to assume responsibility for the discharge of their functions as headteacher during that break.</p>
Midday Supervision <sup>13</sup>	<p><b>Paragraph 63.2:</b> No teacher may be required under their contract of employment as a teacher to undertake midday supervision.</p>
Work/life balance	<p><b>Paragraph 63.4:</b> Teachers are entitled to a reasonable work/life balance by having a satisfactory balance between the time required to discharge their professional duties and time to pursue their personal interests outside work<sup>14</sup>.</p>
Guaranteed Planning, Preparation and Assessment (PPA) time.	<p><b>Paragraphs 63.5-63.8:</b> All teachers who participate in the teaching of pupils are entitled to reasonable periods of PPA time to enable the discharge of professional responsibilities of teaching and assessment. 'Reasonable' is defined as 10% of a teacher's timetabled teaching time, and should be provided in units of no less than 30</p>

<sup>12</sup> This provision does not apply to headteachers, deputy or assistant heads, ASTs, teachers in pupil referral units or those in receipt of an allowance for deputising for a head, deputy or assistant head.

<sup>13</sup> Teachers who volunteer to supervise pupils during the midday break are entitled to a free school meal under Burgundy Book provisions.

<sup>14</sup> Section 21 of the Education Act 2002 put the responsibility on the relevant body to have due regard to the work-life balance of the headteacher.

Provision	Section 2 (statutory) Reference
	minutes.
Induction	<b>Paragraph 63.15:</b> A teacher serving their induction period under the Induction Regulations must not teach for more than 90% of the time that any other teacher at the school would normally be expected to teach.
Dedicated headship time	<b>Paragraph 57.2:</b> Headteachers are entitled to a reasonable amount of time during school sessions for the strategic leadership of their school.
Dedicated leadership/management time	<b>Paragraph 63.9:</b> A teacher with leadership or management responsibilities is entitled to a reasonable amount of time to discharge those responsibilities.

**Table 3B: Provisions relating to professional duties in section 2 of the STPCD**

Provision	Section 2 (statutory) Reference
Headteacher duties	<p><b>Paragraphs 56.1-56.19:</b> A headteacher <b>may</b> be required to undertake the following duties:</p> <ul style="list-style-type: none"> <li>• Provide overall strategic leadership.</li> <li>• Develop, implement and evaluate the school's policies, practices and procedures.</li> <li>• Lead and manage teaching and learning throughout the school.</li> <li>• Promote the safety and well-being of pupils and staff.</li> <li>• Ensure good order and discipline amongst pupils and staff.</li> <li>• Lead, manage and develop the school workforce.</li> <li>• Promote the participation of staff in relevant continuing professional development.</li> <li>• Participate in arrangements for the appraisal and review of their own performance, and, where appropriate, that of other teachers and support staff.</li> <li>• Participate in arrangements for their own further training and professional development, and, where appropriate, that of other teachers and support staff including induction.</li> <li>• Consult and communicate with the governing body, staff, pupils, parents and carers.</li> <li>• Collaborate and work with colleagues and other</li> </ul>

Provision	Section 2 (statutory) Reference
	relevant professionals within and beyond the school, including relevant external agencies and bodies.
Assistant/deputy head duties	<b>Paragraph 58:</b> Deputy/Assistant headteachers must play a major role in: formulating the school's aims and objectives; establishing the policies through which they are to be achieved; managing staff and resources accordingly; monitoring progress against the policies; deputising for the headteacher where necessary.
Teacher duties	<p><b>Paragraphs 61.1-61.6:</b> Teachers <u>may</u> be required to undertake the following duties:</p> <ul style="list-style-type: none"> <li>• Plan and teach lessons and sequences of lessons to the classes they are assigned to teach within the context of the school's plans, curriculum and schemes of work.</li> <li>• Assess, monitor, record and report on the learning needs, progress and achievements of assigned pupils.</li> <li>• Participate in arrangements for preparing pupils for external examinations.</li> <li>• Contribute to the development, implementation and evaluation of the school's policies, practice and procedures in such a way as to support the school's values and vision.</li> <li>• Work with others on the curriculum and/or pupil development to secure coordinated outcomes.</li> <li>• Supervise and so far as practicable teach any pupils where the person timetabled to take the class is not available to do so.</li> <li>• Promote the safety and well-being of pupils.</li> <li>• Maintain good order and discipline among pupils.</li> <li>• Direct and supervise support staff assigned to them, and where appropriate, other teachers.</li> <li>• Contribute to the recruitment, selection, appointment and professional development of other teachers and support staff.</li> <li>• Deploy resources delegated to them.</li> <li>• Participate in arrangements for the appraisal and review of their own performance, and, where appropriate, that of other teachers and support staff.</li> <li>• Participate in arrangements for their own further</li> </ul>

Provision	Section 2 (statutory) Reference
	<p>training and professional development, and, where appropriate, that of other teachers and support staff, including induction.</p> <ul style="list-style-type: none"> <li>• Communicate with pupils, parents and carers.</li> <li>• Collaborate and work with colleagues and other relevant professionals within and beyond the school.</li> </ul>
Rarely Cover	<p><b>Paragraph 63.10:</b> Teachers should be required to provide cover only rarely, and only in circumstances that are not foreseeable. The Section 4 guidance states that headteachers must put in place suitable cover arrangements to ensure that teachers do cover only in unforeseen circumstances.</p>
Administrative and clerical tasks and external examination arrangements.	<p><b>Paragraphs 63.12-63.13:</b> Teachers cannot routinely undertake tasks of a clerical or administrative nature which do not call for their professional skills and judgement. Additionally, teachers should not be required to undertake exam invigilation. A list of 21 clerical tasks that teachers should not routinely be required to undertake is included.<sup>15</sup></p>
Post-threshold teacher duties <sup>16</sup>	<p><b>Paragraphs 52-93:</b> Teachers who meet the Post-threshold professional standards should: act as role models for teaching and learning; make a distinctive contribution to raising standards across</p>

<sup>15</sup> **Administrative and clerical tasks that teachers cannot routinely undertake**

1. Collecting money from pupils and parents.
2. Investigating a pupil's absence.
3. Bulk photocopying.
4. Typing or making word-processed versions of manuscript material and producing revisions of such versions.
5. Word-processing, copying and distributing bulk communications, including standard letters, to parents and pupils.
6. Producing class lists on the basis of information provided by teachers.
7. Keeping and filing records, including records based on data supplied by teachers.
8. Preparing, setting up and taking down classroom displays in accordance with decisions taken by teachers.
9. Producing analyses of attendance figures.
10. Producing analyses of examination results.
11. Collating pupil reports.
12. Administration of work experience (but not selecting placements and supporting pupils by advice or visits).
13. Administration of public and internal examinations.
14. Administration of cover for absent teachers.
15. Ordering, setting up and maintaining ICT equipment and software.
16. Ordering supplies and equipment.
17. Cataloguing, preparing, issuing and maintaining materials and equipment and stocktaking the same.
18. Taking verbatim notes or producing formal minutes of meetings.
19. Co-ordinating and submitting bids (for funding, school status and the like) using contributions by teachers and others.
20. Transferring manual data about pupils not covered by the above into computerised school management systems.
21. Managing the data in school management systems.

<sup>16</sup> The STRB's 21<sup>st</sup> Report recommended the abolition of the post-threshold, AST and ET standards. The sections in the STPCD setting out the duties of teachers in these categories will need to be removed following the Government's acceptance of that recommendation.



Provision	Section 2 (statutory) Reference
	the school; continue to develop their expertise; and provide regular coaching and mentoring to less experienced teachers.
Excellent Teacher (ET) duties <sup>17</sup>	<b>Paragraphs 60.1-60.2:</b> An ET must meet the relevant Post-threshold professional standards and must play a leading role in raising standards by improving the practice of other teachers, through: participating in coaching and mentoring activities; helping other teachers to develop their practice through demonstration lessons and classroom observation; helping teachers who are experiencing difficulties.
Advanced Skills Teacher (AST) duties <sup>18</sup>	<b>Paragraphs 59.1-59.3:</b> An AST must meet the relevant Post-Threshold professional standards and undertake a leadership role in developing policies and practices in their own and other schools through: leading coaching and mentoring; sharing best practice; helping teachers who are experiencing difficulties.  ASTs are required to spend 20% of their time working to improve the practice of teachers in other schools.
Teaching and Learning Responsibility (TLR) Payments	<b>Paragraphs 21-25:</b> TLRs may be awarded for undertaking a sustained responsibility in the context of the school's staffing structure that is needed to ensure continued delivery of high-quality teaching and learning. Duties should go beyond what is normally expect of all classroom teachers and should: be focused on teaching and learning; require the exercise of their professional skills and judgement; requiring the teacher to lead, manage and develop a subject/curriculum area, or to lead and manage pupil development across the curriculum; impact on the educational progress of pupils other than the teacher's assigned classes or groups of pupils' involves leading, developing and enhancing the teaching practice of other staff.
Chartered London Teacher (CLT) duties	<b>Paragraph 34.1-34.9:</b> In order to achieve the £1,000 bonus that candidates receive upon gaining CLT status, they must demonstrate how they meet the 12 CLT standards, which are broadly based on helping other teachers to improve their practice. These standards are grouped under the following headings: pedagogy and pupil learning; subject, specialism and phase; whole school; diversity, communities and cultures.

<sup>17</sup> See footnote 16.

<sup>18</sup> See footnote 16.

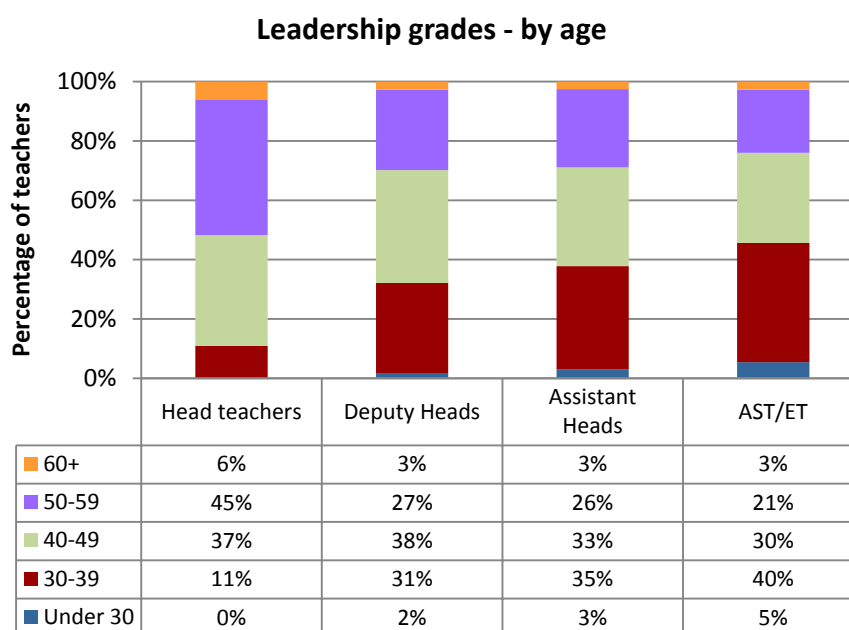


## Annex C – Use of the current system of leadership pay

### Demographic characteristics of leaders<sup>19</sup>

**C1** Figure 1C shows the age profile of leadership grade teachers in November 2012. Over 50% of headteachers were over the age of 50, and only 11% were under the age of 40. The majority of headteachers, 82%, were aged 40-59. For deputy and assistant headteachers and ASTs/ETs the age profiles were lower, with the majority aged 30-49. The proportion of teachers under the age of 40 decreased with seniority.

**Figure 1C**



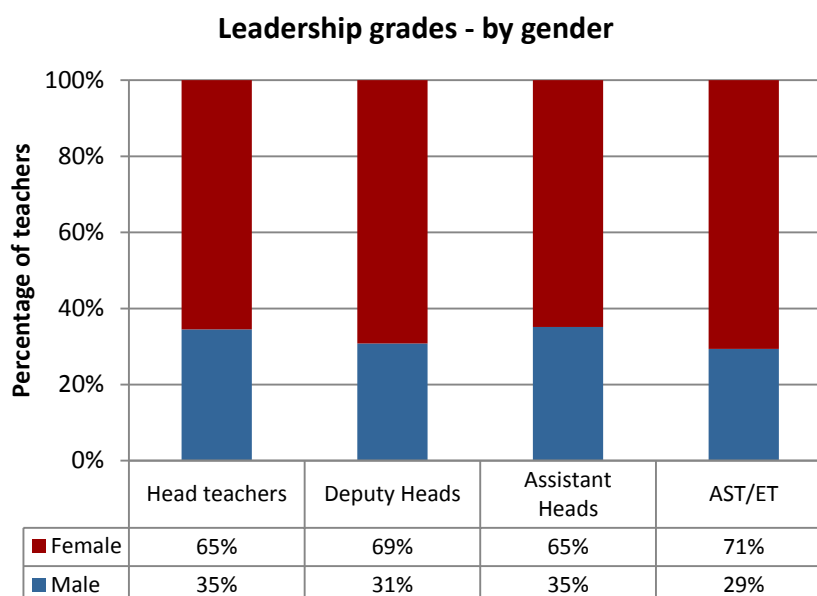
*Source: School Workforce Census November 2012*

**C2** Figure 2C shows leadership grades by gender. 65% of headteachers were female, compared to 75% of all teachers, although there was no clear pattern through the different grades.

**C3** Figure 3C shows leadership grades by ethnic group. The proportion recorded as “White British” increased with seniority. 94% of headteachers were recorded in this ethnic group compared to 88% of ASTs/ETs.

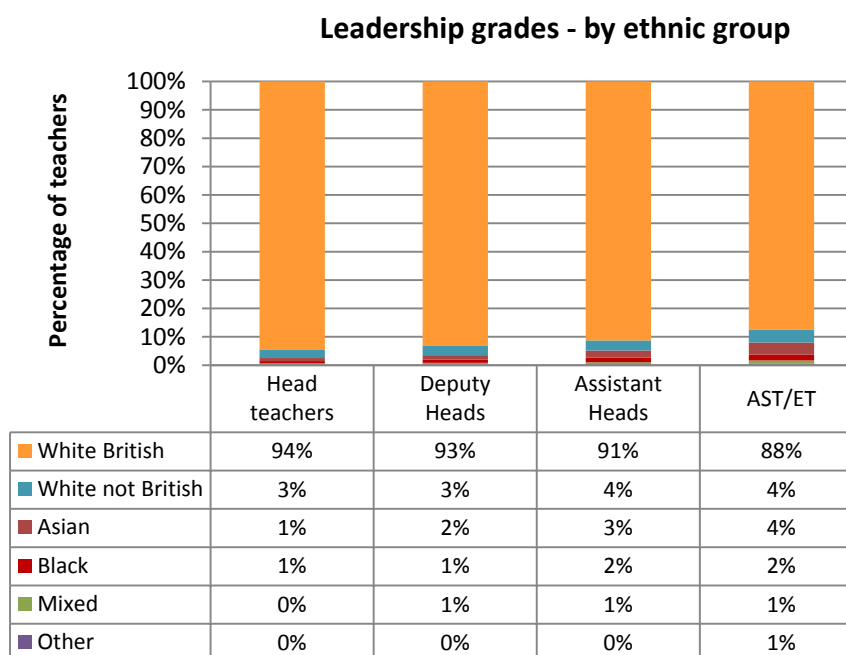
<sup>19</sup> The STRB’s 21<sup>st</sup> Report recommended that the AST and ET pay scale be abolished and replaced with a single Leading Practitioner pay range, which, like the AST scale, is equal in value to the bottom 18 spine points of the current leadership scales. We have incorporated ASTs/ETs in this analysis as we expect some schools will decide to transfer individuals in these posts on to the leadership pay scales. As higher paid classroom teachers they also provide a useful comparator group when considering the leadership grades.

**Figure 2C**



Source: School Workforce Census November 2012

**Figure 3C**



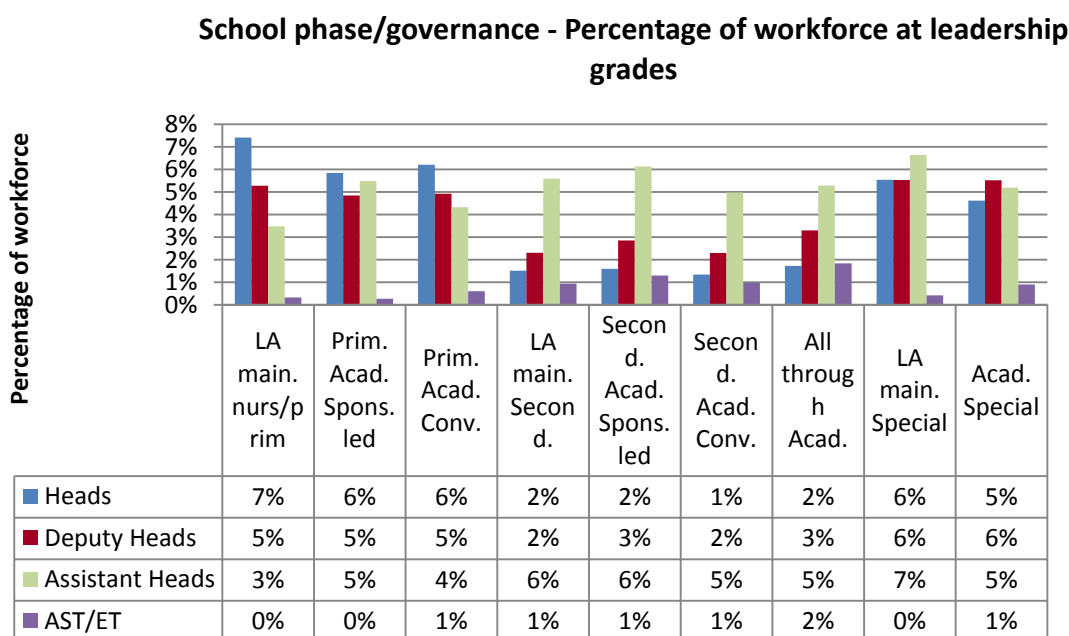
Source: School Workforce Census November 2012

## Use of leadership grades

**C4** Figure 4C shows the proportion of the workforce recorded at leadership grades by the phase and governance type of their school. Each row includes all of the teachers at that grade. So, for example, 7% of all teachers in LA maintained primary or nursery schools are headteachers.

- C5** This analysis gives some indication of the different models of leadership teams used in different types of school. In the vast majority of cases the number of headteachers in a school will be one. Therefore, if a school type had a smaller proportion of the workforce at deputy headteacher grades than at headteacher grade this indicates that that particular type of school may be less likely to employ deputy headteachers than other school types.

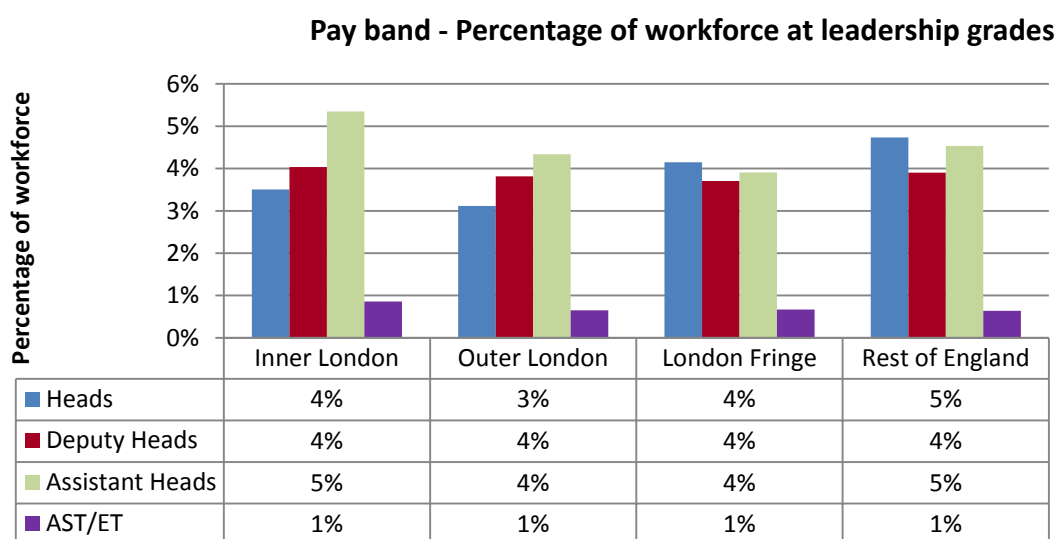
**Figure 4C**



*Source: School Workforce Census November 2012*

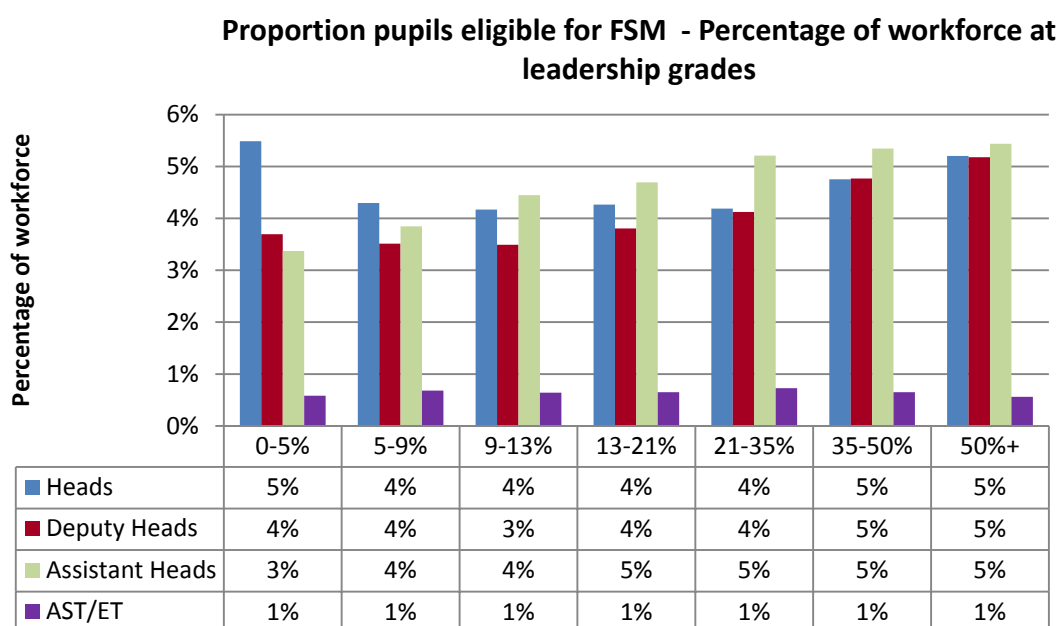
- C6** Primary schools appeared to make less use of leadership grades under headteacher than secondary schools. Differences between governance types within the secondary phase were less pronounced. There were also only slight differences between schools in different pay bands (**Figure 5C**).

**Figure 5C**



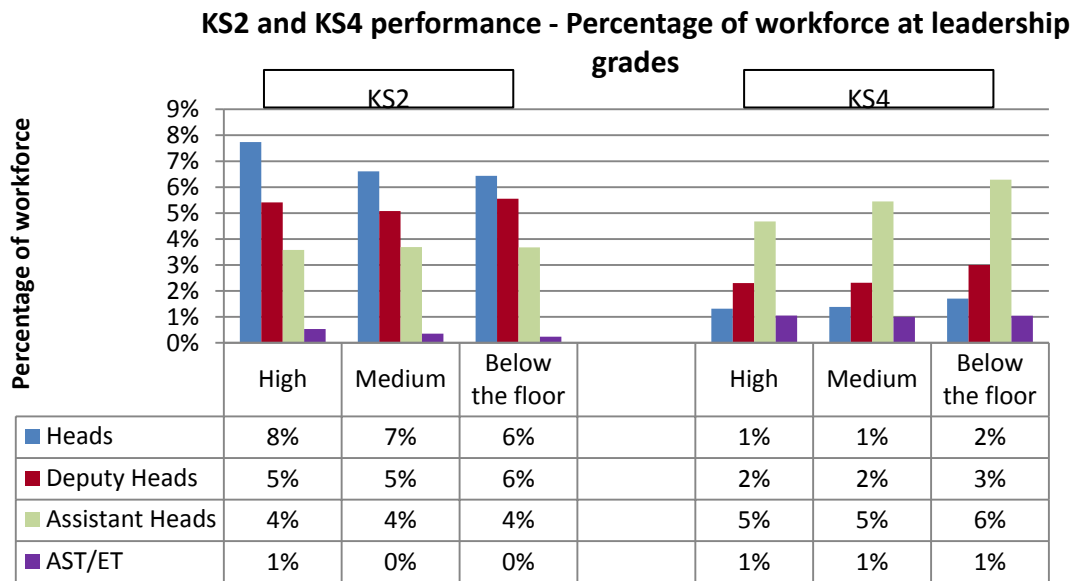
**C7** **Figure 6C** shows the proportion of the teaching workforce at leadership grades by the proportion of pupils eligible for Free School Meals (FSM). This analysis suggests that schools within the lower FSM bands were less likely to make use of leadership grades under headteacher than schools in other bands. As the proportion of FSM increased the proportion of the workforce at deputy and assistant headteacher grades compared to headteachers increased, suggesting that schools with higher proportions of pupils with FSM were making more use of the deputy and assistant headteacher grades.

**Figure 6C**



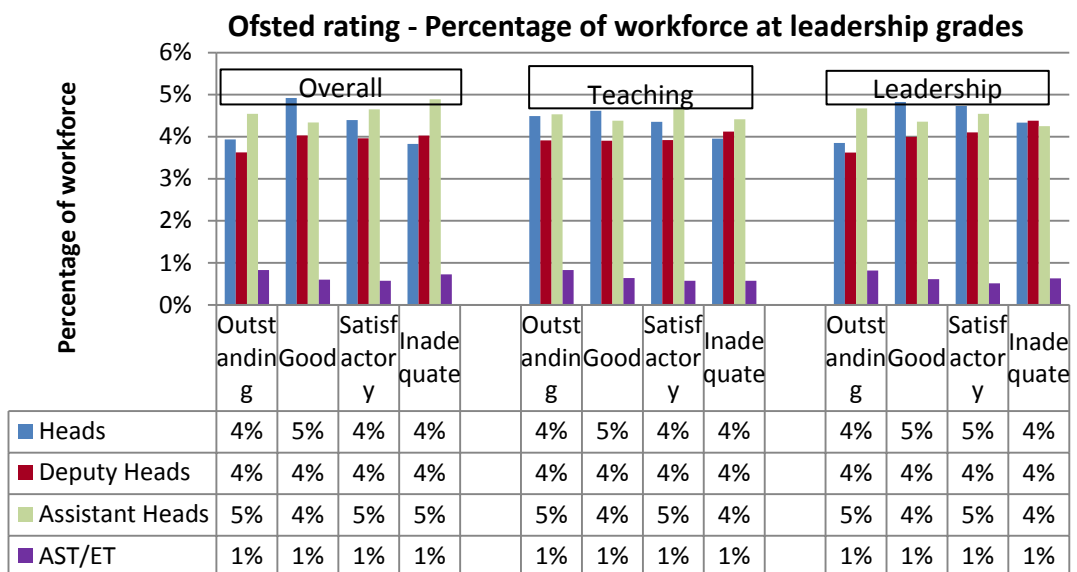
- C8** **Figure 7C** shows the proportion of the total teaching workforce at leadership grades by school performance at KS2 and KS4, and **Figure 8C** shows the proportion by overall Ofsted rating, and by ratings for “Teaching” and “Leadership”.
- C9** There was little difference in the proportion of teachers at the different leadership grades by the KS2 and KS4 performance of schools. However, schools with below the floor performance at KS4 had higher proportions of the workforce at all leadership grades than those with higher KS4 performance levels.
- C10** There was also little difference in the proportion of the workforce at the different leadership grades by Ofsted inspection rating. However, the proportions of the workforce at deputy headteacher grade increased slightly with lower Ofsted ratings for leadership.

Figure 7C



Source: School Workforce Census November 2012

Figure 8C



Source: School Workforce Census November 2012 and Ofsted

## Average pay

**C11** Using data from the SWC 2012, analysts in the DfE have undertaken a multiple regression analysis to isolate the effect of different factors on salaries of school leaders. This analysis found that the factors most associated with levels of pay are:

- the grade and age of the individual
- the length of time since they started their contract

- whether they are in receipt of additional allowances
- the regional pay band in which their school sits, and
- the phase and size of the school in which they work.

**C12** The analysis suggests that these variables together explain most of the variation in leadership teacher pay.

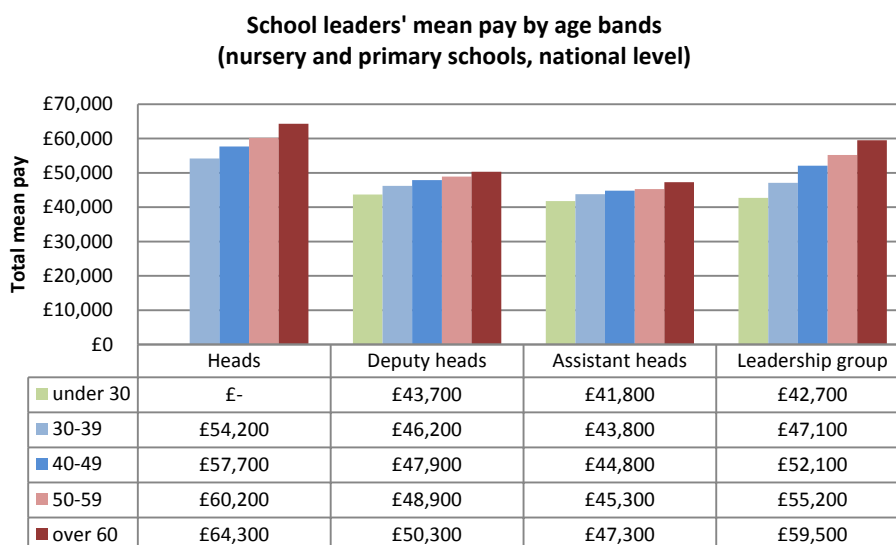
**C13** Gender was found to be related to average pay, although the observed differences were smaller than for the key variables listed above. Ethnicity may have some bearing on leadership pay, but only in limited circumstances and with little actual impact.

**C14** School governance type was also found to have a smaller impact on salary levels. Smaller effects were also found in some cases for measures of deprivation, such as FSM, and measures of performance.

## Individual characteristics

**C15** Figures 9C and 10C show mean pay of leaders in primary and secondary schools in all pay bands by age and grade. In all state-funded schools the general trend is for mean total pay to increase with age.

**Figure 9C**

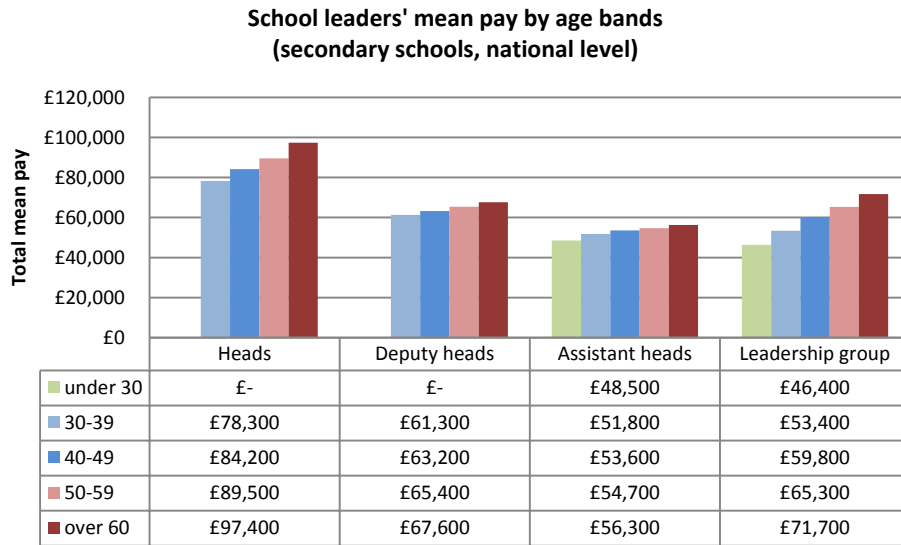


*Source: School Workforce Census November 2012*

**C16** When the four pay bands are considered separately this trend still holds for headteachers where sufficient data are available. **Figure 11C** shows that in the London pay bands, the link between age and mean total pay of deputy headteachers in nursery and primary schools appears to reduce for teachers aged over 40. The same does not appear to be the case for deputy headteachers in secondary schools (**Figure 12C**).

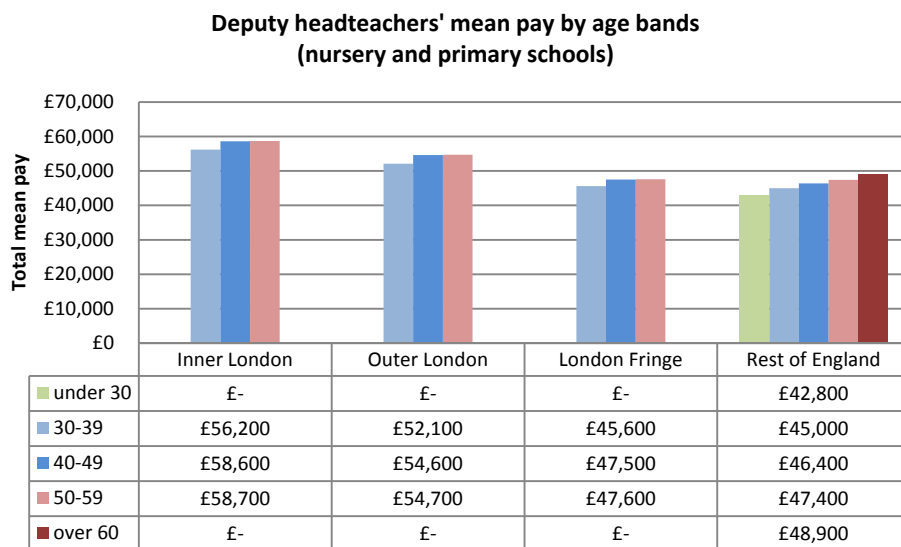


**Figure 10C**



Source: School Workforce Census November 2012

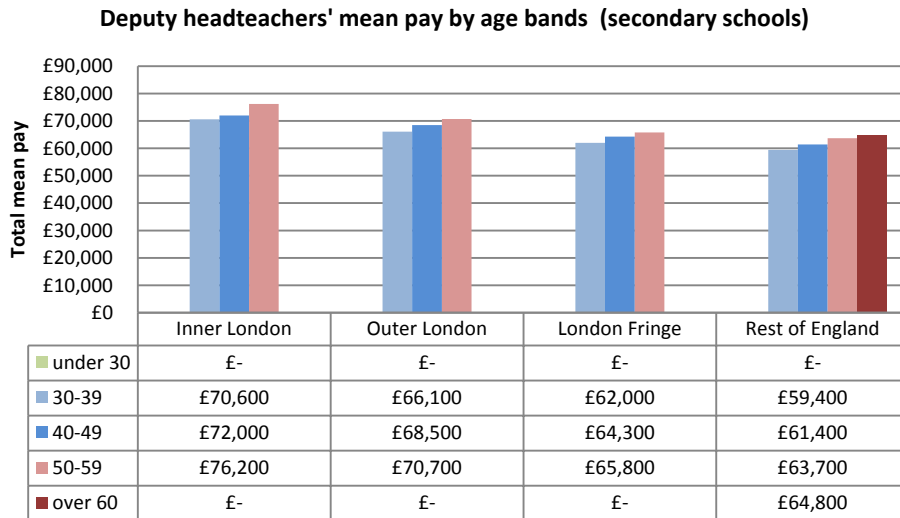
**Figure 11C**



Source: School Workforce Census November 2012

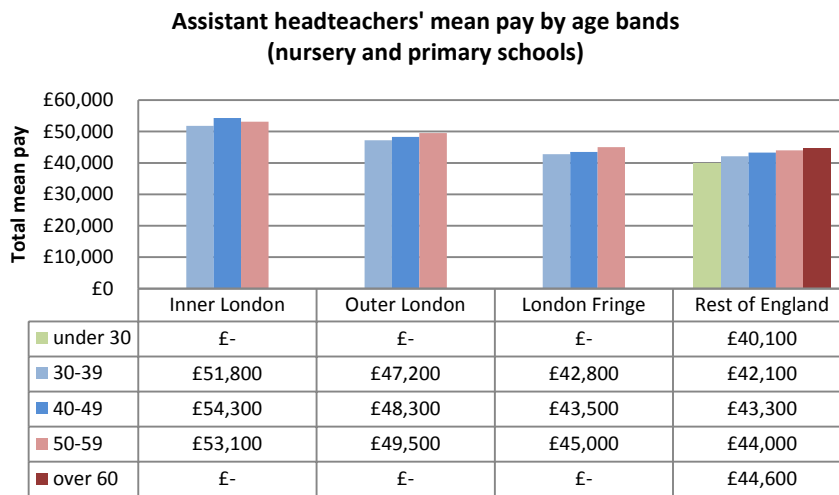
**C17 Figure 13C** shows that the general trend does not apply for assistant headteachers in Inner London nursery and primary schools. Assistant headteachers aged 40-49 in the Inner London pay band were paid more on average than those aged 50-59. However, mean pay of assistant headteachers in secondary schools in Inner London did follow the general trend (**Figure 14C**).

**Figure 12C**



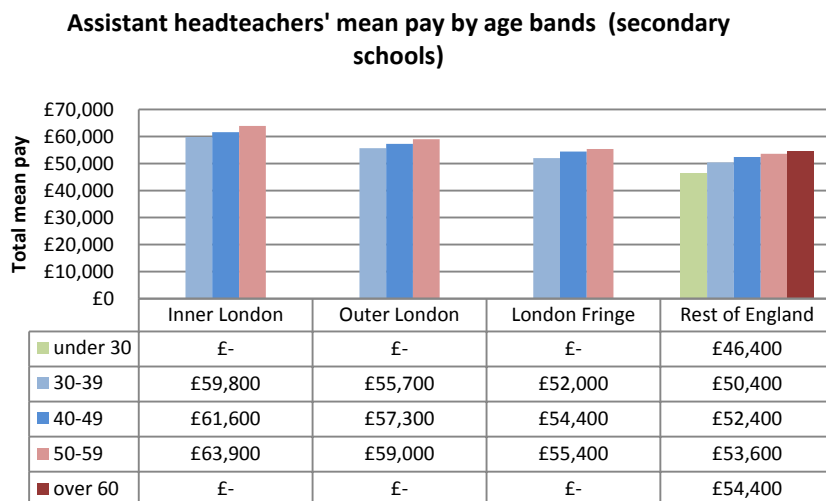
Source: School Workforce Census November 2012

**Figure 13C**



Source: School Workforce Census November 2012

**Figure 14C**

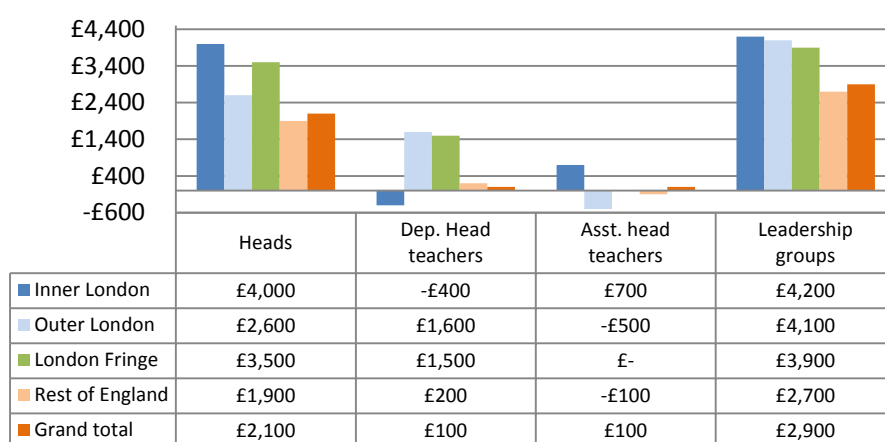


Source: School Workforce Census November 2012

**C18 Figures 15C and 16C** show the difference between mean pay for male and female leaders in primary and secondary schools. In the majority of categories, male leaders had higher average salaries than female leaders. However, female deputy headteachers in Inner London were paid on average more than their male counterparts. The same was true for assistant headteachers in primary schools in Outer London. The average salaries of male and female deputy headteachers were similar in primary schools in the Rest of England. The same was true for assistant headteachers in primary schools in the Rest of England and secondary schools in the London Fringe.

**Figure 15C**

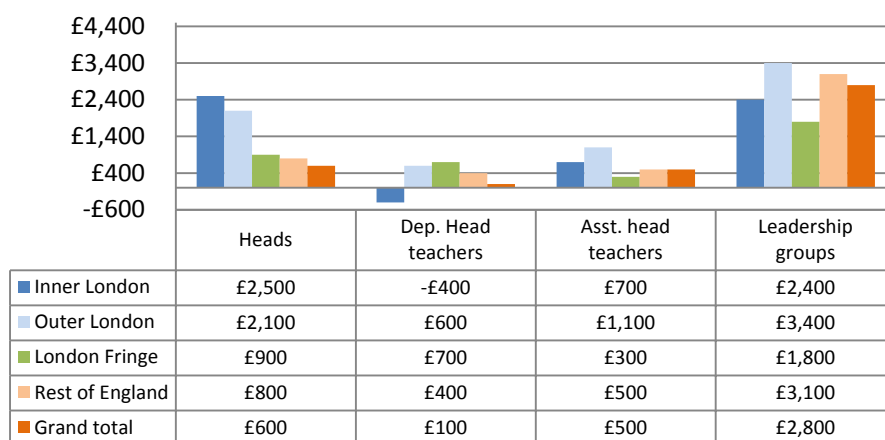
**Difference between mean total pay of male and female leadership group teachers, nursery and primary stage (male - female)**



Source: School Workforce Census November 2012

**Figure 16C**

**Difference between mean total pay of male and female leadership group teachers, secondary phase (male - female)**



Source: School Workforce Census November 2012

## Phase, governance, size, pay band

**C19 Figures 17C-19C** below show mean and median pay of leadership group teachers in all nursery and primary schools, secondary schools, and special schools respectively. Mean pay was generally higher than the median. This indicates the existence of individuals that are paid unusually high salaries.

**Figure 17C**

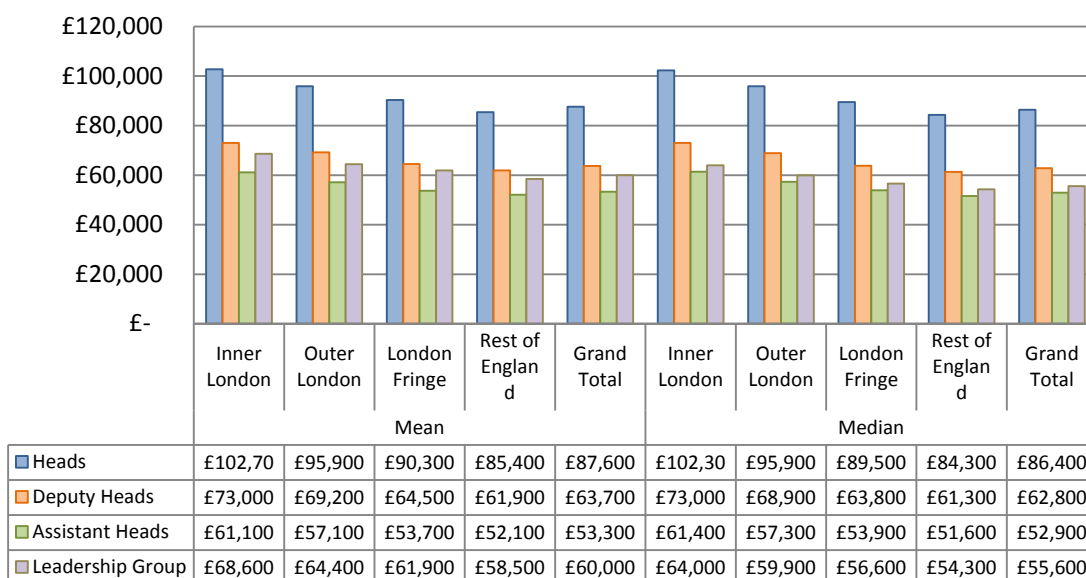
### Leadership group teachers' pay by grades and pay bands: Nursery and Primary schools



Source: School Workforce Census November 2012

**Figure 18C**

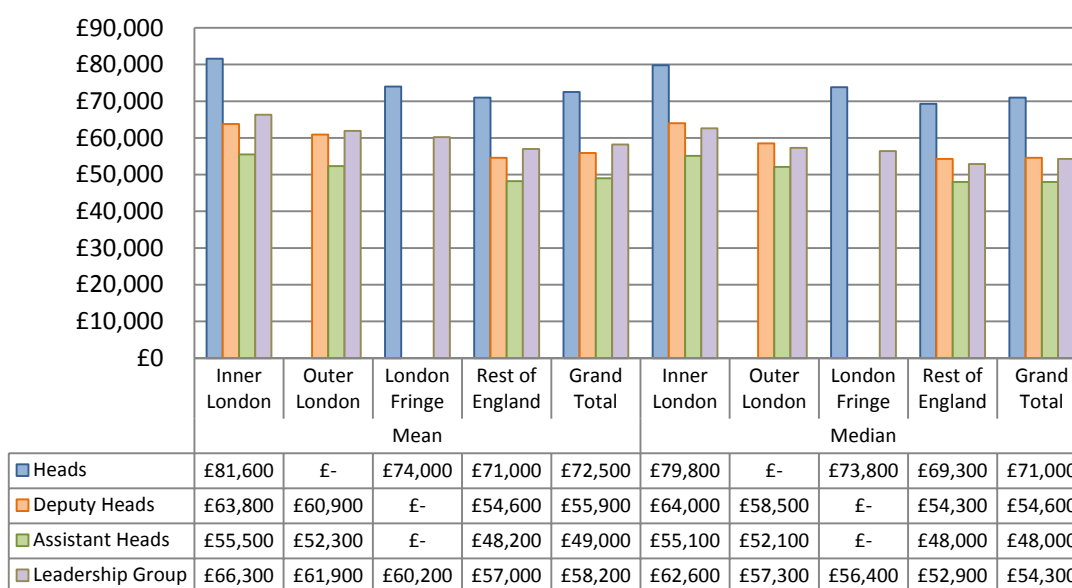
### Leadership group teachers' pay by grades and pay bands: Secondary schools



Source: School Workforce Census November 2012

**Figure 19C**

**Leadership group teachers' pay by grades and pay bands:  
Special schools**

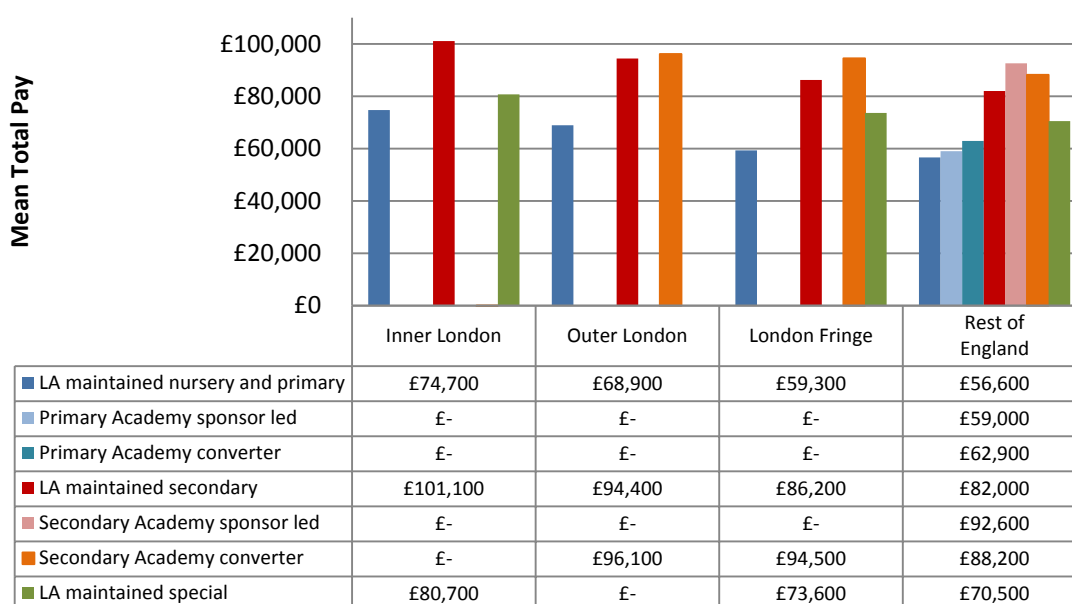


Source: School Workforce Census November 2012

**C20 Figure 20C** shows headteachers' mean pay by type of school governance<sup>20</sup>. Across all pay bands, headteachers' mean and median pay was higher in secondary schools, followed by special schools, followed by nursery and primary.

**Figure 20C**

**Headteachers' mean pay by type of school governance**

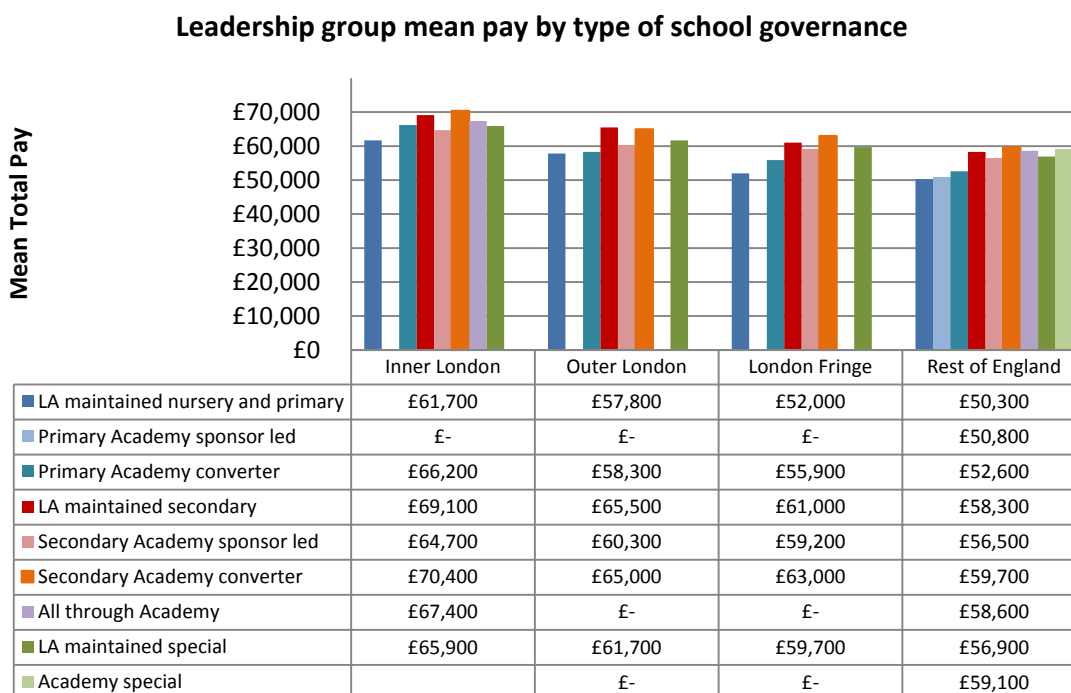


Source: School Workforce Census November 2012

<sup>20</sup> Some figures are suppressed due to low numbers of headteachers in that group

**C23** Figure 21C shows leadership group mean pay by type of school governance. The average pay of leadership group teachers overall was highest in secondary schools, followed by special schools, then nursery and primary schools. The one exception to this trend was that average pay in converter primary academies in Inner London was higher than in secondary sponsor led academies.

**Figure 20C**



*Source: School Workforce Census November 2012*

**C21** Across all pay bands, with exception of Outer London, leadership mean pay in secondary phase schools was highest in converter academies, followed by LA maintained schools, then sponsor led academies. In Outer London, leadership mean pay in secondary phase schools was highest in LA maintained schools.

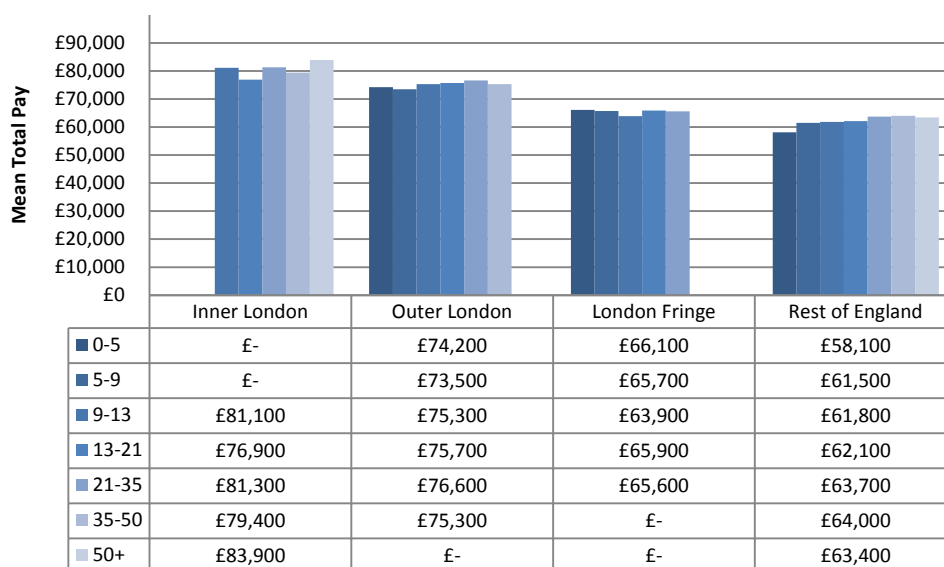
**C22** The median pay of leadership group teachers in London pay bands largely followed the same pattern as mean pay. However, in Rest of England pay band the median pay was the same in all governance types in nursery and primary phase schools.

## Deprivation and performance

**C23** Figure 22C shows headteachers' mean pay by the proportion of pupils eligible for FSM. There was no general pattern for the mean pay of headteachers in the three London pay bands; in the Rest of England, headteachers' mean pay generally increased with the percentage of FSM eligibility up to 35-50%, and then decreased for those in schools with more than 50% FSM eligibility.

**Figure 22C**

**Headteachers' mean pay by % of FSM eligibility**

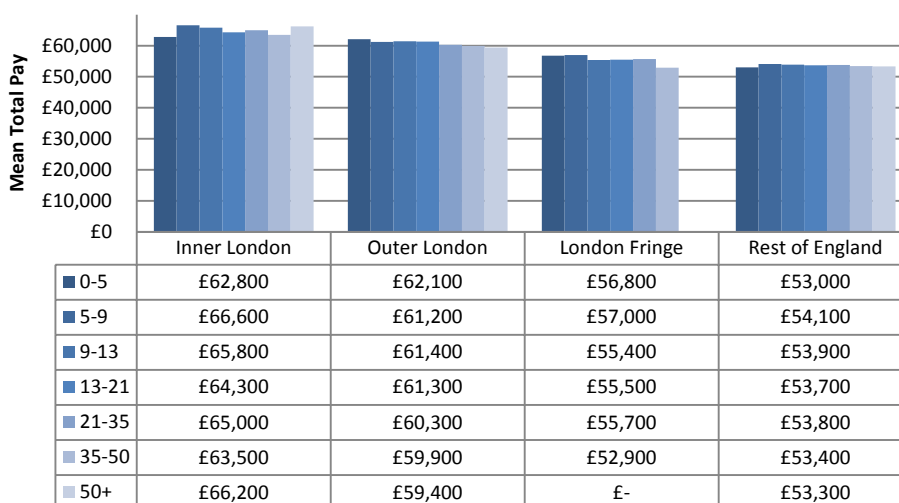


Source: School Workforce Census November 2012

**C24 Figure 23C** shows leadership group mean pay by the proportion of pupils eligible for FSM. Leadership group teachers' mean pay generally decreased with percentage of FSM eligibility in Outer London and London Fringe. In the Rest of England mean pay followed the same pattern, with the exception of those working in schools with 0-5% FSM eligibility where mean pay was significantly lower than in schools with 5-9% FSM eligibility. There was no pattern identified in Inner London.

**Figure 23C**

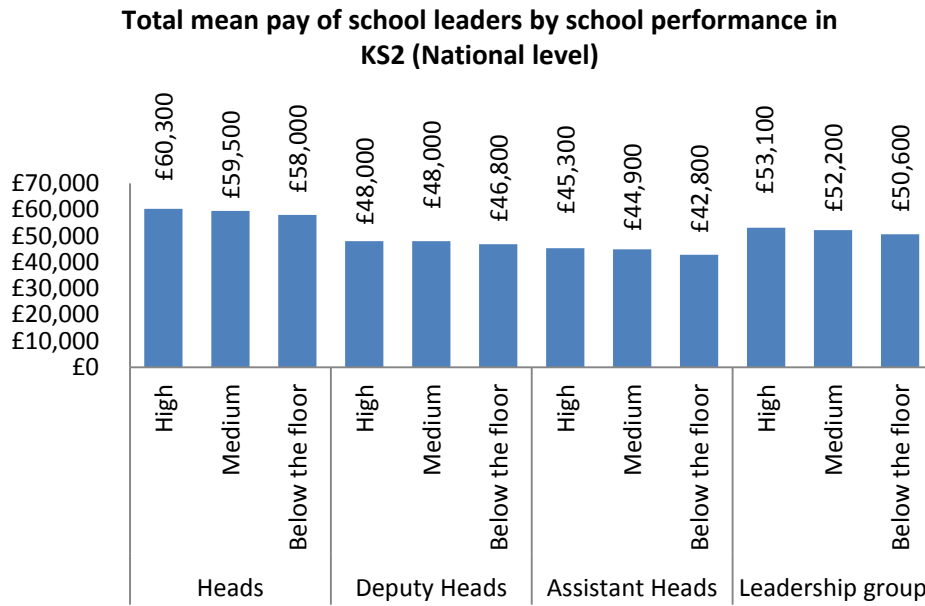
**Leadership group teachers' mean pay by % of FSM eligibility**



Source: School Workforce Census November 2012

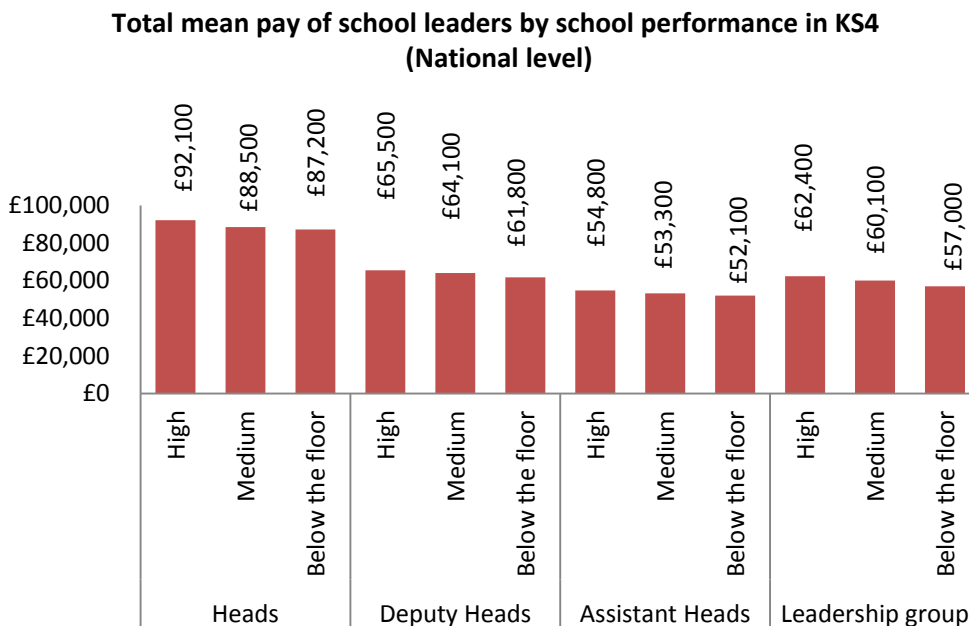
**C25** National comparisons of average leadership pay by performance at key stage 2 (KS2) suggest that headteacher and assistant headteachers' pay mirrors the performance of the schools in which they work (**Figure 24C**). For deputy headteachers mean pay was the same in high and medium performing schools, but lower in schools below the floor. At key stage 4 (KS4) the mean pay of leadership teachers decreased in line with school performance across all leadership grades (**Figure 25C**). However, as mentioned earlier, the regression analysis concluded that school performance had a relatively small effect on leadership pay compared to other factors.

**Figure 24C**



Source: School Workforce Census November 2012

**Figure 25C**

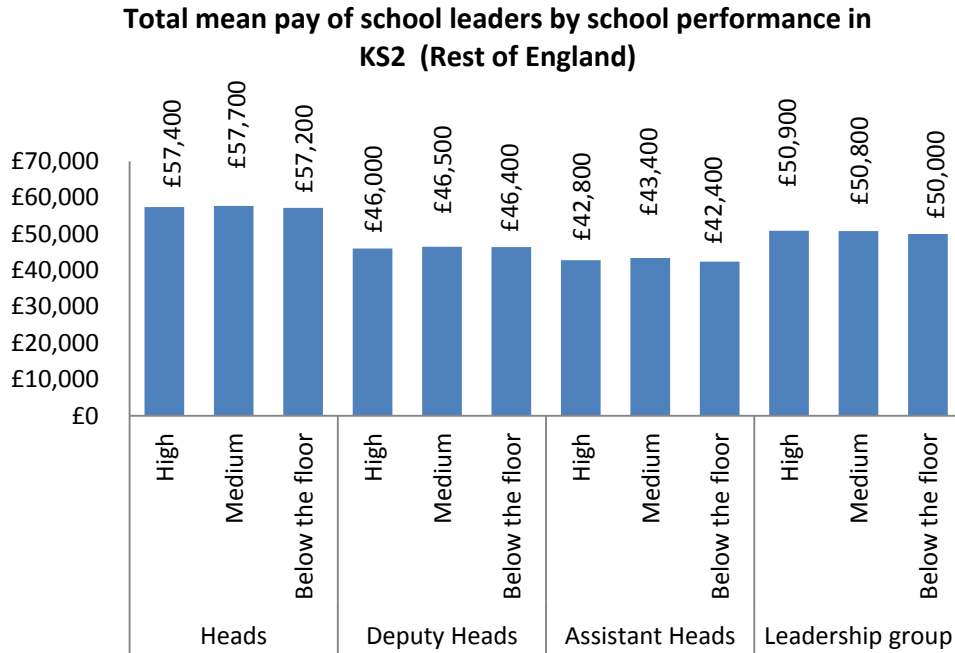


Source: School Workforce Census November 2012



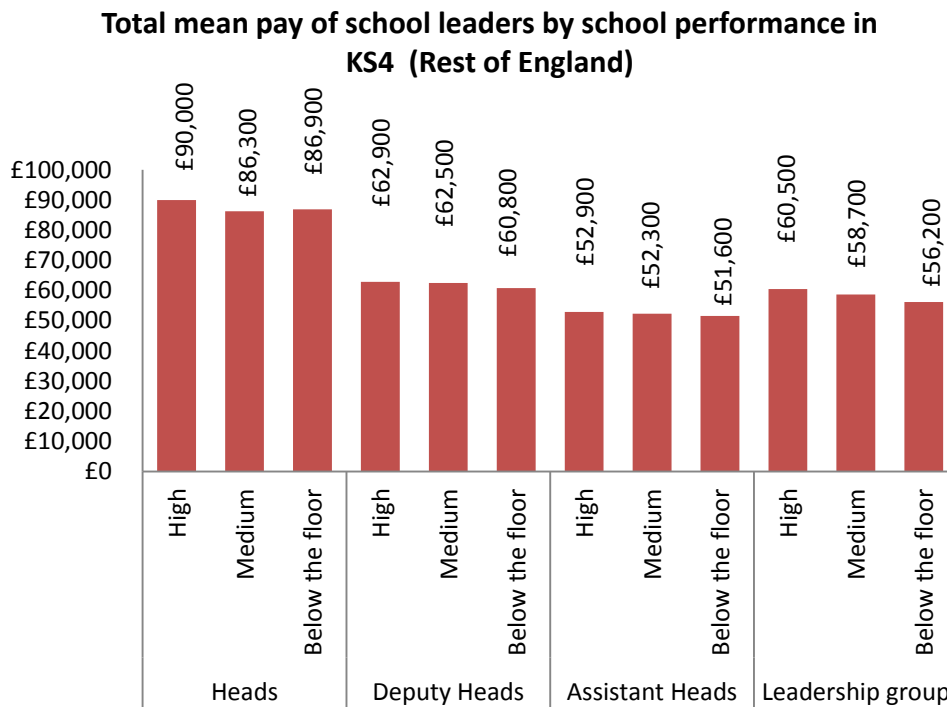
**C26** However, this association between pay and performance was less clear when variations in pay by pay band were taken into account. This is illustrated by **figures 26C and 27C** which cover schools in England in the Rest of England and Wales pay band only.

**Figure 26C**



Source: School Workforce Census November 2012

**Figure 27C**

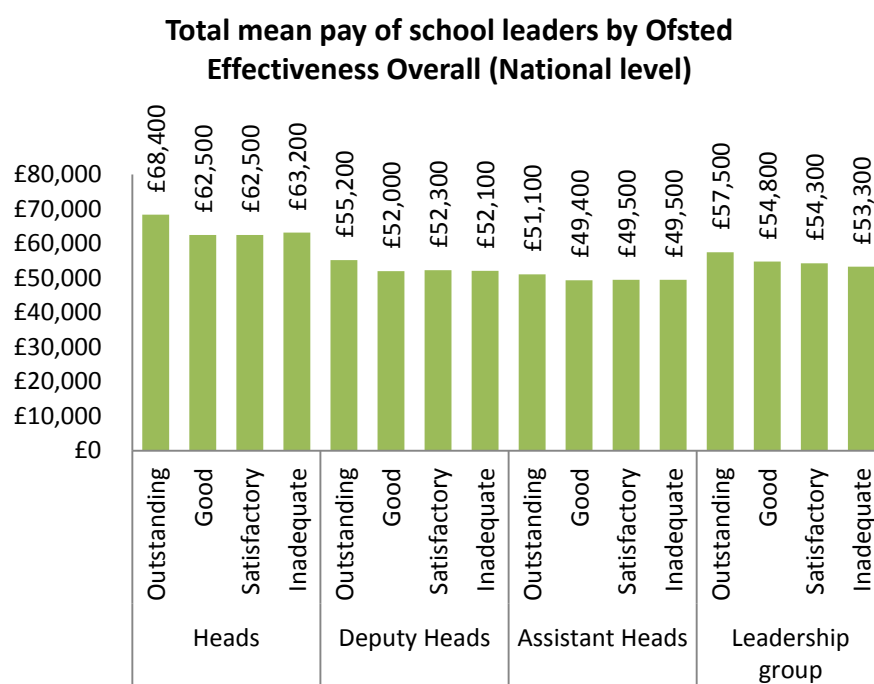


Source: School Workforce Census November 2012

**C27** At KS2 differences in pay between each performance group were relatively small, and the highest values for each grade were in the medium performance group. At KS4 there was some association between higher performance and higher pay for deputy and assistant headteachers, but this was not the case for headteachers. This suggests that the effect seen at the national level may reflect differences in the average performance of schools in each pay band, rather than represent a general pattern of school leaders being paid in line with the performance of their schools. However, linking this back again to the results of the regression analysis, school performance was found to have a smaller effect on leadership pay when considered with other factors.

**C28** Similar comparisons can be made by Ofsted grades (**Figure 28C and 29C**). National level comparisons indicate that across leadership grades the highest mean pay was in schools rated “outstanding” overall, but there was no association between mean pay and the other Ofsted ratings. When the analysis was repeated for Ofsted judgements of Leadership and Management, higher mean pay was associated at all grades with higher performance in this judgement.

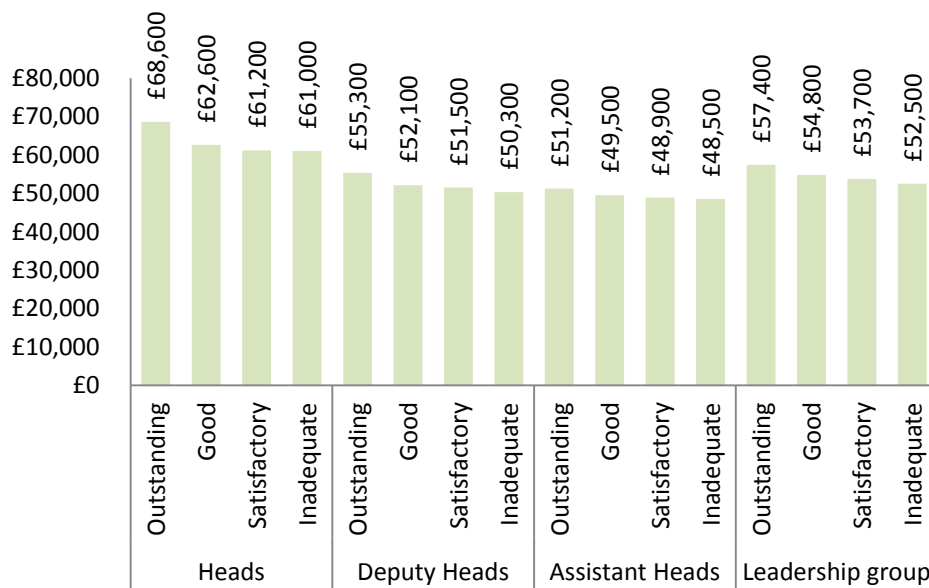
**Figure 28C**



Source: School Workforce Census November 2012

**Figure 29C**

**Total mean pay of school leaders by Ofsted's Leadership rating (National level)**



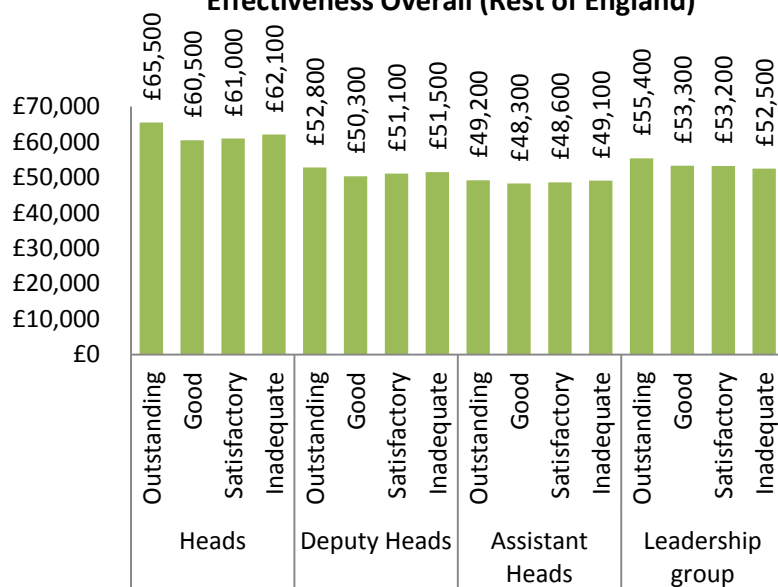
Source: School Workforce Census November 2012

**C29** Again, however, the association between pay and performance became less clear when variations in pay by pay band were taken into account. **Figures 30C and 31C** show the same analysis for schools in England in the Rest of England and Wales pay band.

**C30** There was no clear association between mean pay and Ofsted overall judgements in the Rest of England, though in general the highest mean pay was in schools rated “outstanding” overall. There remained an association when mean pay was analysed by only the Leadership and Management judgement.

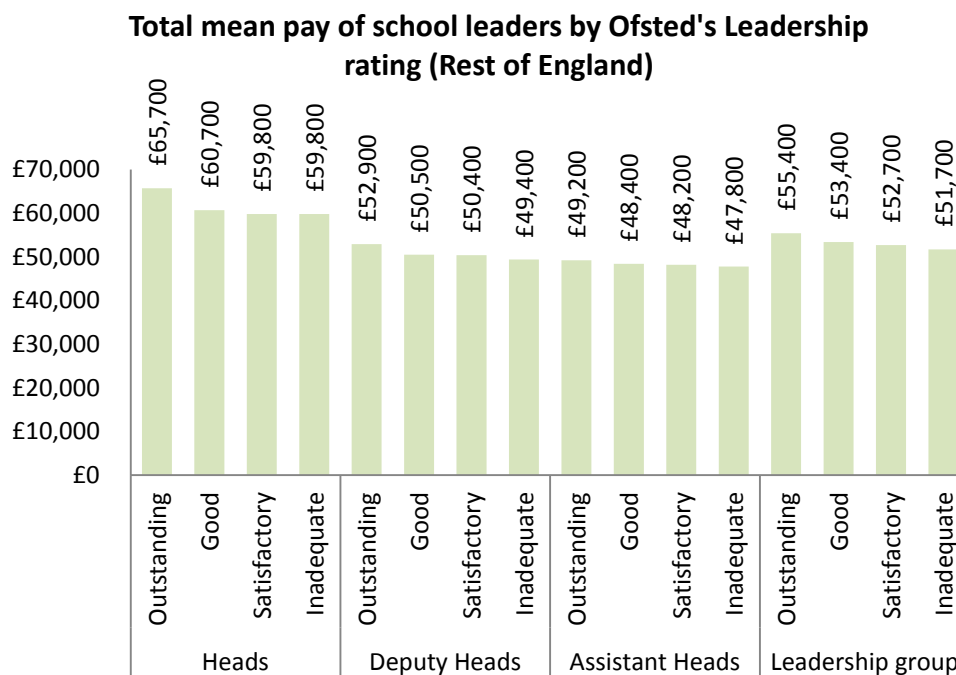
**Figure 30C**

**Total mean pay of school leaders by Ofsted Effectiveness Overall (Rest of England)**



Source: School Workforce Census November 2012

**Figure 31C**



Source: School Workforce Census November 2012

## Pay progression<sup>21</sup>

**C31** Between the SWC in 2011 and the one in 2012, 53% of leadership teachers stayed on the same spine point; 32% moved up one spine-point; 10% moved up two spine points and 5% progressed by three or more spine points. Some of those that stayed on the same spine point may have done so as they were already at the top of their ISR, rather than because their progression was held back by their school governors as a result of a performance appraisal.

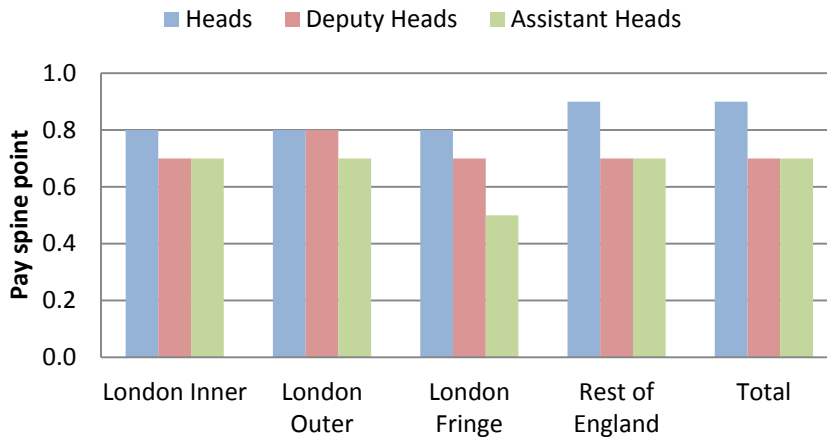
**C32** The average progression<sup>22</sup> was 0.9 spine points for headteachers and 0.8 spine points for deputy and assistant headteachers. In London pay bands headteachers' average progression is slightly lower than in the Rest of England pay band. Deputy headteachers in Outer London had slightly higher average progression between 2011 and 2012 than in other pay bands, and assistant headteachers in the London Fringe had the lowest average progression.

<sup>21</sup> Analysis in this section covers only full-time leaders in service in publicly funded schools who stayed at the same leadership grade and in the same school between 2011 and 2012. Centrally employed leaders or leaders without a spine point recorded are excluded.

<sup>22</sup> The average number of spine points moved between 2011 and 2012.

**Figure 32C**

**Average number of spine points moved between 2011 and 2012 by pay bands**

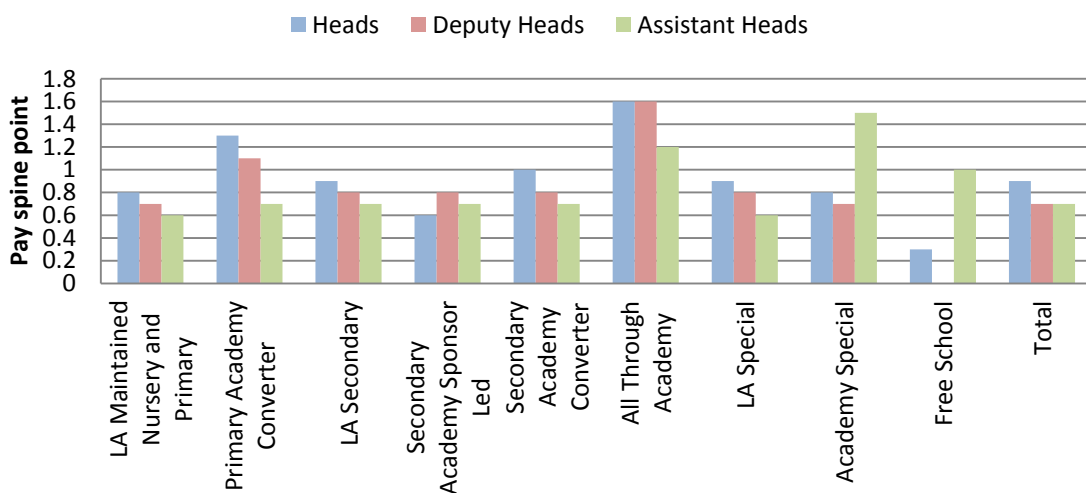


Source: School Workforce Census November 2012

**C33** Figure 33C shows the average progression of leadership group teachers by school phase and governance type. Although there were some differences between school types the sample sizes in this analysis are often very small. In the majority of phases and governance types headteachers progress more on average than deputy headteachers, and deputy headteachers progress more than assistant headteachers.

**Figure 33C**

**Average number of spine points moved by leadership teachers between 2011 and 2012 by school governance type**



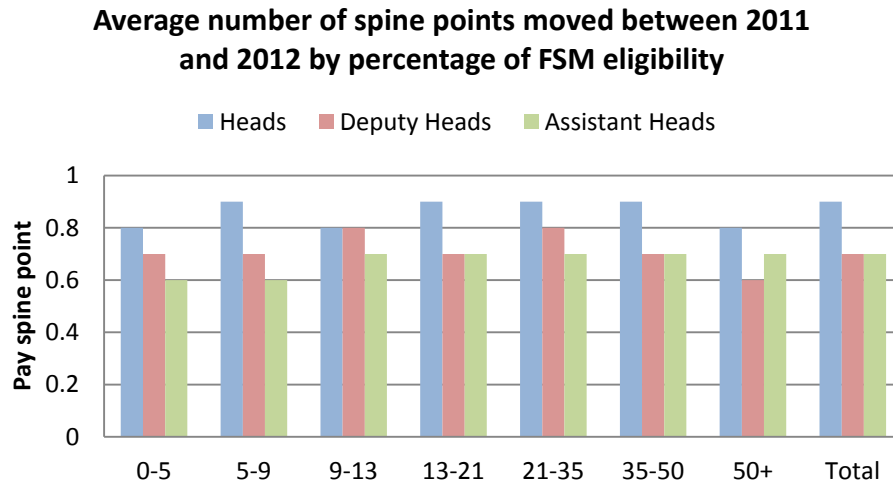
Source: School Workforce Census November 2012

**C34** Analysis of 2011 and 2012 SWC data showed that the average progression of leadership group teachers in primary schools was lower than in secondary schools. The average progression of headteachers and deputy headteachers in special schools was the same as of those in secondary schools, but the average

progression of assistant headteachers in special schools was the same as of their counterparts in primary schools.

**C35 Figure 34C** shows the average number of spine points moved by FSM eligibility. There was no association between the percentage of schools' FSM eligibility and head and deputy headteachers' average progression. The average progression of assistant headteachers was slightly lower in schools with 0-9% FSM.

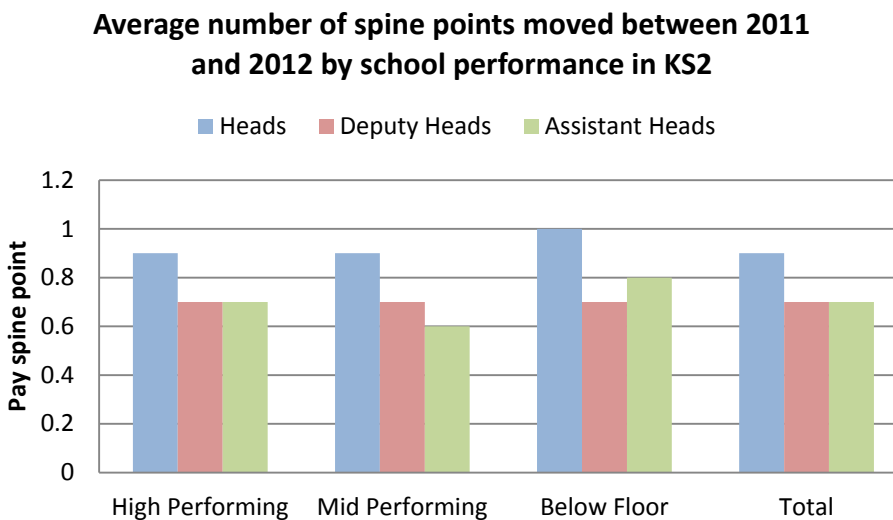
**Figure 34C**



Source: School Workforce Census November 2012

**C36 Figure 35C** shows average progression by school performance in KS2. Headteachers and assistant headteachers in below the floor schools had higher average progression than in mid and high performing schools. In KS4 (**Figure 36C**) average progression of headteachers was higher in the higher performing categories of school. Progression for deputy headteachers was equal in high and mid-performing schools, and lower in below floor schools. Assistant headteacher progression was equal across the three performance categories.

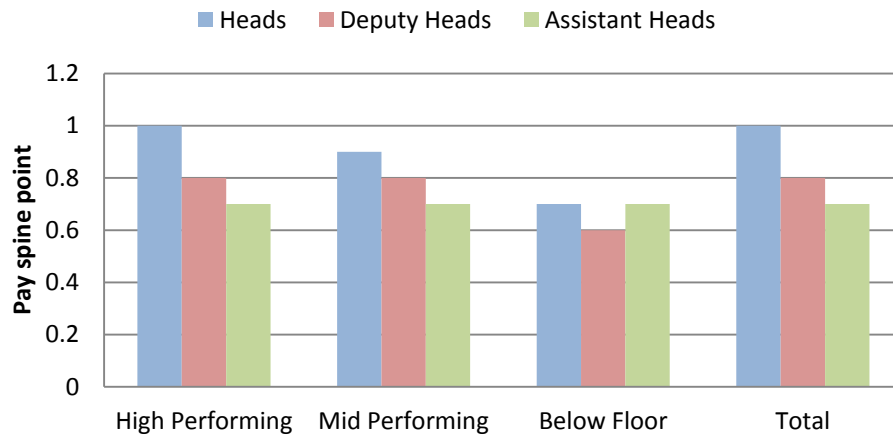
**Figure 35C**



Source: School Workforce Census November 2012

**Figure 36C**

**Average number of spine points moved between 2011 and 2012 by school performance in KS4**

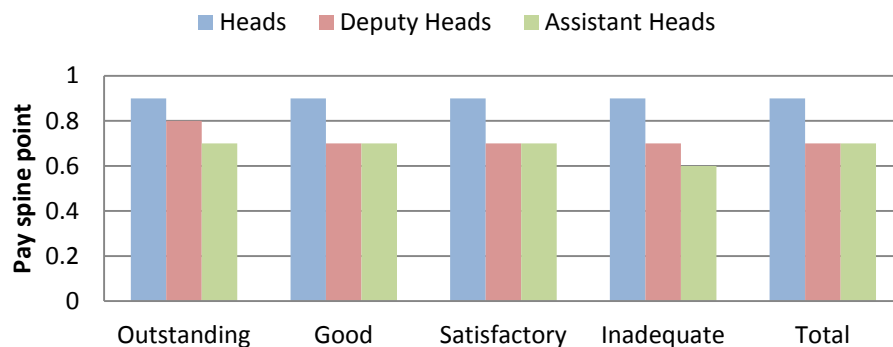


Source: School Workforce Census November 2012

**C37 Figure 37C** shows average spine points moved by overall Ofsted rating of the school, and **Figure 38C** shows average progression by Ofsted Leadership and Management rating. The average progression of headteachers was not reflective of the overall Ofsted rating held by their school, but headteachers in schools judged good or outstanding for leadership and management had higher average progression than those in schools for which leadership and management was satisfactory or inadequate. Similarly for deputy headteachers average progression appeared to be more closely associated with the Leadership and Management judgement than with the judgement of overall performance.

**Figure 37C**

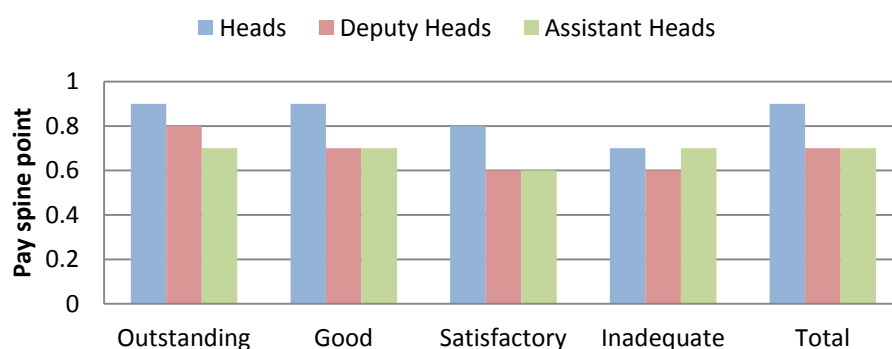
**Average number of spine points moved between 2011 and 2012 by Ofsted rating in Overall Performance**



Source: School Workforce Census November 2012

**Figure 38C**

**Average number of spine points moved between 2011 and 2012 by Ofsted rating of Leadership and Management**



Source: School Workforce Census November 2012

## Comparisons with other professions

**C38** The salary scales for school leaders in the STPCD begin at £37,461 and end at £112,181, with the possibility of an additional 25% on top of that in certain circumstances. The effective maximum for a school leader is, therefore, £140,226. There are a number of professions across the UK public sector that earn comparable or higher salaries:

- Police officers ranked between superintendent and assistant chief constable can earn between £60,094 and £105,849
- Senior Civil Servants can earn a salary of between £60,000 and £208,100, with the possibility of a non-consolidated performance payment in addition to salary
- Governors in the Prison Service are paid on bands with a minimum of £51,795 and maximum of £73,045
- Senior managers in the NHS who are paid under the Agenda for Change framework earn between £54,998 and £98,453
- The NHS also has a pay framework for 'Very Senior Managers' (VSMs), who are paid a spot rate from within a band that is determined by the population of the communities that they serve, weighted based on certain factors. Salaries start at £105,315 and have a maximum of £204,048. VSMs are also eligible for a range of additional payments and allowances.

**C39 Figures 39C and 40C** compare average salaries of leadership grade teachers with those of a set of professions that might be seen as comparable in terms of the nature of work and the responsibilities held. The seven comparison professions are: CEOs and senior officials, financial managers, HR managers, IT managers, other managers, health service managers, and social service and education managers.

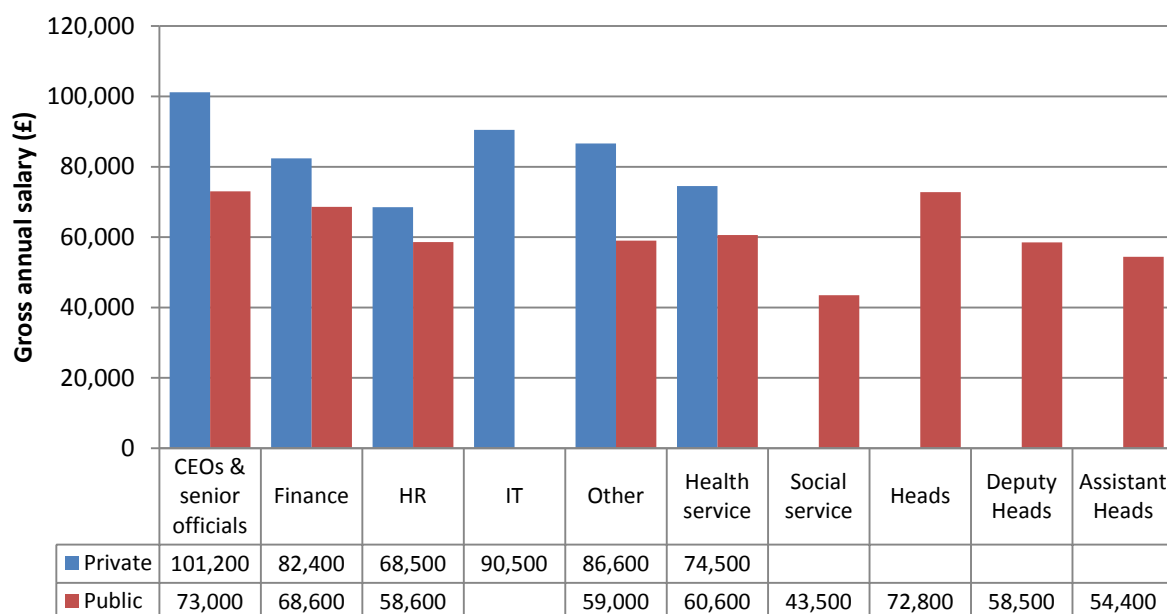


**C40** Data for these professions are drawn from the 2011 and 2012 Annual Survey of Hours and Earnings<sup>23</sup> (ASHE), uprated for national earning inflation to bring them in line with the timing of the SWC, November 2011<sup>24</sup>. Where there are missing bars, such as for IT managers in the public sector, values are suppressed due to lack of data.

**C41** Given differences across jobs and employees, making comparisons between leadership grade teachers and other professions is difficult and only limited conclusions can be drawn from them<sup>25</sup>. Notably, non-pay terms and conditions, including working patterns, vary significantly between and within professions and industrial sectors. Other forms of compensation, including pensions and other non-wage benefits, are also relevant.

**Figure 39C**

**Gross salaries for managers and Heads in London, including London fringe**



Source: School Workforce Census November 2012

**C42** In the London pay bands the average pay for headteachers was higher than that for all the comparison public sector professions, with the exception of CEOs and senior officials, for which average pay was slightly higher than headteachers. Pay for headteachers in London compared less favourably with other professions in the private sector, being higher only than the average for HR professionals.

<sup>23</sup> ONS, *Patterns of Pay: Results from the Annual Survey of Hours and Earnings, 1997 to 2012*.

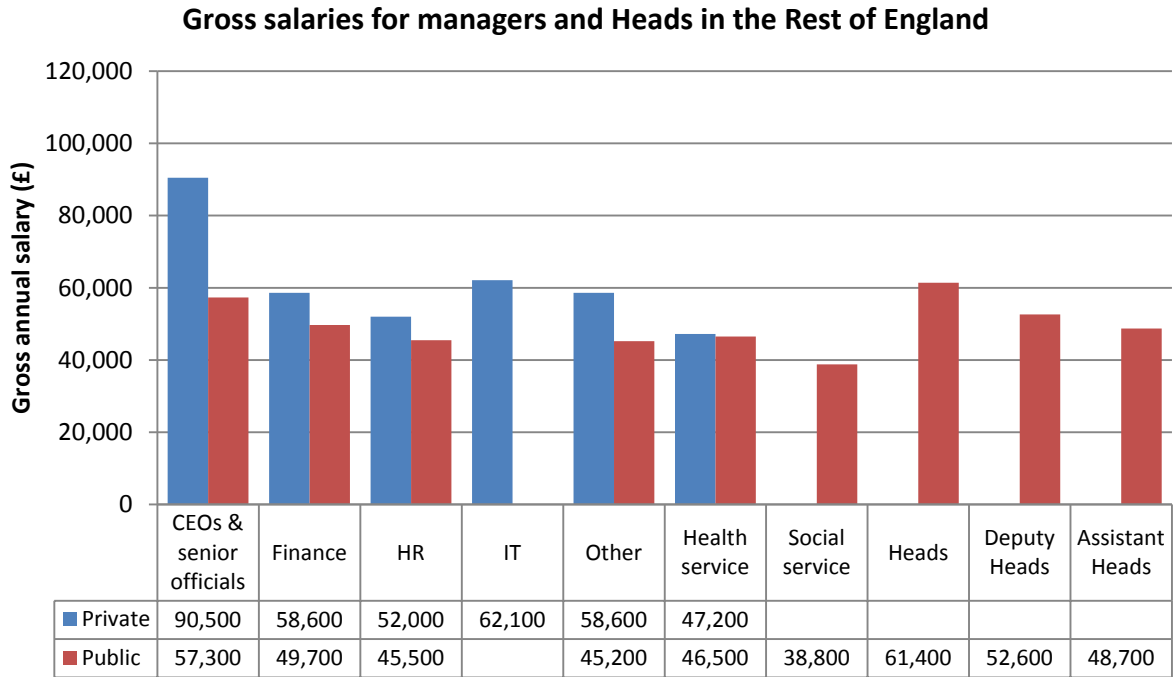
[http://www.ons.gov.uk/ons/dcp171766\\_300035.pdf](http://www.ons.gov.uk/ons/dcp171766_300035.pdf)

<sup>24</sup> Because the SWC is forward-looking, and the ASHE is backward-looking, there is a trade-off between using the most up-to-date SWC and increasing the comparability of the two data sets. For this analysis we decided that using the 2011 SWC offered the best compromise between up-to-date data and comparability.

<sup>25</sup> See, for example, the Office for National Statistics' analysis comparing public and private sector pay.

[http://www.ons.gov.uk/ons/dcp171776\\_261716.pdf](http://www.ons.gov.uk/ons/dcp171776_261716.pdf)

**Figure 40C**



*Source: School Workforce Census November 2012*

**C43** In the Rest of England pay band average pay for headteachers was higher than any of the public sector groups for which we have useful data, and was also higher than comparable professions in the private sector, with the exception of the IT and CEO and Senior Officials groups.

# Annex D – Entrance and exit from leadership

## Motivation for stepping up to leadership

- D1** In their most recent annual survey, of 1804 leadership teachers, the National College for Teaching and Leadership (NCTL)<sup>26</sup> found that the most popular reasons middle and senior leadership teachers aspire to be headteachers were to shape the vision of the school, to make a difference to children’s lives and the community and for personal development. Better pay was the least popular reason to aspire to be a headteacher.
- D2** Earley et al. (2002)<sup>27</sup> outlined that some of the motivating factors which lead teachers to become headteachers were that it allows passionate teachers to ‘implement their own vision’, ‘to make a difference’ or to ‘give themselves a challenge’. Headteachers mentioned being motivated by people management (i.e., interacting with staff and pupils); planning, challenging and decision making; and interacting with parents and the community.
- D3** Research into the motivations of headteachers in Scotland (MacBeath, 2009)<sup>28</sup> found four main motivations to become a headteacher<sup>29</sup>:
- a self-determined career path – for example, if a family member had been a headteacher it seemed a natural progression from teacher to headship
  - encouragement from influential people – for example, if they were inspired by a headteacher or told that they were a natural leader
  - assumption of headship by default rather than choice – these would include headteachers who took the role temporarily to cover for sickness or long term absence and then never left the role, or
  - exposure to poor models of headship triggering a determination to do it better.
- D4** Unpublished research from the NCTL<sup>30</sup> found that the three quarters of their sample of middle leaders<sup>31</sup> had no aspirations to become headteachers, however for deputy/assistant headteachers<sup>32</sup> only a third of them stated they had no aspirations for headship. The most common reason was that they were happy at their current level.

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<sup>26</sup> BMG Research, *Annual Opinion Survey (2013)* - UNPUBLISHED

<sup>27</sup> Earley, P., Evans, J., Collarbone, P., Gold, A. and Halpin, D., *Establishing the Current State of School Leadership in England*. (IOE, 2002)

<sup>28</sup> MacBeath J, Lowden K, Forde C, Cowie M, O’Brien J, *Recruitment and retention of headteachers in Scotland (Nov 200)* <http://www.scotland.gov.uk/Publications/2009/11/05105339/0>

<sup>29</sup> This is based on a survey with 1137 headteachers and interviews with 47 headteachers.

<sup>30</sup> BMG Research, *Annual Opinion Survey (2013)* - UNPUBLISHED

<sup>31</sup> From a sample of 371

<sup>32</sup> From a sample of 428

**D5** In 2012 the National College for School Leadership (2012)<sup>33</sup> found that one-third of headship roles in primary schools and one-quarter in secondary schools were re-advertised because there were no suitable candidates. An earlier report from NSCL (2010)<sup>34</sup> argued that recruitment problems are particularly an issue in small (and therefore, often rural) schools. Other research (ICM, 2009)<sup>35</sup> has found that people were put off the role because of loss of pupil contact, perceived lack of support and isolation, increased accountability and responsibility, the potential need to relocate and a detrimental work-life balance. They also found that bureaucracy, pension reform, pay, pay differentials, accountability and loss of creativity were deterrents.

## Characteristics of new entrants to school leadership

**D6** Using the SWC it is possible to look at the characteristics of new entrants to school leadership. For the purposes of this analysis a new entrant is defined as someone who is working at that grade in the SWC, November 2012, who was working at a lower grade in the SWC, November 2011<sup>36</sup>.

**D7** From the SWC, November 2012, the number of new entrants to leadership positions is shown in **Table 1D** below:

**Table 1D: New entrants to leadership grades**

	All	Number of new entrants	Percentage of new entrants	Percentage turnover
Head	20,875	1,687	8.1%	10.2%
Deputy and Assistant Heads	39,899	6,788	17.0%	8.3%
Leadership grades overall	60,774	8,475	13.9%	9.0%

*Source: School Workforce Census November 2011 and 2012*

**D8** **Figure 1D** shows the proportion of school leaders in each age group that are new entrants, and **figure 2D** the proportion of each gender that are new entrants. As could be expected, new entrants to all the leadership grades are on average younger than other leaders. Fewer new entrants are male than the existing population of that grade, which may lead to a reduction in the overrepresentation of males in leadership grades over-time. New entrants at each of the leadership grades are more likely to be from a minority ethnic group<sup>37</sup>, when considered as one group, than the existing population, although differences are small in many cases.

<sup>33</sup> National College for School Leadership, *The State of the Labour Market for Senior Staff in Schools in England and Wales*, (2012)

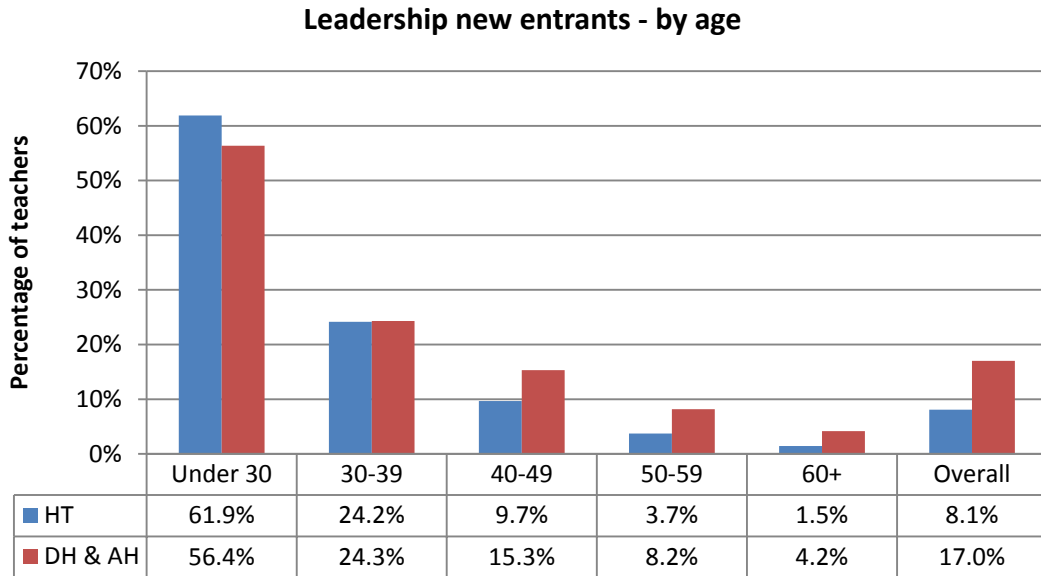
<sup>34</sup> NCSL, *Executive Heads: Full Report*, (2010)

<sup>35</sup> Headship Index

<sup>36</sup> It is possible that they worked in the higher grade prior to November 2011.

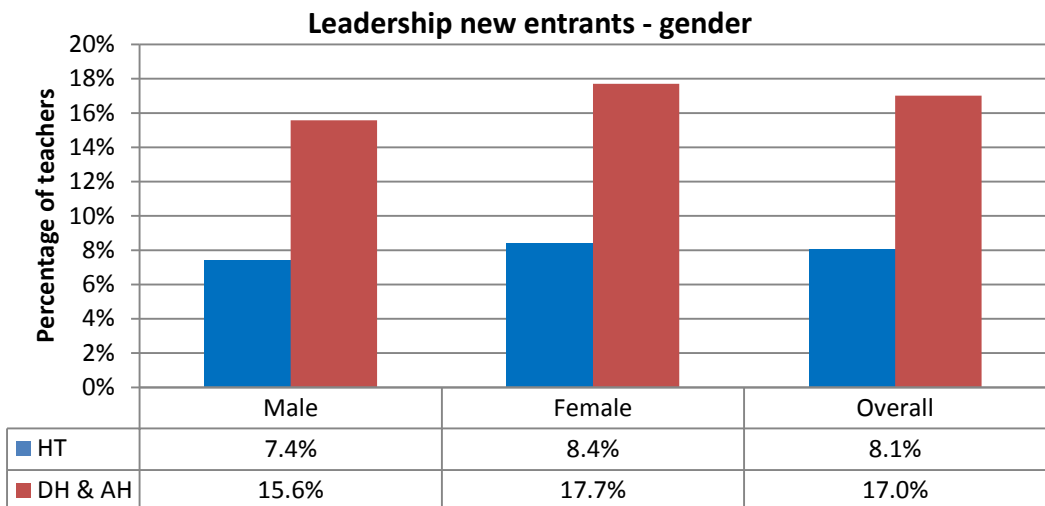
<sup>37</sup> All known ethnic groups excluding White British.

**Figure 1D**



Source: School Workforce Census November 2012

**Figure 2D**



Source: School Workforce Census November 2012

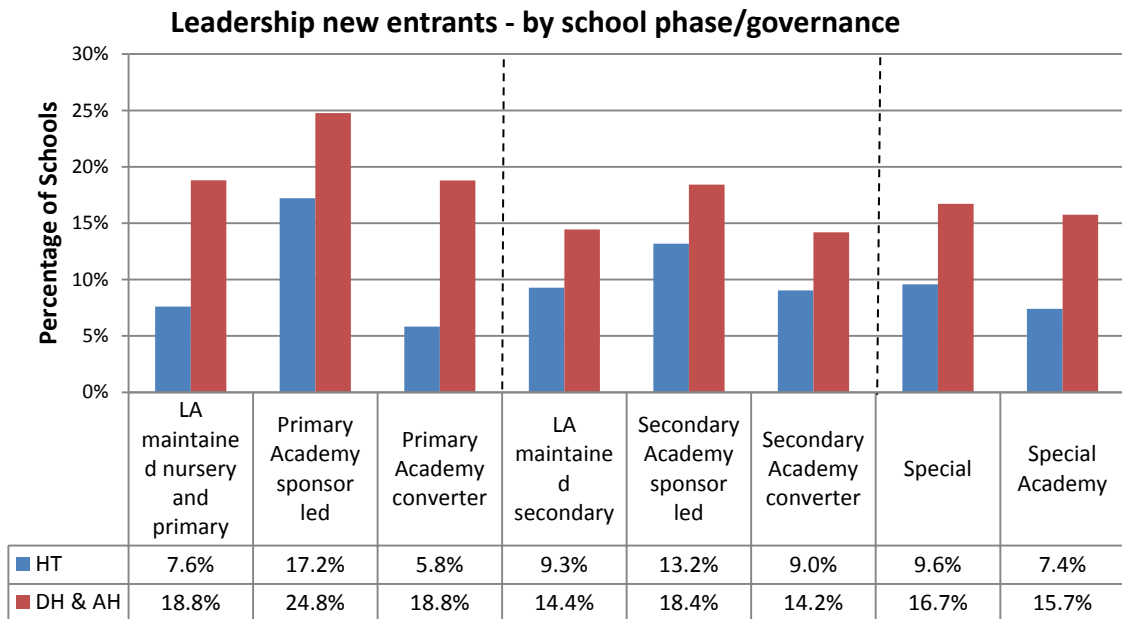
## Characteristics of schools led by new entrants to leadership

- D9** New entrants to headteacher positions are most likely to be found in sponsor-led academies in primary and secondary phase. In primary phase they are more likely to be working in larger schools than smaller ones.
- D10** New entrants to both headteacher grades and deputy and assistant headteacher grades initially appear slightly less likely to be working in Inner London than in other pay bands, but the difference is not statistically significant. Analysis of the proportion of new entrants to headship by the proportion of pupils eligible for free

school meals also did not find statistically significant results. However, a higher rate of new entrants to assistant/deputy headship was seen for increasingly deprived schools, and this result was statistically significant.

**D11 Figure 3D** shows that within primary and secondary phases, there is a higher proportion of new entrant headteachers in sponsor led academies than either converter academies or LA maintained schools, when compared to the whole population of headteachers in that phase. Within special schools there is little difference between academies and LA maintained schools.

**Figure 3D**

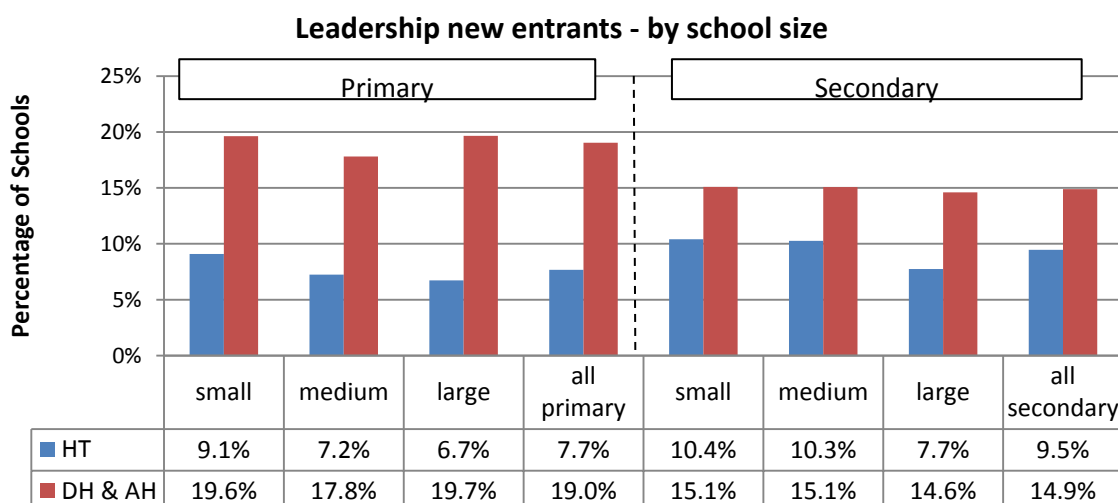


*Source: School Workforce Census November 2011 & November 2012*

**D12 Figure 4D** shows that new entrant headteachers in primary phase are more likely to be working in smaller schools. Although it appears to also show that different sizes of secondary school have different proportions of leaders who are new entrants, the differences are not statistically significant.

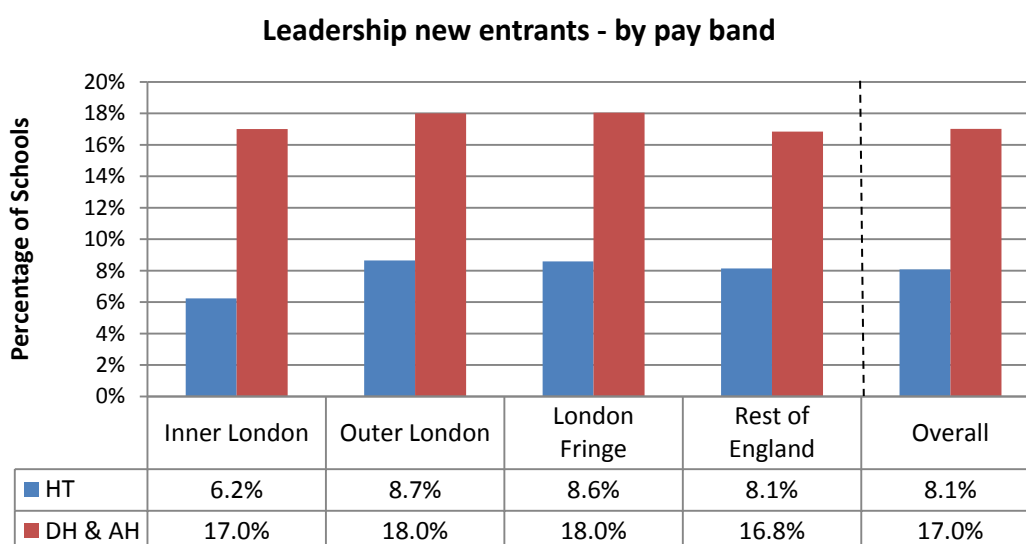
**D13 Figure 5D** shows the proportions of leaders in each pay band who are new entrants. There is no significant difference across the pay bands.

**Figure 4D**



Source: School Workforce Census November 2011 & November 2012

**Figure 5D**



Source: School Workforce Census November 2011 & November 2012

## Performance of schools led by new entrants

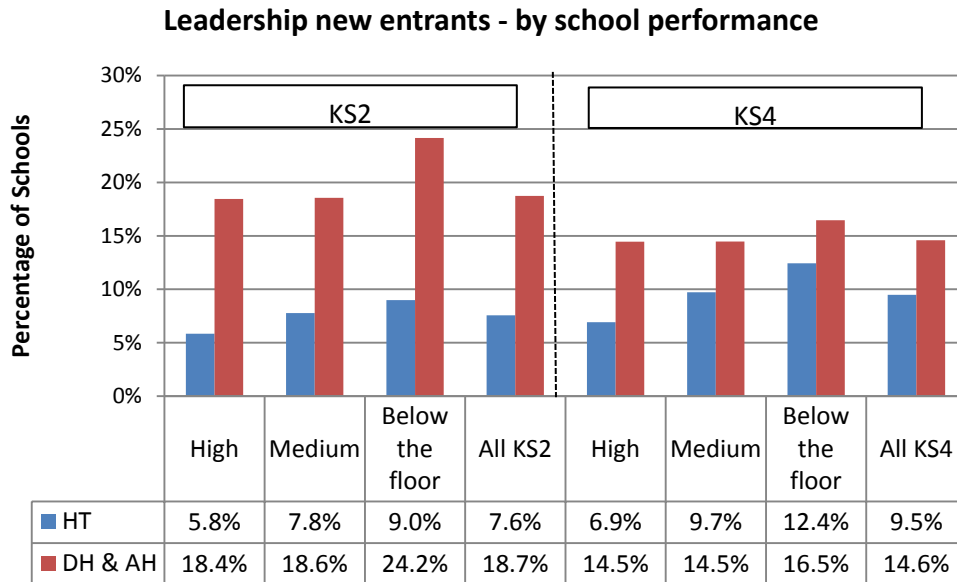
**D14** New entrants represent a higher proportion of headteachers within schools with medium or below the floor performance at KS2, and with satisfactory or inadequate Ofsted ratings. Differences at KS4 are not statistically significant. Similar patterns are seen amongst new entrants to the deputy and assistant headteacher grades, although proportions are more similar for high- and medium-performing schools than they were for headteachers.

**D15** When analysed by Ofsted rating the differences for headteachers are a little more pronounced. New entrants represent a lower proportion of headteachers

working in schools rated as outstanding or good – approximately half the equivalent proportion working in schools rated as “inadequate” in their most recent Ofsted rating.

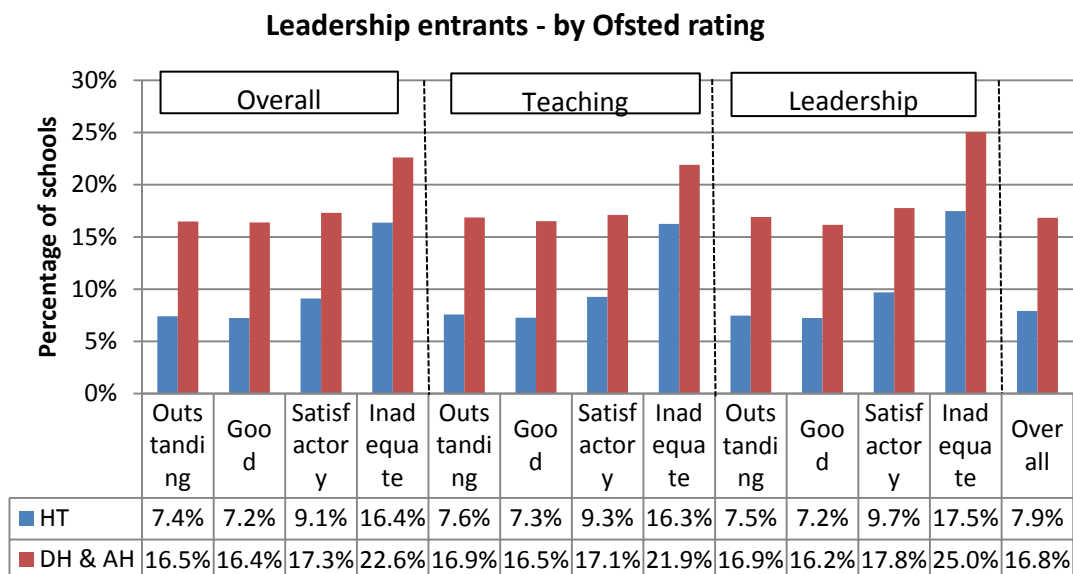
**D16** As for headteachers, new entrants represent a higher proportion of deputy and assistant headteachers working in schools rated as satisfactory or inadequate. However, the differences are smaller.

**Figure 6D**



Source: School Workforce Census November 2011 & November 2012

**Figure 7D**



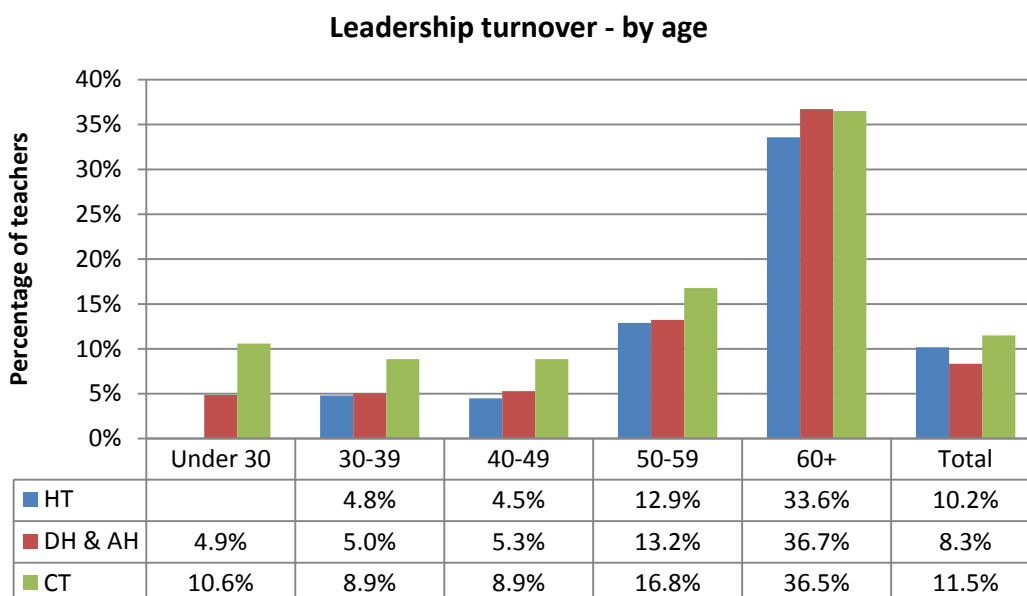
Source: School Workforce Census November 2011 & November 2012



## Exit from leadership

**D17 Figure 8D** below uses data from the SWC in 2011 and 2012 to show the age at which teachers at all grades are leaving the profession. At all grades turnover is highest for leaders aged 50 or over, reflecting the numbers retiring in these categories.

**Figure 8D**



Source: School Workforce Census November 2011 & 2012

**D18** Using a similar method of analysis, differences in leadership turnover rates by gender were found to be negligible. Statistically significant differences were found between turnover rates for teachers recorded as “White British” and those recorded in ethnic minority groups as a whole. These did not follow a uniform pattern, however, with higher turnover recorded amongst ethnic minority headteachers, but lower turnover recorded amongst ethnic minority deputy and assistant headteachers.

**Table 2D – Turnover of teachers by ethnic group**

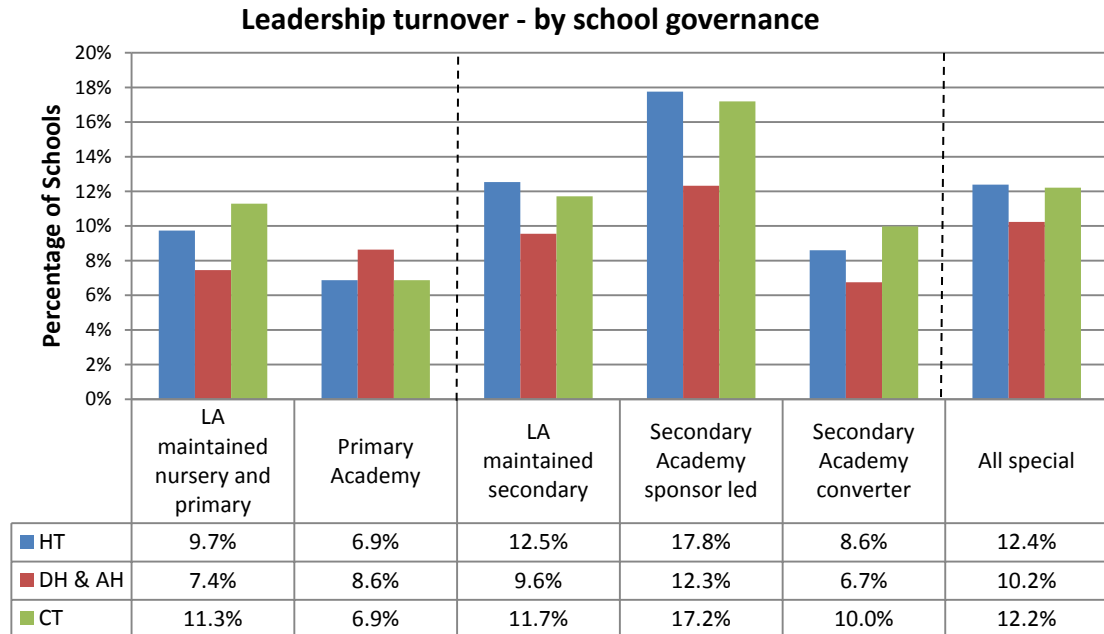
	White British	All ethnic minority groups	Ethnicity not known	Total
Head teachers	10.0%	11.3%	13.0%	10.2%
Deputy and Assistant Heads	8.3%	7.5%	12.3%	8.3%
Classroom teachers	11.5%	14.4%	15.0%	11.5%

Source: School Workforce Census November 2011 & 2012

**D19** For all leadership grades, the highest turnover rates across all types of schools are in secondary sponsor-led academies. Some caution should be taken in making comparisons between linked data for academies and maintained schools, however, due to the rapid growth in the number of academies between the two

years. In November 2011 around 35% of mainstream secondary school teachers were in academies, but in November 2012 it was more than 50%.

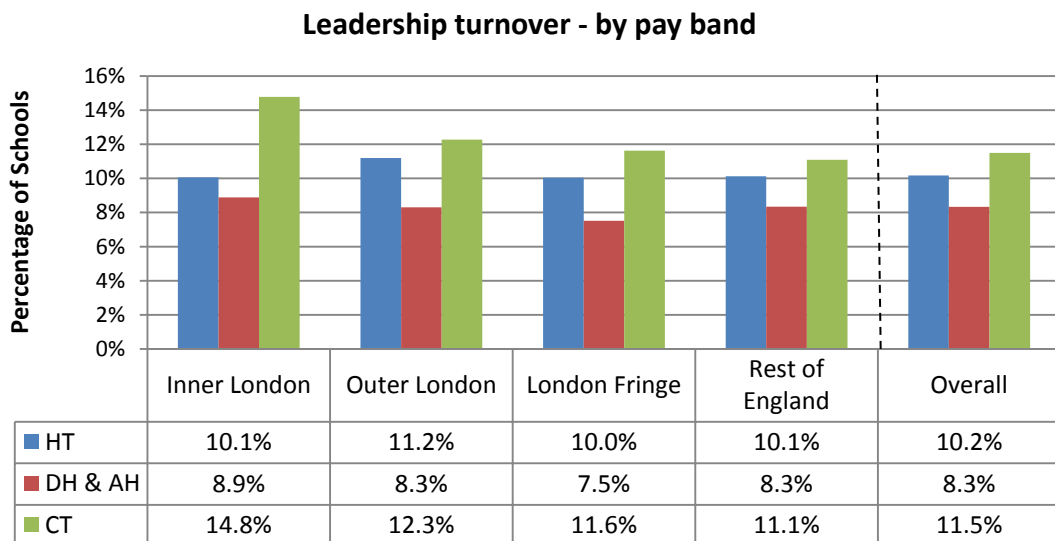
**Figure 9D**



Source: School Workforce Census November 2011 & November 2012

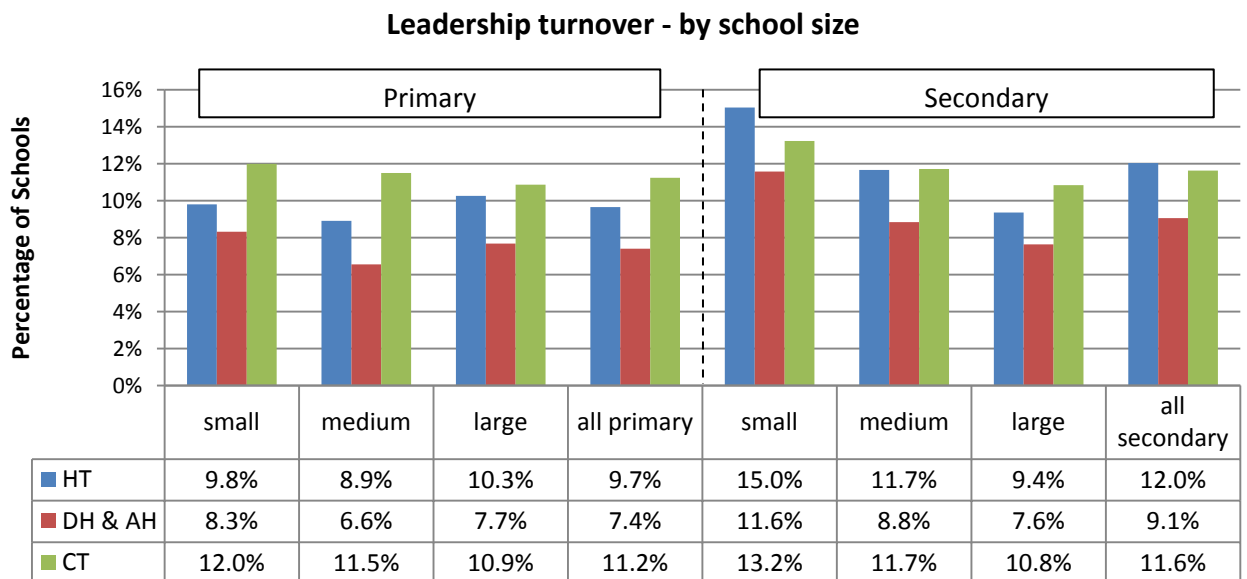
**D20 Figure 10D** shows the turnover rates by regional pay band, where differences are small and not statistically significant. There is, however, an association between school size and turnover at secondary phase. **Figure 11D** shows that turnover at secondary phase declines as the size of the school increases. The same is not true for primary phase, where there is no clear pattern.

**Figure 10D**



Source: School Workforce Census November 2011 & November 2012

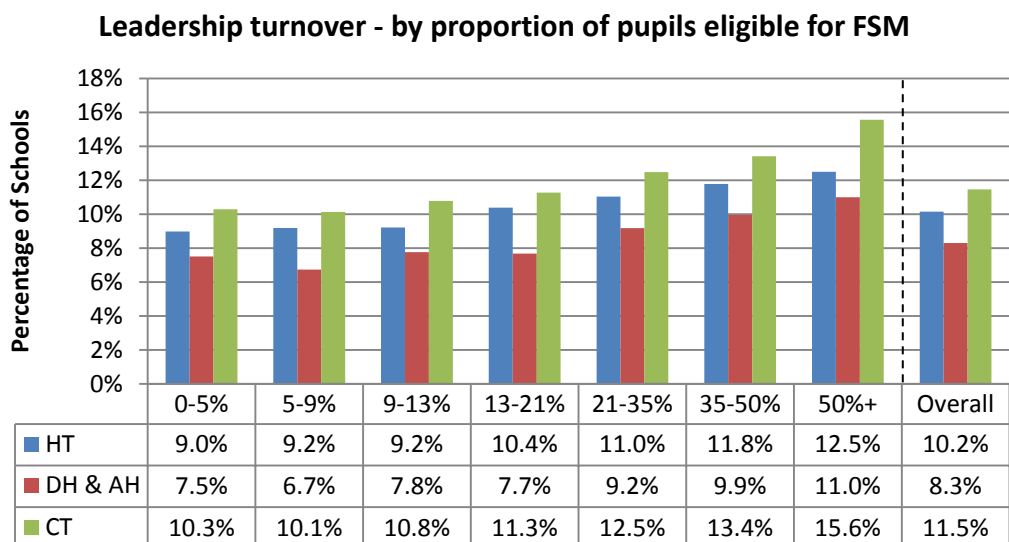
**Figure 11D**



Source: School Workforce Census November 2011 & November 2012

**D23** Figure 12D shows that the turnover rate for headteachers rises as the proportion of pupils eligible for free school meals increases. The same is broadly true for deputy and assistant headteachers.

**Figure 12D**

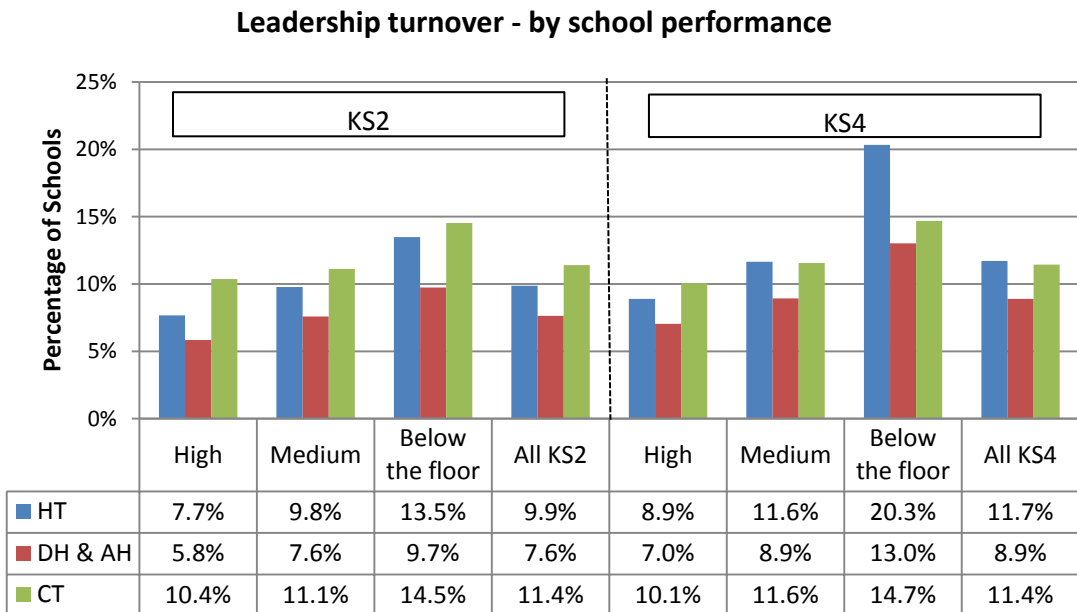


Source: School Workforce Census November 2011 & November 2012

**D24** There is also an association between turnover and school performance. At both KS2 and KS4, and for all leadership grades, turnover increases as the performance of the school decreases. Similarly, for all leadership grades turnover increases as the Ofsted rating of the school declines. This is the case

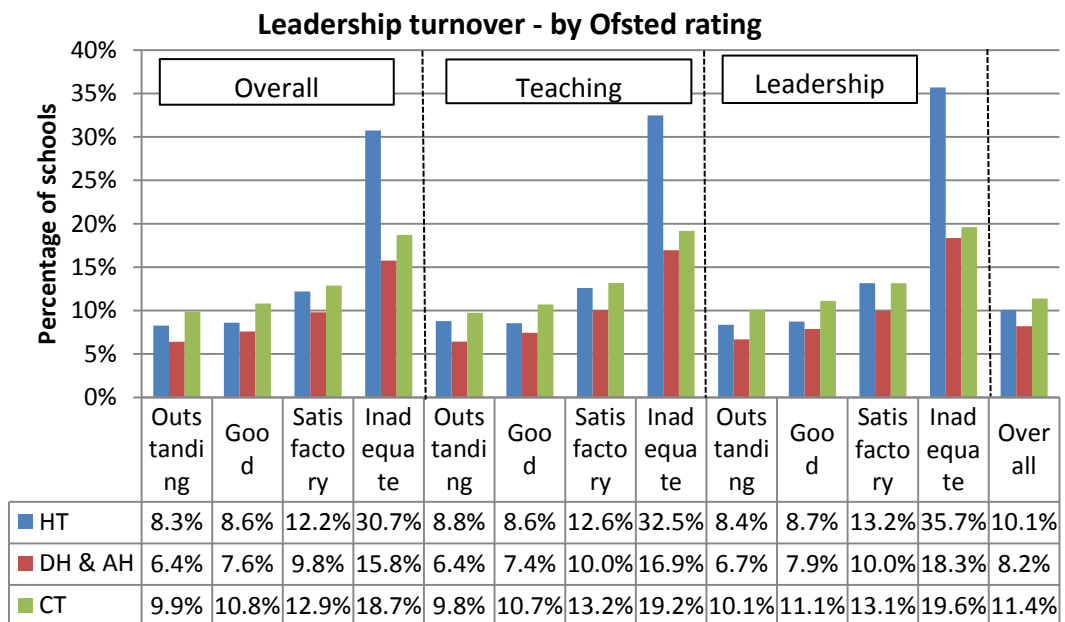
for overall judgements as well as the specific judgements on teaching and leadership and management.

**Figure 13D**



Source: School Workforce Census November 2011 & November 2012

**Figure 14D**



Source: School Workforce Census November 2011 & November 2012

## Numbers of leaders in Wales

**D25** Based on the Annual Statistical Digest published by the General Teaching Council for Wales (GTCW) in March 2013, the headteacher population in Wales

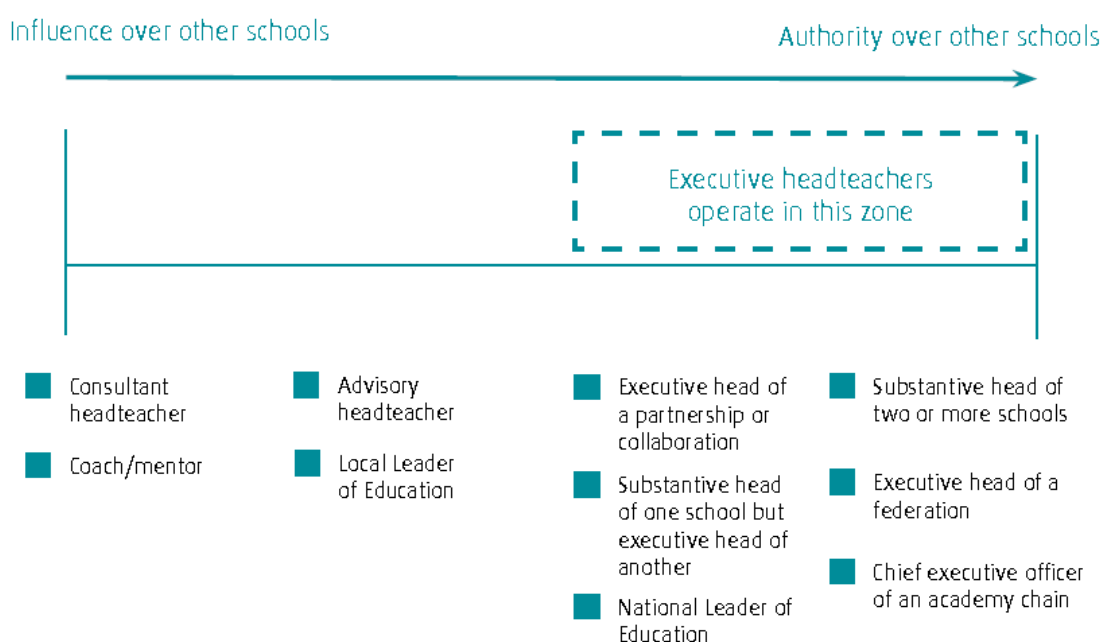
reduced between 2011 and 2013. In March 2011 there were 1750 headteachers in Wales, but by March 2013 this number had reduced to 1614.

- D26** This is understood to be due mainly to school closures and headteachers managing more than one school, although in Wales there remains a proportionately higher number of small schools than in England.
- D27** The same data source shows that the age profile of the headteacher population in Wales has been getting younger. This is mainly happening due to increases in the 40 to 49 age range whilst numbers of those in the 50 to 64 range are falling.
- D28** It is still a mandatory requirement for all headteachers moving into their first substantive post in Wales to hold the National Professional Qualification for Headship (NPQH). The current cohort consists of 100 individuals who were selected to attend assessment centres in April/May 2013. There are generally some 70-80 headteachers appointed to their first post each year and there are a significant number of NPQH holders not in headship in Wales.
- D29** Analysis by GTCW in November 2012 of headteachers, deputy headteachers and assistant headteachers shows that of the 1415 teachers registered who have NPQH only 823 were working as a headteacher, 478 were working as a deputy head with 114 as assistant headteachers. There will of course also be teachers with NPQH who are not working in a leadership role.

## Annex E – System leadership

- E1** The term ‘system leadership’ within the school system can be taken to encapsulate a wide range of roles: collaboration; informal or formal support arrangements; direct responsibility and accountability for more than one school; formal oversight of other headteachers.
- E2** **Figure 1E** is taken from NSCL research from 2010. It illustrates the various system leadership roles that were recognised at the time. On the right of the diagram are those roles that require leaders to exercise direct responsibility for more than one school. To the left of the diagram are support and collaboration roles.

**Figure 1E – System leadership roles**



Source: NSCL (2010). *Executive Heads: A Full Report*

- E3** DfE analysts have used data from the SWC 2012 and information from the National College of Teaching and Leadership (NCTL) to produce analysis of the characteristics of five types of system leaders, the characteristics of their home schools, and their salaries.
- E4** The five types of system leaders in the analysis are:
- Executive headteachers – 435 individuals are recorded in the SWC as being executive headteachers. Other sources estimate the number of executive headteachers to be higher and it is likely that there are some that are not recorded as such in the SWC<sup>38</sup>.

<sup>38</sup> The figure used here excludes duplicate records of executive headteachers within the SWC, those without a teacher reference number (less than 20 cases) and those who are centrally employed. The SWC only records executive headteachers who are employed by a particular school. This figure is therefore likely to exclude, for example, those taking overall responsibility within a chain or in the position chief executive of an academy sponsor.

- National Leaders of Education (NLEs) – Leaders of outstanding schools who, together with their leadership teams, support other schools in challenging circumstances to improve. There are 730 NLEs in the analysis<sup>39</sup>.
- Local Leaders of Education (LLEs) – Successful headteachers who work alongside other headteachers to drive forward improvements and also provide mentoring support for newly appointed headteachers. There are 1,708 LLEs.
- Specialist Leaders of Education (SLEs) – Outstanding school leaders in positions other than headships, such as deputy headteachers, subject and behaviour specialists and business managers who have the skills to support individuals or teams in similar positions in other schools. There are 1900 SLEs.
- National Leaders of Governance (NLGs) – Highly effective chairs of governors, who use their skills and experience to support chairs of governors in other schools and academies. There are 134 NLGs. As with all governors NLGs would not normally be paid, and so are not directly relevant to the question of leadership pay. They have been included in the analysis to highlight patterns in the schools that are producing system leaders.

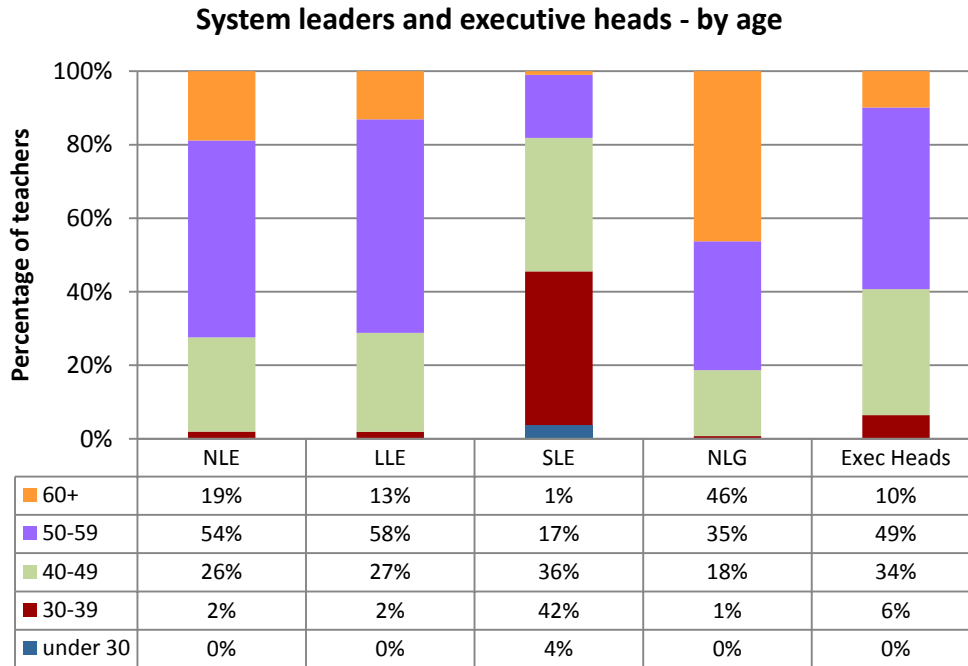
## Individual characteristics

- E5** In November 2012 around three quarters of NLEs and LLEs were over the age of 50, and only 2% were under the age of 40. SLEs had a lower age profile, with 82% being under 50 years old. A higher proportion of executive headteachers were under the age of 50 than either NLEs or LLEs.
- E6** With the exception of NLGs, the majority of system leaders in the analysis were female. 65% of all headteachers were female, but amongst NLEs and executive headteachers the proportion of women was lower. Women were better represented amongst LLEs and SLEs than amongst all headteachers.
- E7** Proportionately fewer NLEs were recorded as ‘white British’ than headteachers overall (of which 94% are in that ethnic category).

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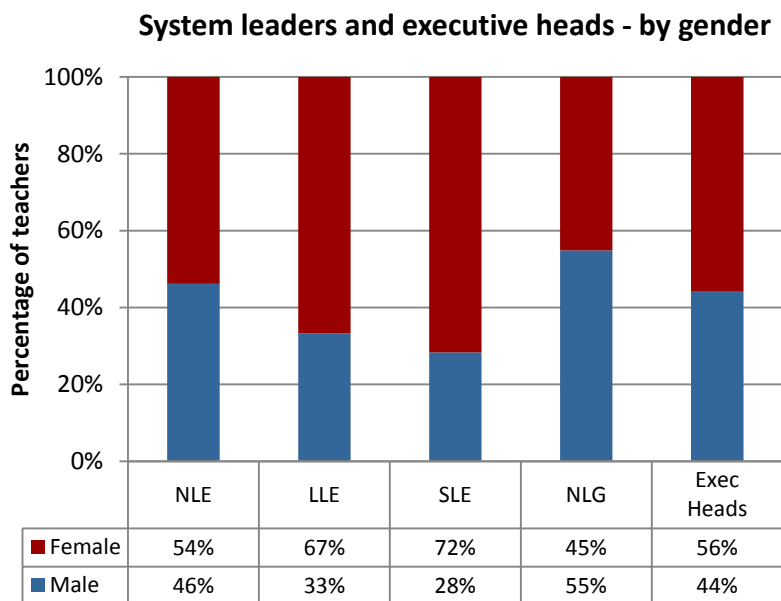
<sup>39</sup> Numbers listed may differ from those from other sources. This analysis uses those present in the November 2012 SWC, and excludes some records, for example where they are duplicates or those working in certain settings.

**Figure 2E**



Source: School Workforce Census November 2012 and National College

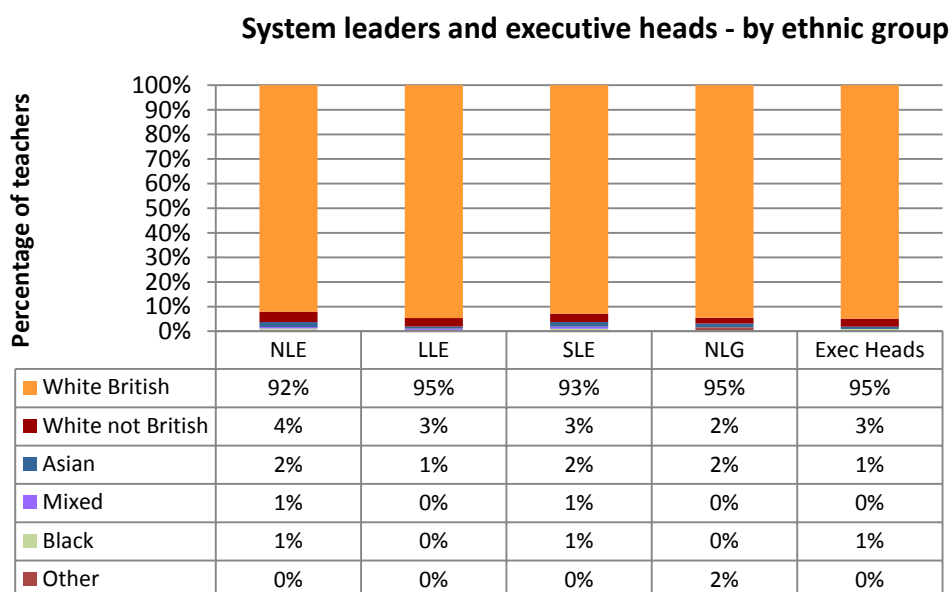
**Figure 3E**



Source: School Workforce Census November 2012 and National College



**Figure 4E**

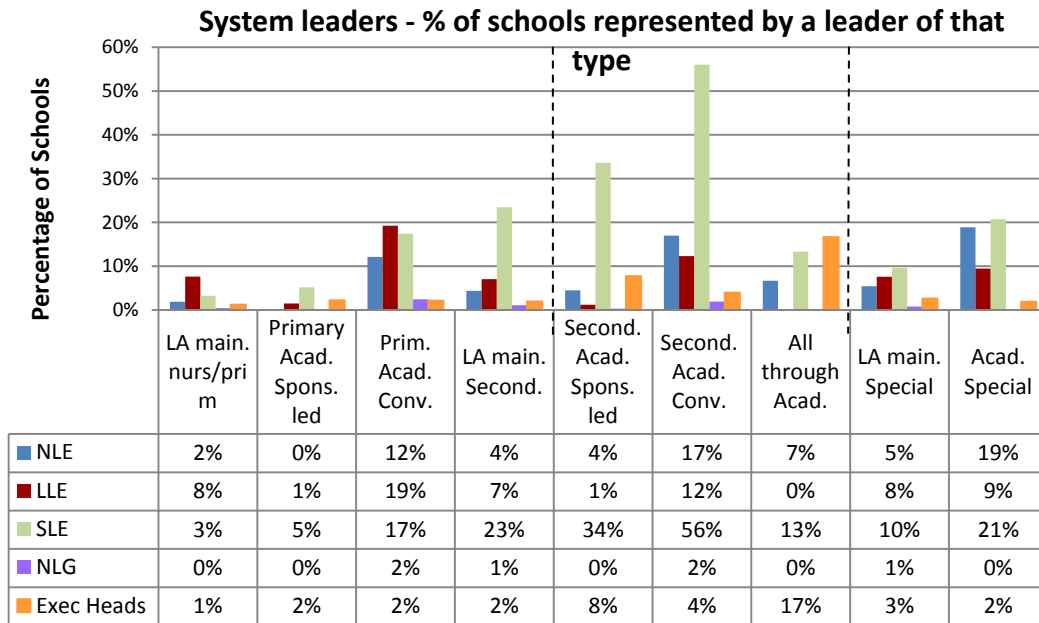


*Source: School Workforce Census November 2012 and National College*

## School characteristics

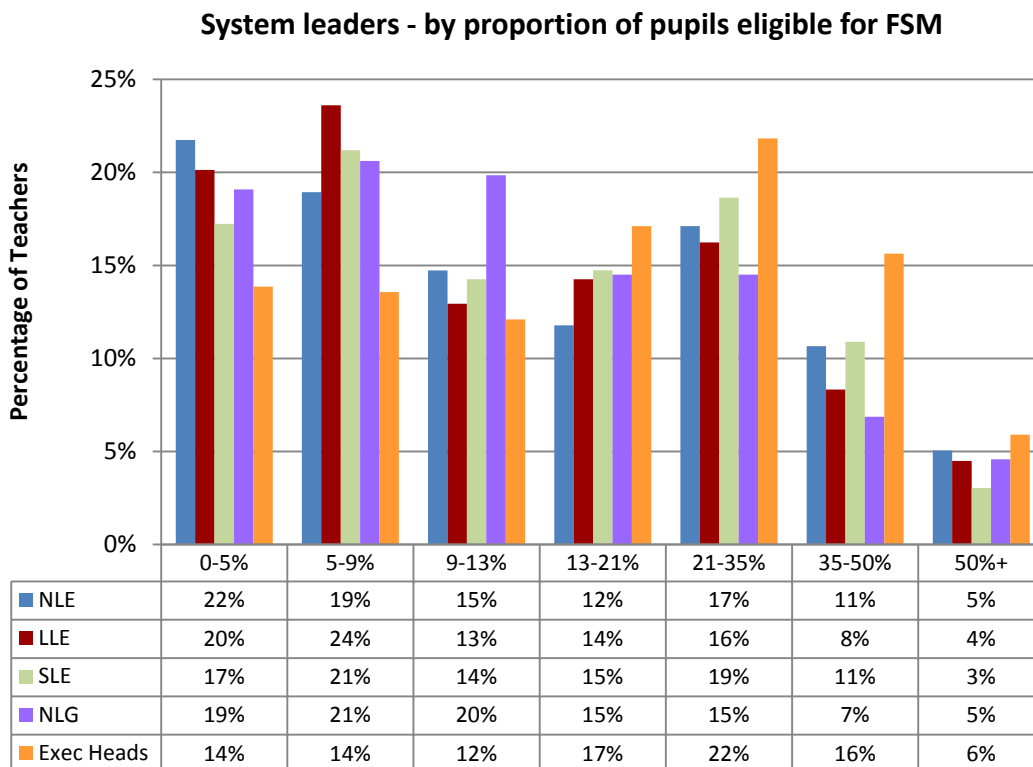
- E8** Figure 5E shows the proportion of schools of each type that are represented by different types of system leaders. Although the largest proportion of system leaders were based in maintained primary and nursery schools, these schools were actually disproportionately under-represented given the majority of all headteachers were based in schools in this category. Academy converters in both primary and secondary phase provided a disproportionate number of system leaders of all types.
- E9** Analysis of system leaders by the proportion of pupils in their home school who are eligible for free school meals suggests that higher proportions were based in schools with lower levels of deprivation. The exception to this was executive headteachers, who appeared more likely to be based in schools with higher proportions of pupils eligible for free school meals. It should be noted that there are lower numbers of schools within the 35% plus FSM bands than those below 35%, so the finding for executive headteachers is perhaps more significant than for other system leaders.

**Figure 5E**



Source: School Workforce Census November 2012 and National College

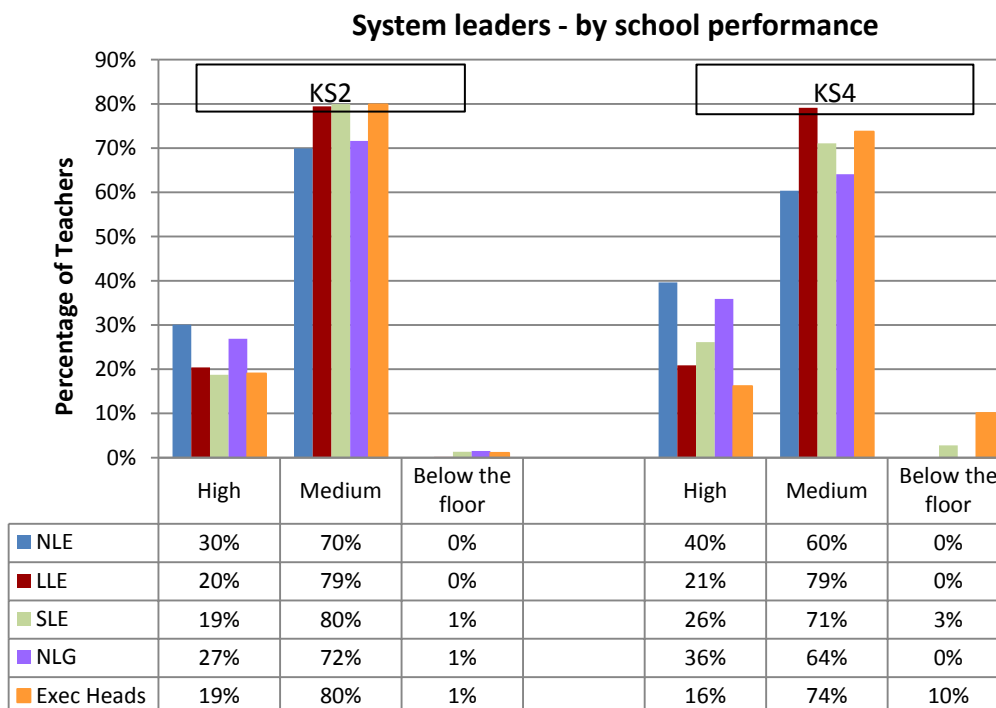
**Figure 6E**



Source: School Workforce Census November 2012 and National College

**E10 Figure 7E** shows that, as might be expected, very few system leaders were based in schools that were below the floor for KS2 or KS4 performance. There appears to be a stronger link between high performance and NLE and NLG status than for other forms of system leadership.

**Figure 7E**



*Source: School Workforce Census November 2012 and National College*

**E11** As shown in **Figure 8E** system leaders were overwhelmingly based in schools rated outstanding or good by Ofsted, both for overall ratings and individual judgements of teaching and leadership and management. It is worth noting that in the majority of cases NLEs are required to hold an outstanding Ofsted judgement in the school in which they are based in order to maintain NLE status. It could be expected, therefore, that the vast majority would hold an outstanding judgement.

## Average pay<sup>40-41</sup>

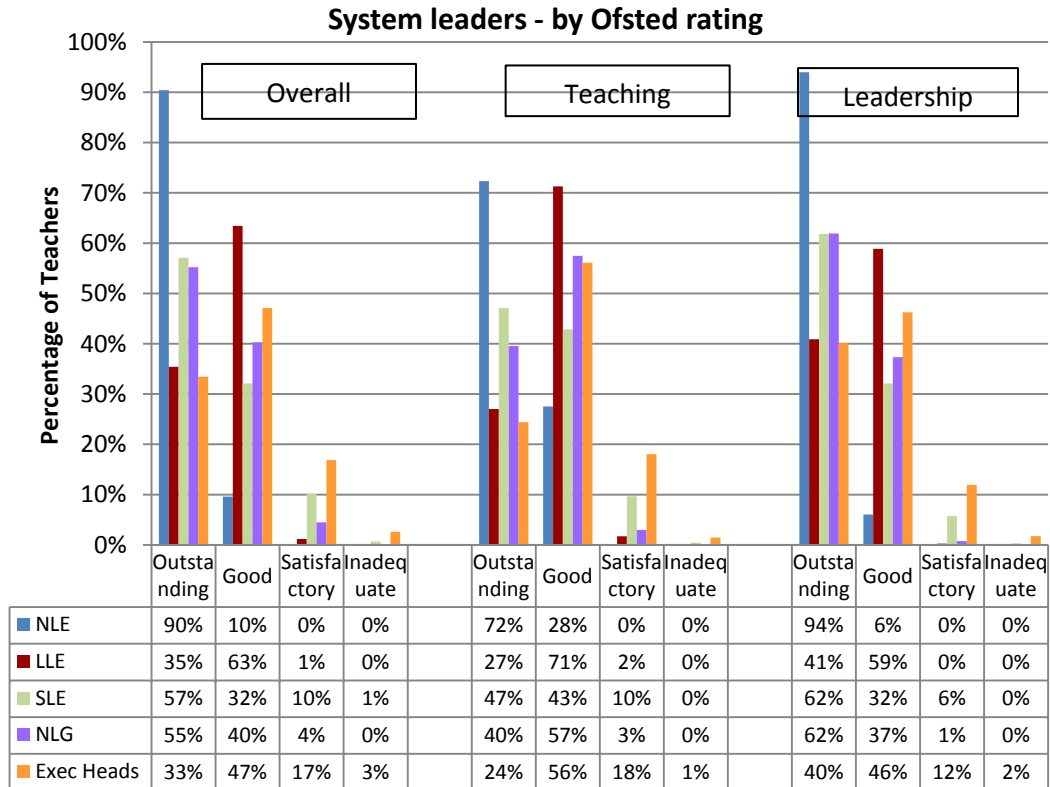
**E12** **Figure 9E** shows the mean total pay of system leaders. The analysis excludes system leaders recorded as working part-time, or where salaries are unfeasibly low (<£34k). Figures have been suppressed where insufficient data is available.

**E13** In all cases NLEs earned higher salaries than other types of system leader (although, due to a low number of cases, figures for Executive Headteachers have generally been suppressed), and all system leaders earned higher salaries in the higher pay bands.

<sup>40</sup> Generally, salaries diverging by more than £300 have been considered to be 'more'/'less', whereas those within £300 of one another have been deemed similar

<sup>41</sup> All salary analysis refers to full-time teachers in service

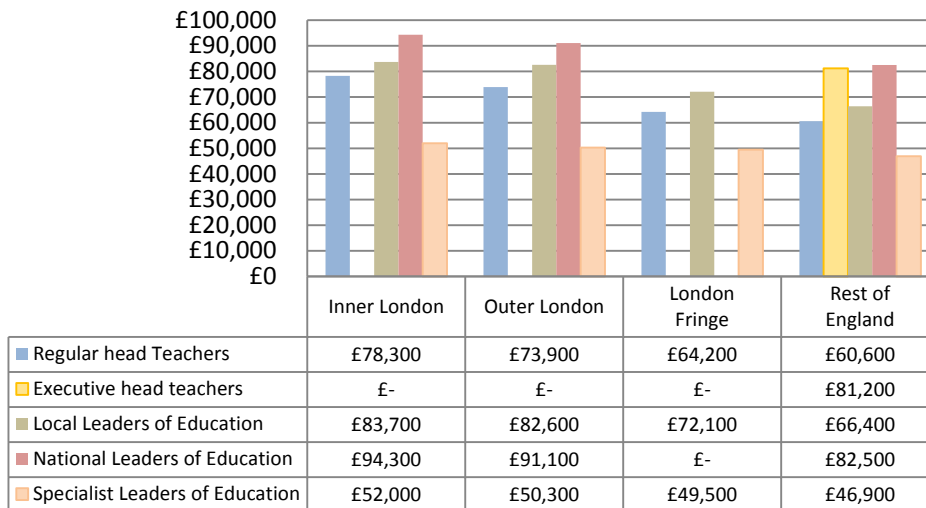
**Figure 8E**



Source: School Workforce Census November 2012, National College and Ofsted

**Figure 9E**

**Mean total pay of executive heads and system leaders**



Source: School Workforce Census November 2012 and National College

# Annex F – The effects of teachers' current non-pay terms and conditions

## Introduction

- F1** This analysis of the effects of teachers' current terms and conditions is informed by evidence submitted by parties to the STRB about the reform of teachers' terms and conditions; comments made to the Department by a number of headteachers; evidence about practice in academies; and evidence from research.

## The Impact of the STPCD provisions on non-pay terms and conditions

- F2** The first STPCD was published in 1987, replacing a document called "*Scales of Salaries for Teachers - Primary and Secondary Education, England and Wales*". It contained provisions relating to the pay and other conditions of employment of school teachers in England and Wales. The non-pay conditions of employment section was minimal (nine pages) and essentially consisted of setting out the professional duties of headteachers, deputy headteachers and classroom teachers and a working time requirement of 195 days and 1265 hours. There was no accompanying guidance for any conditions of employment.
- F3** Since 1987 the STPCD has grown from 42 pages to 192 pages. Additions to the non-pay conditions have reflected the proliferation over time of teacher and headteacher roles and the specification of their various duties. The most recent changes arose from the National Agreement on Raising Standards and Tackling Workload (signed by the previous administration, employers and school workforce unions in 2003) following concerns about teacher workload, recruitment and retention. The Agreement resulted in several statutory entitlements for teachers being included within the STPCD between 2003 and 2009, which were intended to reduce teacher workload and raise standards by ensuring teachers' time was focused on teaching.
- F4** Evidence to the STRB last year suggested there were different views about some of the specific provisions in the STPCD.

## **Provisions arising from the Agreement relating to teachers – Guaranteed Planning, Preparation and Assessment (PPA) Time; Rarely Cover; Administrative and Clerical Tasks and External Examination Arrangements; Dedicated Leadership/Management Time**

- F5** These provisions were intended to reduce workload and to enable teachers to focus on teaching. There is some evidence that they have done so. In response to the 2010 Teachers' Workload Diary Survey, teachers reported PPA was the factor that seemed to have had the greatest positive impact in reducing teachers' working hours. The introduction of 'rarely cover' was the second most frequently mentioned factor as having a positive impact on workload. The teacher unions continue to support these provisions. In evidence to the STRB last year NASUWT and NUT proposed respectively that PPA time should be increased from 10% to 15% or 20% to reflect the increased demands of teaching since it was introduced. NUT has also said there should be proper provision for management time that is commensurate with responsibilities.
- F6** Other research<sup>42</sup> gives a more mixed picture of the benefits and experience in schools. PPA time made less of an impact in secondary schools where teachers were used to having non-contact time. While three-quarters of headteachers agreed having PPA time had had a positive impact on teacher morale, planning and teacher effectiveness, fewer teachers agreed with these statements (about half of primary teachers and about 40% of secondary teachers). Over 40% of teachers in all sectors reported that the remodelling process had enabled them to spend more time focusing on teaching and learning, but only around a third said that in their view it had contributed to raising standards in their schools.
- F7** In their evidence to the STRB last year, ASCL and NAHT remained supportive of the principles underpinning the National Agreement on Raising Standards and Tackling Workload, but appeared to feel strongly that the way they are reflected in the STPCD (and particularly in the way that the accompanying guidance is interpreted) is:
- too rigid
  - undermines professionalism, and
  - constrains (in some contexts, severely) the flexibility of headteachers to lead and manage their schools.

These provisions are perceived by headteachers as overly-prescriptive and limiting their ability to deploy staff flexibly.

- F8** ASCL and NAHT argued that the entitlement to PPA time in at least half hour blocks is too restrictive, getting in the way of effective school management. ASCL has also said that PPA time should be reformed to make it a *regular* rather

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<sup>42</sup> DCSF, *Aspects of School Workforce Remodelling Strategies used and Impact on Workload and Standards* (August 2009)

than *weekly* entitlement. They and NAHT believe that leaders should be given the right to direct how this time should be used.

- F9** They also agreed that, in general, teachers should not have to cover for absent colleagues, but thought that the current interpretation of 'rarely' is too rigid, gives schools very little flexibility, and can be a barrier to teachers being released for CPD. They believe some 'rarely cover' provision should be maintained, but with greater flexibility. Teaching schools have mentioned that 'rarely cover' can be an additional complication for them, as having flexibility to deploy staff - including specialist leaders of education - to support other schools (sometimes at short notice) is an important part of their role. Taking a different view, NASUWT has proposed that 'rarely cover' should be removed to make clear that teachers should *never* be asked to cover unless it was a specific duty of their contract. NUT has said that 'rarely cover' should be changed to 'cover only in exceptional circumstances'.
- F10** The provision that teachers should not routinely undertake routine admin tasks or participate in external examination arrangements that do not require their professional judgement also appears to be problematic where teachers interpret this as meaning that they should *never* undertake these tasks. ASCL and NAHT agree that administrative tasks should not be routinely required of teachers, but argue it can be unclear what 'not routinely' means. They support the principle that teachers should not be routinely required to invigilate, but do not want 'not routinely' to mean 'never'. Research carried out by the Department in 2009<sup>43</sup> found that both primary teachers and headteachers saw the presence of teachers in exams as vital in ensuring pupils felt secure and confident. Some headteachers have said to the Department that they would welcome more flexibility, rather than absolute prohibition, especially in the context of cuts, as this has been quite costly when they have had to pay for additional staff specifically to undertake these duties. They claim that some teachers would want to invigilate but are prevented from so doing by their union.
- F11** As regards dedicated leadership or management time, research<sup>44</sup> suggests that the impact of this provision may have been more positive in primary schools than in secondary schools as work relating to a leadership and management role was usually already being taken into account in allocating secondary teaching loads. Apart from the NUT, neither STRB consultees nor headteachers have commented on this provision. This may be because this provision is more flexible and simply states that a teacher is entitled to a reasonable amount of time to discharge those responsibilities, allowing headteachers to make decisions in the light of particular circumstances.
- F12** The number of support staff has increased since the Workforce Agreement by more than 230,000 from 134,000 in 1997 to 370,000 in 2012 - a 175% increase. Expenditure on support staff has grown both in real terms and as a percentage of

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<sup>43</sup> Ibid.

<sup>44</sup> Ibid.

schools' total gross expenditure. For example, in 2008-09 the total expenditure on education support staff in maintained primary and secondary schools was £4.1bn, of which expenditure in primary schools was £2.5bn and in secondary schools £1.5bn. This represented an 86% increase since 2002-03 (in real terms). Growth has been strongest in the secondary sector with expenditure increasing by more than 100% in real terms, whilst growth in primary schools was 74%. Although the data is not comparable because it covers maintained schools only and will be affected by the number of schools becoming academies, the total expenditure on education support staff in maintained primary and secondary schools in 2011-12 was £4.8bn, of which expenditure in primary schools was £2.9bn and in secondary schools £1.2bn.

- F13** The cost implications of introducing PPA time were recognised at the time, which is why primary schools and special schools were given an extra £170m between 2005 and 2007 for that purpose. Whilst it may not be possible to quantify the extent to which savings might be realised within schools by removing teachers' entitlements, it is clear that the rigidity of some of the entitlements makes it harder for headteachers to achieve savings. Removing any or all of the entitlements would give schools greater freedom to organise their resources in a more efficient and effective way.
- F14** In summary, there is some support for the reform or removal of these provisions on the grounds that they hamper schools' ability to deploy teachers effectively. Their removal would not necessarily mean that teachers did not have the benefit of PPA time, etc. but it would mean that schools were able to determine what an appropriate allocation is themselves.

## **Provisions arising from the Agreement relating to headteachers – *Dedicated Headship Time (DHT)***

- F15** Research<sup>45</sup> suggests that headteachers have reservations about the impact of this provision – “the introduction of DHT has had little impact because it does not reflect the reality of how headteachers think about their time”. There was nothing however in the ASCL and NAHT evidence to the STRB last year about this provision, though the NUT argued that headteachers should have an entitlement to headship time. The provision itself is open to interpretation – it states that headteachers are entitled to a reasonable amount of time for the strategic leadership of their school without offering any definition of what might be considered “reasonable”. It could be argued that this provision is a statement of the obvious and that DHT must be an integral part of their job. Removing DHT from the STPCD would not mean that headteachers would no longer fulfil their role as headteachers.

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<sup>45</sup> Ibid.



## Other provisions that relate to working time arrangements – *Working Time limits; work/life balance; daily breaks*

- F16** Contracts specify the number of hours an individual is paid to work. This is not necessarily the same as the hours actually worked. Specifying how people spend their time and how long they work is contrary to a notion of professionalism.
- F17** To the extent that academies have opted out of national terms and conditions, one of the main flexibilities they have sought is in relation to working time, for example, by introducing Saturday working or longer school terms. The ARK Schools' contract, although broadly mirroring the STPCD, allows them to apply more flexible working conditions so that they can operate a longer school day between the hours of 8am to 5pm. The longer school day not only benefits pupils through extra classes and a curriculum that offers pupils depth before breadth, but also gives greater flexibility for teachers to work collaboratively and share ideas, providing time for lesson observation, debriefings and CPD as well as recognising the significant amount of time teachers spend on PPA. Teachers are expected to be available in the school and to cover most of their work within this longer school day, but no teacher would teach continuously throughout the day. In most cases the teaching load would be no greater than at other schools. In return for this flexibility teachers are offered an additional 2.5% above the STPCD provisions.
- F18** ASCL and NAHT have expressed the view that term times, the 195 days' limit and the 1265 hours' provision, can all give rise to difficulties where there is no staff flexibility. Both NASUWT and the NUT have suggested that a 35 hour week should be established as a benchmark against which excessive working hours could be identified.
- F19** In summary, there is some support for reviewing how these provisions work and what they actually achieve. Teachers would continue in any case to have the protection granted by the Working Time Regulations which provide for an average weekly limit of 48 working hours and minimum rest periods of:
- 20 minutes per six hours worked
  - 11 hours per day, and
  - one interrupted break of 24 hours every seven days.

## Induction

- F20** There remains strong support for a reduced timetable under the current induction arrangements. There is, however, a question about whether there is a need for this provision to remain in the STPCD given that the statutory duty to provide a reduced timetable for a teacher serving their induction period is included in induction regulations. It could be argued that it is an unnecessary duplication.

## Other provisions about teachers' and headteachers' roles and responsibilities (including *Teaching and Learning Responsibility (TLR) payments*)

**F21** The lists of duties for headteachers and teachers are very detailed and at odds with the notion of professionalism. It could be argued that it would be sufficient to set out the professional duties of a teacher at a high level, as is the case with the Education (Specified Work and Registration) (England) Regulations 2003 (as amended) which sets out the activities that are to be performed by a qualified teacher as:

- planning and preparing lessons and courses for pupils
- delivering lessons to pupils
- assessing the development, progress and attainment of pupils, and
- reporting on the development, progress and attainment of pupils.

**F22** **Table 1F** provides a summary of the effects of individual provisions in the STPCD.

## Extent to which academies are making use of flexibilities

**F23** Such evidence as we have suggests that academies are not making extensive use of the flexibilities available to them. For instance, we know that most continue to use the pay and conditions framework set out in the STPCD for their teachers' conditions of employment. Recent research - *Unleashing the Potential of Academies* - The Schools Network, The Specialist Schools and Academies Trust and Reform (SSAT) (March 2012) – found that freedom over pay and conditions does not seem to be a key reason for converting to an academy, with only 22% citing this as a reason. Two thirds of academies had not changed their terms and conditions and had no plans to do so in the future.

**F24** The report found that, although not bound by the STPCD, 60% said that the existence of the national pay and conditions made it difficult for them to vary these within their schools. The most commonly stated issues with existing terms and conditions related to 'rarely cover' and restrictions on annual working hours.

**Table 1F - The effects of provisions in the School Teachers' Pay and Conditions Document (STPCD)**

No	Provision	Purpose	Impact
1	<p><b>Guaranteed Planning, Preparation and Assessment (PPA) time</b>  <i>Paragraphs 63.5 - 63.8</i>                      All teachers who participate in teaching are entitled to reasonable periods of PPA time to enable discharge of professional responsibilities of teaching and assessment. 'Reasonable' is defined as a minimum 10% of a teacher's timetabled teaching time, and should be provided in units of not less than 30 minutes.</p>	<p>To relieve some of workload pressure on teachers and to raise standards by providing teachers with PPA time.</p>	<p>2010 Teachers' Workload Diary Survey found PPA time had greatest impact on reducing teachers' working hours.</p> <p>One consequence of provision is that support staff might lead/supervise more lessons.</p> <p>Headteacher unions support principle of PPA time, but seek more flexibility to direct how time should be used. Teacher unions feel that PPA time should be increased.</p>
2	<p><b>Rarely Cover</b>  <i>Paragraph 63.10</i>                      Teachers should be required to provide cover only rarely, and only in circumstances that are not foreseeable.</p> <p>Section 4 guidance states that headteachers must put in place suitable cover arrangements to ensure that teachers do cover only in unforeseen circumstances.</p>	<p>Part of an overall package of contractual provisions to raise standards, aimed at freeing teachers from the tasks that do not require their professional skills and expertise. This enables teachers to focus on teaching and headteachers to focus on leading and managing teaching and learning.</p>	<p>Principle of provision is generally accepted by both headteachers' and teachers' unions. 2010 Teachers' Workload Diary Survey found 'rarely cover' had the second most positive impact on reducing teachers' working hours.</p> <p>Application of provision causes problems for some headteachers in effective deployment of staff. Teacher unions want provision to be strengthened so that teachers only cover if it is a contractual duty or in 'exceptional, emergency' circumstances.</p>
3	<p><b>Administrative and clerical tasks and external examination arrangements</b>  <i>Paragraphs 63.12 - 63.13</i>                      Teachers cannot routinely undertake tasks of a clerical or administrative nature which do not call for their professional skills and judgement. Additionally, teachers should not be required to undertake exam invigilation. A list of 21</p>	<p>Intended to help manage a teacher's workload. Teachers should be able to focus all of their efforts on teaching and learning and should not be expected to undertake activities that do not require their expertise or professional skills.</p>	<p>Headteacher and teacher unions generally accept the principle behind provision. However, the 2010 Teachers' Workload Diary Survey found teachers were still regularly undertaking unnecessary clerical/administrative duties.</p> <p>Headteacher unions want additional flexibility to deploy teaching staff as they see fit,</p>

No	Provision	Purpose	Impact
	clerical/administrative tasks that teachers should not routinely be required to undertake is included.		according to local needs at any given time.
4	<p><b>Working Time</b>  <i>Paragraph 62</i>            Full-time teachers must be available to work for 195 days each year (190 teaching, and five undertaking other duties). They may be directed by the headteacher to undertake duties for 1265 hours in any school year, but are not required to work weekends or public holidays. In addition, a teacher must work such reasonable additional hours as may be necessary to enable effective discharge of their duties.</p>	To set out clearly the obligations of teachers in respect of the time they are expected to work.	<p>Teacher unions feel that provision does not offer teachers enough protection and want to set a limit of a 35 hour working week, as a benchmark against which excessive working hours could be identified. Headteacher unions feel that the 195 days' limit and the 1265 hours' provision give rise to difficulties where there is no staff flexibility.</p> <p>If provisions were removed, teachers would continue to be protected by Working Time Regulations which provide for an average weekly limit of 48 working hours and minimum rest periods of: 20 minutes per 6 hours worked; 11 hours per day; and one interrupted break of 24 hours every 7 days.</p>
5	<p><b>Work/life balance</b>  <i>Paragraph 63.4</i>            Teachers are entitled to a reasonable work/life balance by having a satisfactory balance between the time required to discharge their professional duties and time to pursue their personal interests outside work<sup>46</sup>.</p>	Aimed at helping teachers to combine work with personal interests outside of work. It was hoped that it could help recruit and retain more motivated staff.	2010 Teachers' Workload Diary Survey cited evidence from 2003 which found one of the most common reasons for teachers leaving the profession was workload. Teacher unions consider work/life balance issues provide the biggest barrier to recruitment and retention of teachers.
6	<p><b>Daily Breaks</b>  <i>Paragraph 63.3</i>            Teachers must be allowed one break of reasonable length between school sessions, or between 12pm-2pm. Deputy headteachers, assistant headteachers, ASTs and ETs are entitled</p>	To help ensure that teachers do not have back-to-back teaching time without having a break of a reasonable length of time	Provision builds on Working Time Regulations, which all employers have to abide by. No evidence that this provision has had either a positive or negative impact. Removal of provision would enable headteachers to be more flexible in their

<sup>46</sup> Section 21 of the Education Act 2002 puts the responsibility on the relevant body to have due regard to the work-life balance of the headteacher.

No	Provision	Purpose	Impact
	to a similar break as near to the middle of each school day as possible.		timetabling.
7	<b>Midday Supervision</b> <i>Paragraph 63.2</i> No teacher may be required under their contract of employment to undertake midday supervision.	To help reduce teachers' workloads by allowing them to concentrate on things that require their professional expertise and skills.	No evidence that this provision has reduced the pressure on teachers' workloads. Removal of provision might make it easier for headteachers to cut costs by requiring teachers to undertake midday supervision.
8	<b>Induction</b> <i>Paragraph 63.15</i> A teacher serving their induction period under the Induction Regulations must not teach for more than 90% of the time that any other teacher at the school would normally be expected to teach.	To ensure that newly qualified teachers (NQTs) have enough time (in addition to their PPA time) to focus on passing their induction period.	<i>The Education (Induction Arrangements for School Teachers) (England) Regulations 2012</i> includes requirement for reduced timetable for NQTs working towards passing induction period. Removal of provision is unlikely to be problematic. However, Welsh Government would need to amend their regulations to ensure that reduced timetable is included.
9	<b>Teacher Duties</b> <i>Paragraph 61</i> Teachers <b>may</b> be required to undertake a range of duties including, amongst other things: planning/teaching lessons; assessing and monitoring learning needs; preparing pupils for exams; directing and supervising support staff and participating in continuing professional development (CPD).	To set out the duties that teachers might be expected to undertake as part of their job.	Unclear what impact provision has had. Anecdotal evidence suggests some teachers only undertake duties specified by this provision.  New Teachers' Standards (September 2012) set out minimum requirements for teachers' performance and professional and personal conduct. Standards will be used to monitor performance and to steer professional development.
10	<b>Assistant and Deputy Headteacher Duties</b> <i>Paragraph 58</i> Must play a major role in: formulating the school's aims and objectives; establishing the policies through which they are to be achieved; managing staff and resources accordingly;	To set out the duties that assistant/deputy headteachers might be expected to undertake as part of their job.	Unclear what impact this provision has had, except that it offers some clarity about what is expected. Removal of provision would offer headteachers greater flexibility in their capacity to lead, and would enable them to organise their staff in imaginative ways that

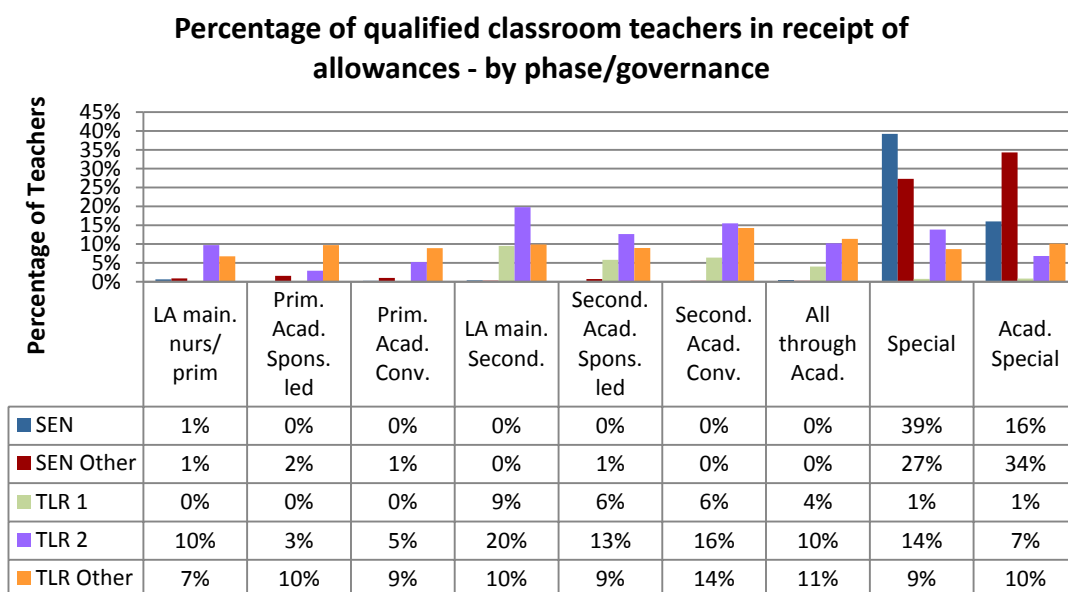
No	Provision	Purpose	Impact
	monitoring progress against policies; deputising for the headteacher where necessary.		might allow for greater scope for distributive leadership. Might also alleviate 'excessive burdens' on headteachers.
11	<b>Headteacher Duties</b> <i>Paragraph 56</i> <b>May</b> be required, amongst other duties, to: provide overall strategic leadership; lead, manage and develop the workforce; develop, manage and evaluate school policies; consult and communicate with governing body, staff, pupils, and parents/cares; participate in CPD.	To set out the duties that headteachers might be expected to undertake as part of their job.	No evidence of what impact this has had. The need for every school to have a headteacher is enshrined in primary legislation; this might explain the incentive to have clarity about what required. Provision might instead be reflected in revised headteacher standards.
12	<b>Dedicated Headship Time</b> <i>Paragraph 57.2</i> Headteachers are entitled to a reasonable amount of time during school sessions for the strategic leadership of their school.	To help ensure that teaching headteachers are able to perform their wider headship duties.	The 2009 Workforce Remodelling Survey found a relatively low level of impact with only about a quarter of headteachers having either dedicated headship time or leadership and management time or both. Some headteachers in the 2010 Teachers' Workload Diary Survey reported that provision reduced workload, but it is not clear what overall impact has been.
13	<b>Dedicated Leadership and Management Time</b> <i>Paragraph 63.9</i> A teacher with leadership or management responsibilities is entitled to a reasonable amount of time to discharge those responsibilities.	To help ensure that teachers with leadership/management responsibilities, such as ASTs and Head of Department, are able to discharge their leadership functions.	2009 survey into school remodelling found the vast majority of headteachers across all sectors said that some of their teachers were timetabled to have regular leadership and management time in addition to PPA. Also found that two-thirds of primary and special school headteachers agreed that provision had a positive impact on quality of management and leadership. Survey did not question schools about whether they would make it available if it was not in the STPCD.

# Annex G - Use of the current system: allowances and safeguarding

## Use of allowances

**G1** Figure 1G shows the percentage of classroom teachers in receipt of allowances in November 2012 by school phase and governance type. The categories “SEN other” and “TLR other” refer to allowances that are recorded as being of a value which is outside what would normally be allowed under the STPCD<sup>47</sup>.

**Figure 1G**

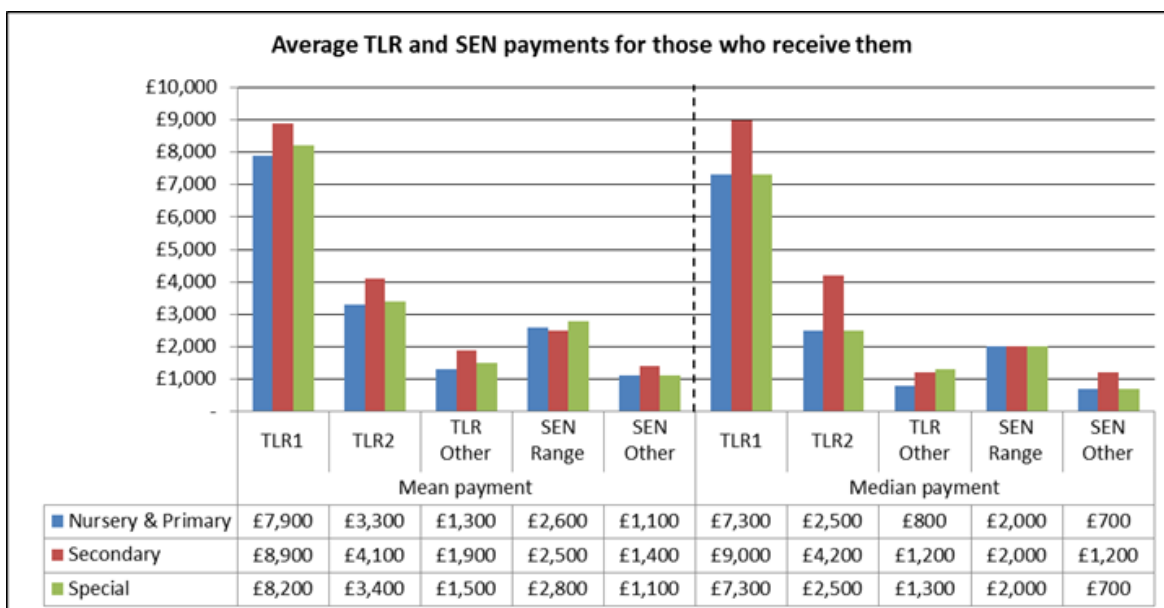


*Source: School Workforce Census November 2012*

- G2** SEN allowances were used very sparingly outside of special schools. 66% of teachers in maintained special schools, and 50% in special academies, were recorded as being in receipt of such an allowance.
- G3** Maintained schools were more likely to use TLR payments than academies, but Academies were more likely to use allowances of a value outside of what would normally be allowed under the STPCD.
- G4** TLR payments were more widely used in secondary schools than primary schools. **Figure 2G** shows that TLR payments of all types were also on average of higher value in secondary schools than in primary.

<sup>47</sup> This includes allowances paid to part-time teachers that would be outside of what is allowed by the STPCD if they were paid at a full-time rate.

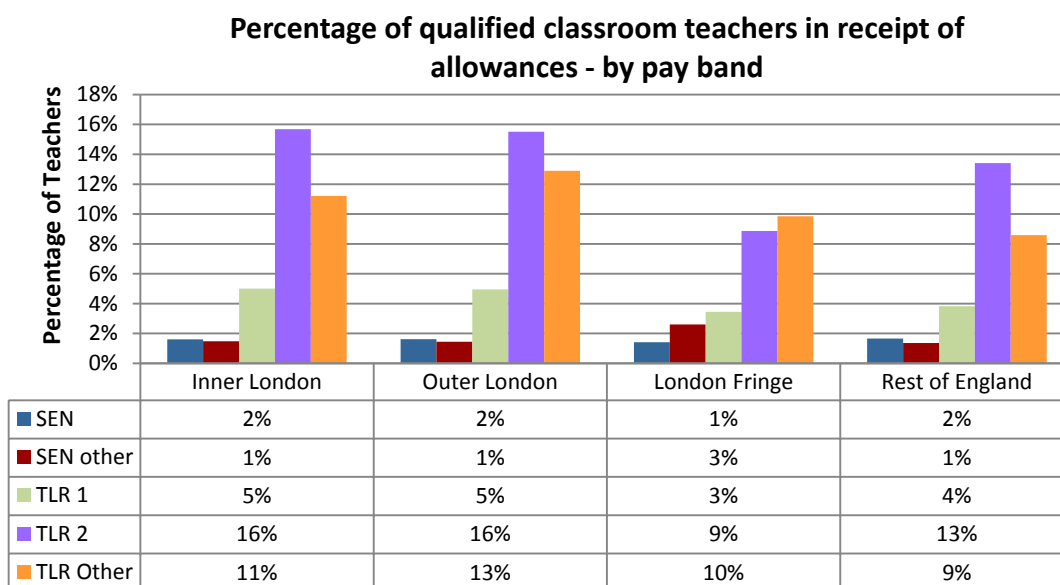
**Figure 2G**



Source: Full-time qualified classroom teachers - School Workforce Census November 2012

**G5** Figure 3G shows the percentage of teachers in receipt of allowances by pay band. Differences between the use of SEN payments in different pay bands were small, but there were larger differences between the use of TLR payments. TLRs were used most widely in the Inner and Outer London pay band, and least widely in the London Fringe.

**Figure 3G**



Source: School Workforce Census November 2012

**G6** Analysis of the use of allowances by KS2 and KS4 performance showed no significant differences. Across Ofsted judgements and different proportions of pupils eligible for free school meals differences were marginal. The only exception is that significantly higher proportions of teachers received SEN



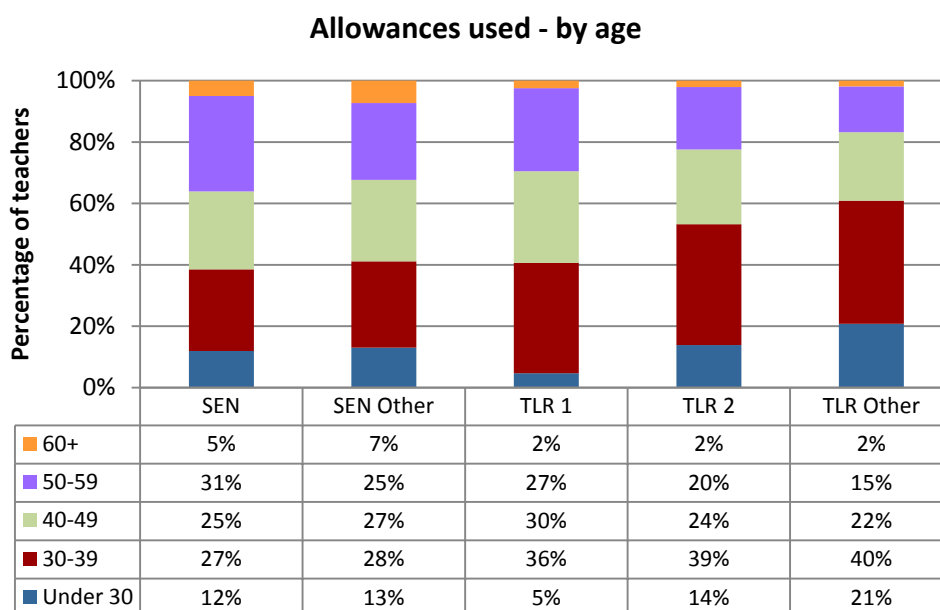
payments within the normal range (compared with other amounts of SEN payment) in more deprived schools and those with the best Ofsted ratings. The opposite was true for the least deprived schools and those with the lower Ofsted ratings.

## Age and promotion to leadership

**G7** Figure 4G shows the age profile of teachers in receipt of allowances in November 2012. Teachers over the age of 40 were disproportionately likely to be in receipt of an SEN allowance within the standard range. Teachers aged 50-59 were most likely to be in receipt of an SEN allowance within the normal range.

**G8** For TLRs only, teachers aged under 30 appeared to be less well represented amongst recipients of the payments than they were amongst teachers as a whole. Both TLR2 and TLR1 payments were most likely to be awarded to teachers aged 30-39. Over half of TLR2 payments were held by teachers aged under 39, compared to 41% of TLR1 payments.

**Figure 4G**



*Source: School Workforce Census November 2012*

**G9** Table 1G shows the proportion of teachers in receipt of SEN allowances or TLR payments, or ASTs or ETs, in November 2011 who had achieved a leadership post by November 2012. Those figures that are underlined are statistically significant compared to classroom teachers.

**Table 1G**

	Percentage of staff promoted to leadership position		
	Nursery & Primary	Secondary	Special
AST/ET	11.0	5.3	13.3
TLR1	15.0	3.7	10.1
TLR2	6.3	0.7	3.9
TLR other	6.0	1.1	2.9
SEN	3.5	1.8	2.3
SEN other	2.1	1.3	1.9
All other classroom teachers	1.3	0.9	2.5

Source: School Workforce Census November 2011 & 2012

**G10** In primary schools, all teachers in receipt of TLR or SEN payments, and ASTs and ETs, had a greater chance of being promoted than those classroom teachers who did not fall into any of these categories. The results for ASTs/ETs, TLR2s and SEN allowances within the normal range were statistically significant.

**G11** In secondary schools the connection between allowances or AST/ET status and promotion to leadership was less strong. Those in receipt of TLR2 payments were found to be *less* likely to be promoted than the comparator group of classroom teachers. For secondary schools only the results for AST/ETs and TLRs were found to be statistically significant.

## Use of safeguarding

**G12** In November 2012 1.4% of teachers were recorded as being in receipt of a safeguarded salary<sup>48</sup>. Of those who had a safeguarded salary in November 2011, 16.7% no longer had a safeguarded salary in November 2012. 0.3% of teachers were newly in receipt of a safeguarded salary in November 2012. All of the figures in **Table 2G** are statistically significant.

**Table 2G**

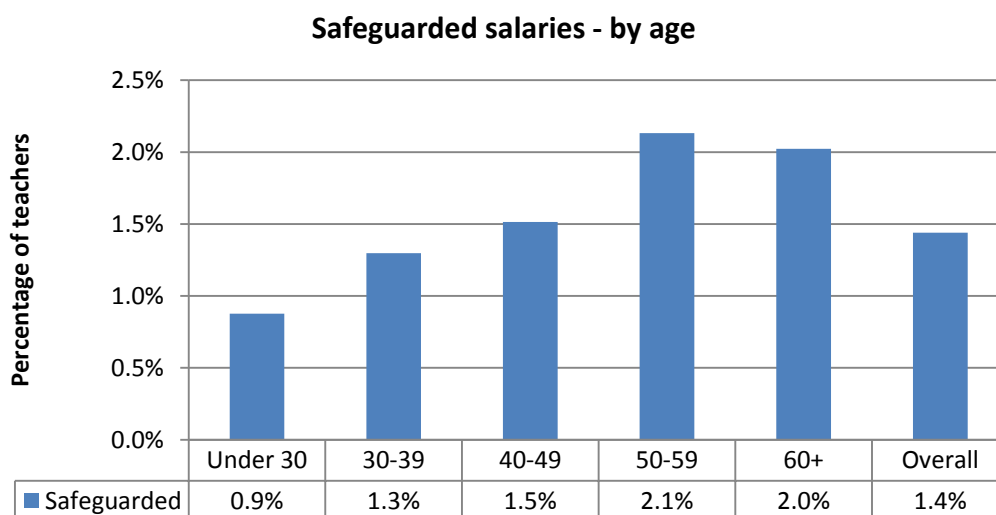
		SafeguardedSalary 2012			
		No		Yes	
Safeguarded Salary 2011	No	314,482	99.7%	1,090	0.3%
	Yes	721	16.7%	3,599	83.3%

Source: School Workforce Census November 2011 & 2012

**G13** Older teachers are more likely to be in receipt of a safeguarded salary, although numbers remain small. 2.1% of teachers aged 50-59 and 2% of teachers aged 60+ receive safeguarding, compared to 1.4% of teachers overall.

<sup>48</sup> For 20% of teachers no record was made in the 2012 SWC of whether they were or were not in receipt of salary safeguarding. This analysis is based on the 80% for which the relevant field was completed.

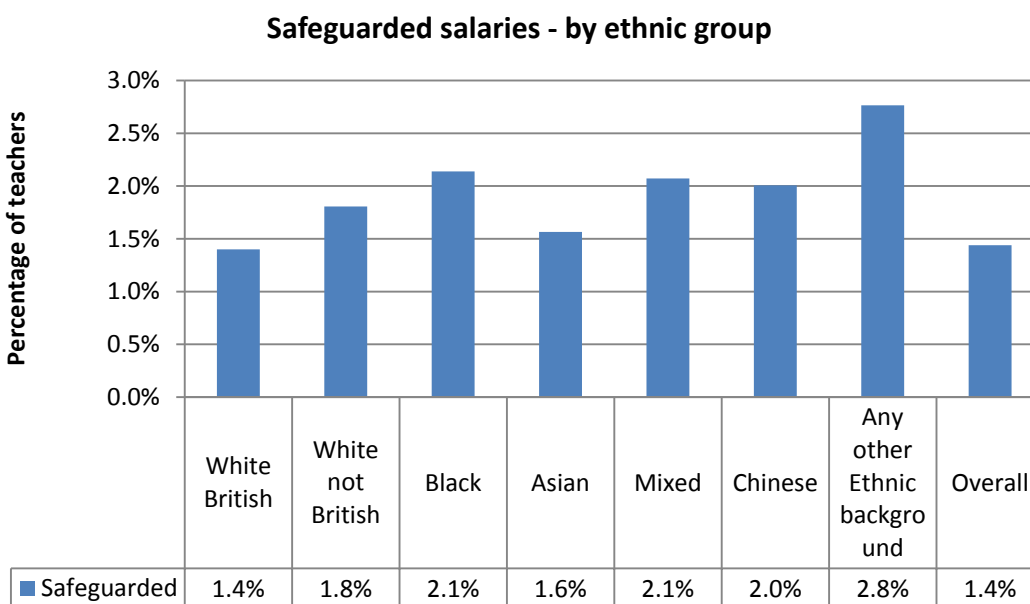
**Figure 5G**



*Source: School Workforce Census November 2012*

**G14** The difference between the proportion of males and females in receipt of safeguarding was negligible. **Figure 6G** shows that larger proportions of teachers from ethnic minority backgrounds were in receipt of safeguarding than White British teachers, but in some cases the numbers of individuals captured in this analysis were very small<sup>49</sup>.

**Figure 6G**



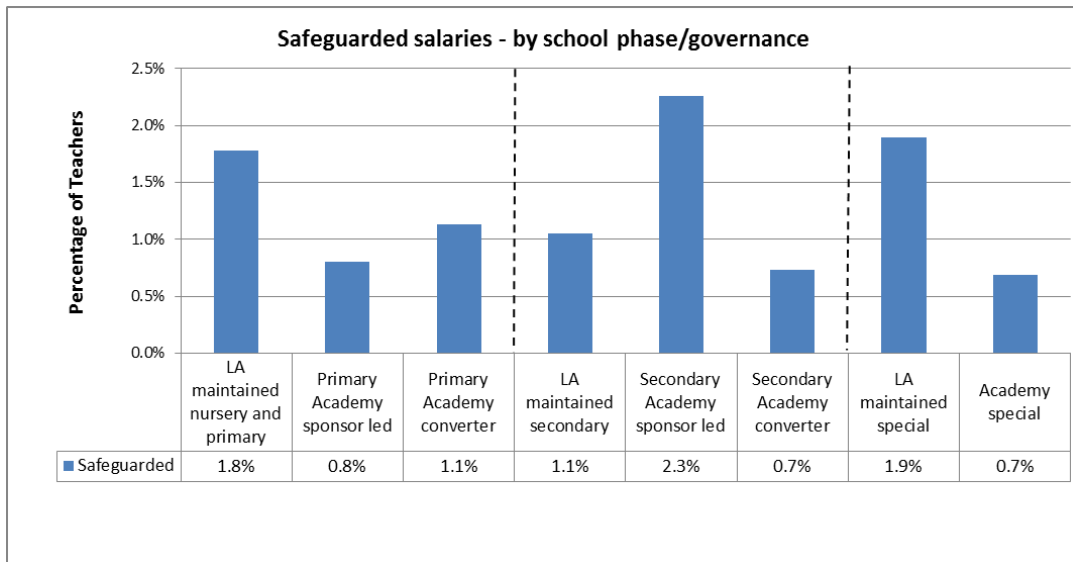
*Source: School Workforce Census November 2012*

**G15** Although academies are not bound by the STPCD, secondary sponsor-led academies have the largest proportion of teachers who are in receipt of

<sup>49</sup> The percentage of teachers in the “Any other ethnic background” group, who were receiving safeguarding, 2.8%, represents just 49 teachers.

safeguarding. This may reflect sponsors choosing to award safeguarding to teachers affected by restructuring instigated by a new sponsor. Although sponsor led primaries are less likely to use safeguarding than other primary schools, numbers of schools in this group were very small in November 2012 (1,860 schools in total) in comparison to the number of primary schools overall.

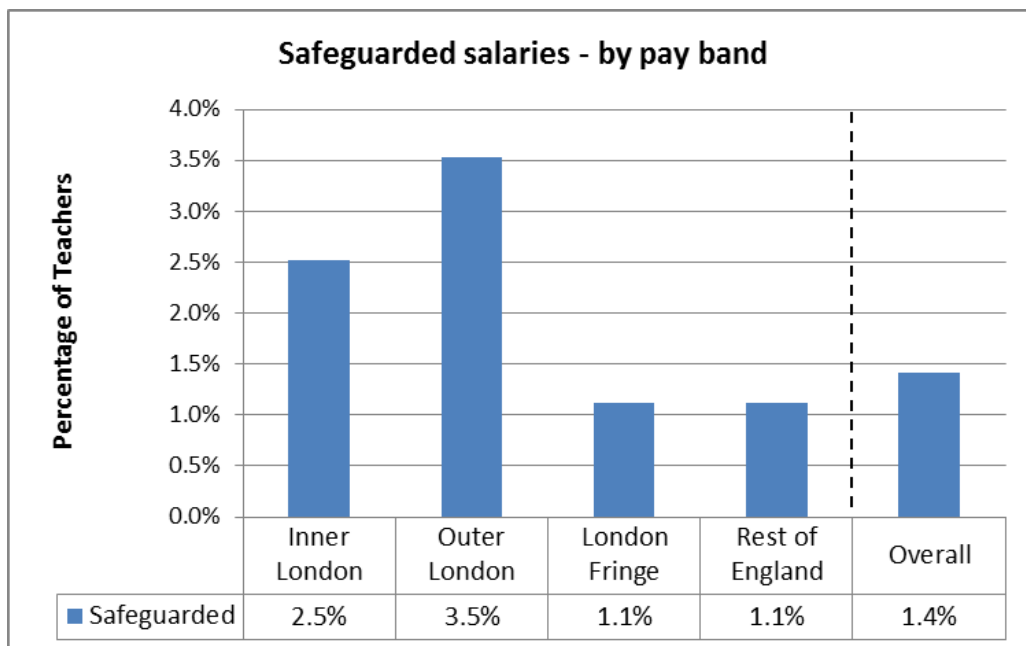
**Figure 7G**



Source: School Workforce Census November 2012

**G16 Figure 8G** shows that safeguarding was more common in the Inner London and Outer London pay bands than it was in the London Fringe and the Rest of England.

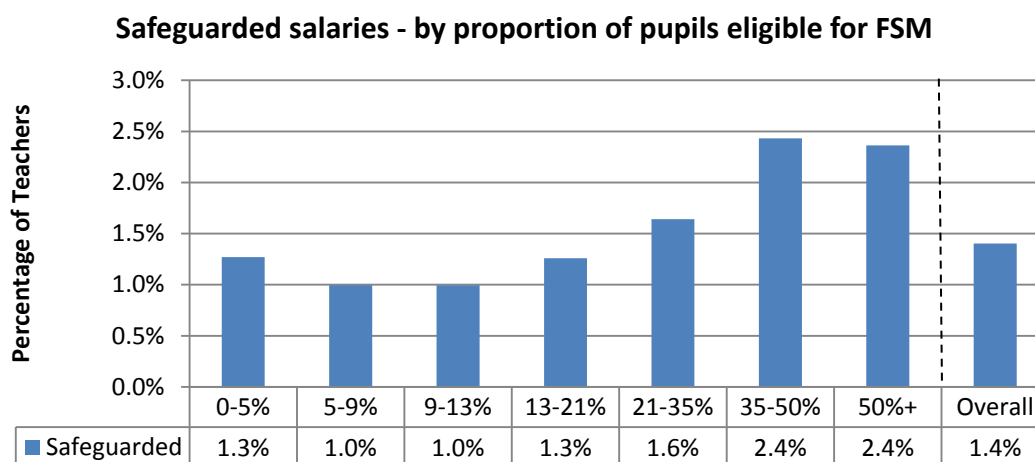
**Figure 8G**



Source: School Workforce Census November 2012

**G17 Figure 9G** shows that safeguarding was more common in schools with a higher proportion of pupils eligible for free school meals, with the exception of the lowest FSM category.

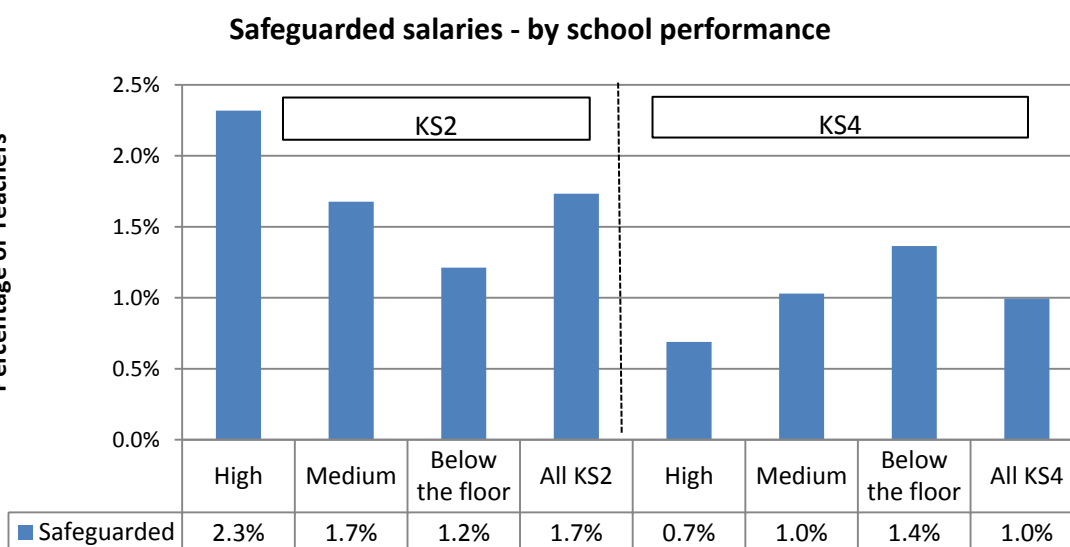
**Figure 9G**



*Source: School Workforce Census November 2012*

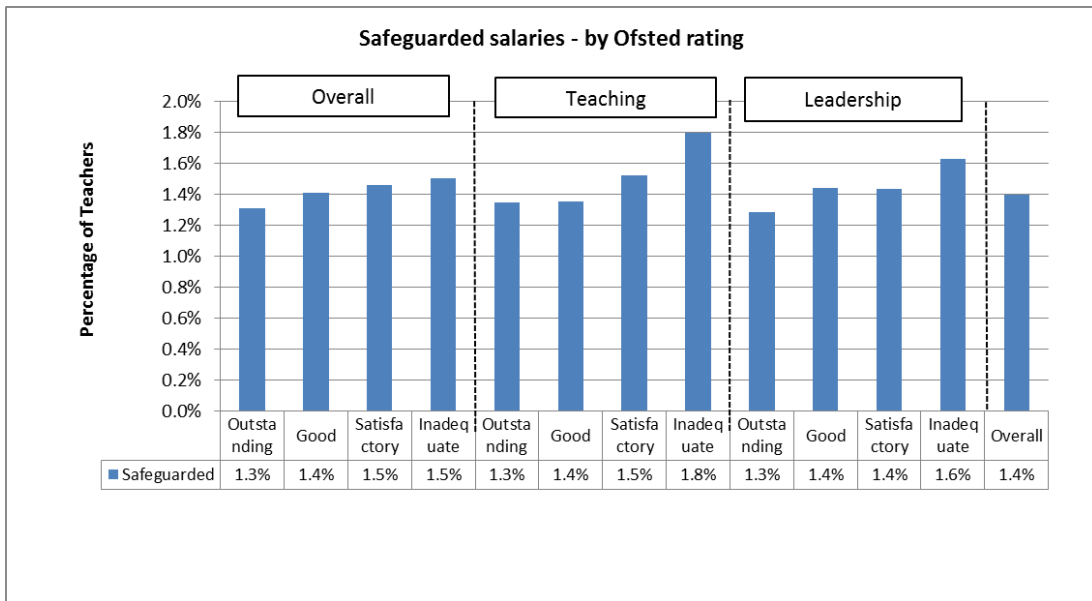
**G18** The trend for safeguarding in schools by KS2 performance is for the higher performing schools to use safeguarding more often, but in KS4 schools the trend is in the opposite direction. For overall Ofsted judgements, judgements of “Teaching” and judgements of “Leadership and Management”, lower performing schools are slightly more likely to use safeguarding.

**Figure 10G**



*Source: School Workforce Census November 2012*

**Figure 11G**



Source: School Workforce Census November 2012



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for Education

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