



DISCOVERY
EDUCATIONAL TRUST

Pay Committee and Pay Appeals Committee Terms of Reference

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Pay Committee

1. Introduction

The Pay Committee (PayC) is a Committee of the Discovery Educational Trust (DET) Trust Board (TB).

The constitution, membership and proceedings of any TB Committee shall be determined by the Trustees.

The establishment, terms of reference, constitution and membership of any committee of the Trustees shall be reviewed, at least, once in every 12 months. This document is approved at the first PayC meeting of each new academic year.

The membership of any TB Committee may include persons, who are not Trustees, provided that (with the exception of the Local Schools Committees (LSC)) a majority of members of any such Committee are Trustees.

Except in the case of a LSC, no vote on any matter shall be taken at a meeting of a TB Committee unless the majority of members of the Committee present are Trustees.

In the event of an equal division of votes, the Chair of the PayC uses their casting vote. In accordance with the DET Articles of Association, the Chair's casting vote is in addition to their standard vote.

2. Membership and Quorum

- Four Trustees.
- Quorum: Three PayC members.

Due to their membership of the Chief Executive Officer (CEO) Performance Management Committee, the TB Chair and Vice Chair are not permitted to be party to discussion/decisions regarding the CEO pay award, but can be members of the PayC.

The CEO and the Executive Headteacher (EHT)/Headteachers (HT) may attend all proceedings of the PayC for the purpose of providing information and advice, but must withdraw when their own salary is being discussed.

Other Trustees and/or members of DET staff can attend, as appropriate and as approved by the members of the PayC. Attendees do not contribute to the quorum and do not have a vote.

3. General

- To act on matters delegated by the TB.
- To liaise and consult with other committees and Local School Committees (LSCs), as required.
- To contribute to the DET Strategic Priorities and Improvement Plan.
- To consider safeguarding and equalities implications when undertaking all PayC functions.

4. Pay

- To determine the Pay Policy for DET in consultation with staff and trade union representatives and submit to the TB for approval.
- To advise the TB on current and future pay levels.
- To determine and/or monitor pay as appropriate in accordance with the Pay Policy.
- To determine the application of inflationary increases, as required.
- To monitor and report to the TB on the annual pattern of performance pay progression.
- To receive the annual Gender Pay Gap Report, analyse its findings and report to TB.

5. Performance Management

To ensure that Performance Management outcomes are consistently reflected in Pay decisions and contribute to School improvement activity.

6. Authority

The PayC has the authority to conduct or authorise investigations into any matters within its scope of responsibility. It is empowered to:

- investigate any activity within these Terms of Reference;
- seek any information that it requires from any employee. All employees are directed to cooperate with any requests made by the PayC. Timescale is to be specified by the PayC;
- seek relevant information from subcontractors, consultants and other third parties and consult the internal and external auditors, as needed. Timescale is to be specified by the PayC;
- obtain outside legal or independent professional advice. Such advisers may attend meetings, as necessary.

All decisions made by the PayC must be ratified by the TB at the TB meeting immediately following the PayC meeting at which the decision was taken.

7. Frequency of Meetings and Proceedings

The PayC meets a minimum of twice each year (in the Autumn term to discuss Teachers' pay and performance and in the Summer term to discuss Associate/Support Staff pay and performance).

- The PayC meetings are not open to the public, and details of reports and discussions are not made available due to the sensitivity and confidentiality of the subject matter.
- Unless otherwise agreed by all members of the PayC, notice of meetings, confirmation of the venue, time and date together with an agenda and all relevant papers, should normally be circulated to each member, at least, seven days prior to the date of the meeting.
- The PayC members choose a Chair at the start of each meeting.
- The PayC meeting must be minuted by a Governance Professional/Clerk.
- The PayC provides a summary report of its decisions to the TB.

8. Wellbeing

The PayC ensures that, in all discussions and for all decisions taken, the mental and physical wellbeing of all DET staff and pupils is a key factor for consideration and that no decisions are approved where there is any doubt as to the impact on this wellbeing.

Pay Appeals Committee

1. Introduction

The Pay Appeals Committee (the “Committee”) is a committee of the Discovery Educational Trust (DET) Trust Board (TB).

The constitution, membership and proceedings of any committee is determined by the Trustees.

The establishment, terms of reference, constitution and membership of any committee of the Trustees is reviewed, at least, once in every 12 months. This document is approved at the first PayC meeting of each new academic year.

The membership of any TB Committee may include persons, who are not Trustees, provided that (with the exception of the Local Schools Committees (LSC)) a majority of members of any such Committee are Trustees.

Except in the case of a LSC, no vote on any matter shall be taken at a meeting of a TB Committee unless the majority of members of the Committee present are Trustees.

In the event of an equal division of votes, the Chair of the PayC uses their casting vote. In accordance with the DET Articles of Association, the Chair’s casting vote is in addition to their standard vote.

2. Membership and Quorum

- Three Trustees.
- Quorum: Three Committee members.

Members of the Pay Committee (PayC) are not eligible for membership of this Committee, although a member of the PayC attends each meeting of the Pay Appeals Committee.

The Chief Executive Officer (CEO) and the Executive Headteacher (EHT)/Headteachers (HTs) may attend all proceedings of this Committee for the purpose of providing information and advice except where the appeal is in respect of their own salary, where they attend for the purpose of making their case.

3. General

- To act on matters delegated by the TB.
- To liaise and consult with other committees and Local School Committees (LSCs), as required.
- To contribute to the DET Strategic Priorities and Improvement Plan.
- To consider safeguarding and equalities implications when undertaking all Committee functions.

4. Pay

- To determine formal appeals against pay determinations in accordance with the Appeals Procedure set out in the Pay Policy.

5. Authority

The Committee has the authority to conduct or authorise investigations into any matters within its scope of responsibility. It is empowered to:

- investigate any activity within these Terms of Reference;
- seek any information that it requires from any employee. All employees are directed to cooperate with any requests made by the Committee. Timescale is to be specified by the Committee;
- seek relevant information from subcontractors, consultants and other third parties and consult the internal and external auditors, as needed. Timescale is to be specified by the Committee;
- obtain outside legal or independent professional advice. Such advisers may attend meetings, as necessary.

All decisions made by the Committee must be ratified by the TB at the TB meeting immediately following the Committee meeting at which the decision was taken.

6. Frequency of Meetings and Proceedings

The Committee is constituted and convened as required.

- The Committee meetings are not open to the public and details of reports and discussions are not made available due to the sensitivity and confidentiality of the subject matter.
- Unless otherwise agreed by all members of the Committee, notice of meetings, confirmation of the venue, time and date together with an agenda and all relevant papers, are normally circulated to each member, at least, seven days prior to the date of the meeting.
- The Committee members choose a Chair at the start of each meeting.
- In the absence of the Governance Professional/Clerk, the Committee members choose a Governance Professional/Clerk for that meeting from among their number.
- The Committee's decision is final, notwithstanding the employee's right in law.
- The detailed meeting procedure is included in the appendix to this Terms of Reference document.
- The Committee provides a summary report of its decisions to the TB.

7. Wellbeing

The Committee ensures that, in all discussions and for all decisions taken, the mental and physical wellbeing of all DET staff and pupils is a key factor for consideration and that no decisions are approved where there is any doubt as to the impact on this wellbeing.

Appendix – Pay Appeal Meeting Procedure

The meeting should be attended by the employee, their colleague or representative, if required, a representative of the PayC, and the Pay Appeals Committee. The CEO/EHT/HT may attend to provide information and advice (except where they are the appellant).

1. Introductions and opening remarks.
2. Member of staff and/or representative to present case:
 - School representative (or member of EHT/HT Performance Management Sub-Committee if EHT/HT is the appellant or member of the CEO Performance Management Committee if CEO is the appellant) to ask questions.
 - Pay Appeals Committee to ask questions.
3. School (or member of PayC if CEO or EHT/HT is appellant) to respond.

This may include calling on the Performance Management Reviewer and/or a member of the PayC/CEO/EHT/HT where they are not presenting the case to add any relevant information/answer question (where applicable).

 - Member of staff and/or representative to ask questions.
 - Pay Appeals Committee to ask questions.
4. Employee or representative to make closing statement.
5. School (or member of PayC if CEO or EHT/HT is appellant) to make closing statement.
6. Both parties withdraw to allow Pay Appeals Committee to consider its decision.
7. Either both parties are invited back to hear decision or the decision is communicated, in writing, within 48 hours.