



St Peter's Eaton Square C of E Primary School

# Performance Management and Appraisal Policy

St Peter's School is a place where every person has the right to be themselves and to be included in a safe and happy environment. Everyone at our school is equal and will be treated with respect.

Together, we will realise the potential God has given us.

September 2017

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# 1. Introduction

Revised appraisal arrangements come into force with effect from 1 September 2012. They are set out in the Education (School Teachers' Appraisal) (England) Regulations 2012 (the Appraisal Regulations) which replace the Education (School Teacher Performance Management) (England) Regulations 2006 (the 2006 Regulations). The 2006 Regulations continue to apply to any performance management cycle which is in progress on 1 September 2016, unless the governing body decides to end that cycle early and to begin a new appraisal period starting on or after that date.

The Appraisal Regulations set out the principles that apply to teachers in all maintained schools where they are employed for one term or more. They retain the key elements of the 2006 Regulations but allow schools more freedom to design arrangements to suit their own individual circumstances. They provide the minimum national framework within which schools should operate and say very little, on many subjects on which the 2006 Regulations made detailed provision. If they wish, schools may include in their own policies details that are no longer covered by the Appraisal Regulations.

Schools must stay within the legal framework set out in the Appraisal Regulations and in other relevant legislation that affects all employers (for example legislation on equality, employment protection and data protection). Schools must have an appraisal policy for teachers. This model policy applies only to teachers, including Head teachers, but schools might wish to adapt it for use with all staff. It is good practice for governors to consult staff on their appraisal policy. This model appraisal policy, based on the DFE & Union models policies, should be used as a reference point by schools as they review their policies to reflect the Appraisal Regulations. On 1 September 2012 it superseded the previous performance management model policy and guidance, which had been designed to support the 2006 Regulations.

Linked to the Appraisal Policy is a formal Capability Procedure which is covered in the formal section of the LDBS booklet 'Capability Procedures', which can be found on the LDBS website. Schools will already have adopted these procedures as part of their staffing policies. The Capability Procedure has been slightly adapted to make it clear that the informal capability stage will happen alongside the appraisal arrangements and the formal stages will only come into play when the appraisal/informal stages have been unable to address the serious concerns. Statutory Capability procedures apply only to teachers and Head teachers about whose performance there are serious concerns and that the appraisal process has been unable to address. Schools may wish to extend this to other staff.

## 2. Policy for Appraising Teacher Performance

### a. Purpose

This policy sets out the framework for a clear and consistent assessment of the overall performance of teachers, including the Head teacher, and for supporting their development within the context of the school's plan for improving educational provision and performance, and the standards expected. The procedure sets out how the school will improve outcomes for children/students, and raise the morale of teachers, by motivating teachers to up-date their skills and improve their performance.

The appraisal procedure will also be used to address any concerns that are raised about a teacher's performance. If concerns are such that they cannot be resolved through the appraisal process, there will be consideration of whether to begin the capability procedure.

The arrangements that will apply when teachers fall below the levels of competence that are expected of them are set out in the LDBS policy 'Capability Procedures' adopted by the Governing Body.

### b. Application of the Policy

The policy, which covers appraisal, applies to the Head teacher and to all teachers employed by the school, except those on contracts of less than one term, those undergoing induction (ie NQTs) and those who are subject to formal capability procedures.

The formal capability procedure, in the LDBS 'Capability Procedures' applies only to teachers (including the Head teacher) about whose performance there are serious concerns that the appraisal process has been unable to address.

Where teachers are eligible for pay progression, the recommendation made by the appraiser will be based on the assessment of their performance against the agreed objectives. The decision made by the relevant decision-making body will be based on the statutory criteria and guidance set out in the *School Teachers' Pay and Conditions Document (STPCD)* and the relevant teacher standards.

The Governing Body has agreed the pay policy of the school and has considered the implications of the appraisal policy with respect to the arrangements relating to teachers' pay in accordance with the *STPCD*. The Governing Body will ensure that decisions on pay progression are made by 31 December for Head teachers and by 31 October for other teachers.

## 3. Appraisal

Appraisal in this school will be a supportive and developmental process designed to ensure that all teachers have the skills and support they need to carry out their role effectively. Appraisal will help to ensure that teachers are able to continue to improve their professional practice and to develop as teachers.

## a. The Appraisal Period

The appraisal period will run for twelve months from October to October.

Teachers who are employed on a fixed term contract of less than one year will have their performance managed in accordance with the principles underpinning this policy. The length of the period will be determined by the duration of their contract.

Where a teacher starts their employment at the school part-way through a cycle, the Head teacher or, in the case where the employee is the Head teacher, the Governing Body shall determine the length of the first cycle for that teacher, with a view to bringing his/her cycle into line with the cycle for other teachers as soon as possible.

Where a teacher transfers to a new post within the school part-way through a cycle, the Head teacher or, in the case where the employee is the Head teacher, the Governing Body shall determine whether the cycle shall begin again and whether to change the appraiser.

*There is flexibility to have a longer or shorter appraisal period when teachers begin or end employment with the school.*

## b. Appointing Appraisers

The Head teacher will be appraised by the Governing Body, supported by a suitably skilled and/or experienced external adviser who has been appointed by the Governing Body for that purpose.

In this school the task of appraising the Head teacher, including the setting of objectives, will be delegated to a committee of the Governing Body consisting of three members of the Governing Body (The Appraisal Committee). Where a Head teacher is of the opinion that any of the governors appointed by the Governing Body is unsuitable to act as his/her appraiser, s/he may submit a written request for that governor to be replaced, stating the reasons for the request.

The Head teacher will decide who will appraise other teachers. All appraisers appointed by the Head teacher will be qualified teachers and will have current or recent teaching experience, and will be suitably trained. Where teachers have an objection to the Head teacher's choice, their concerns will be carefully considered and, where possible, an alternative appraiser will be offered.

Where it becomes apparent that the appraiser appointed by the Head teacher will be absent for the majority of the appraisal cycle, the Head teacher may perform those duties herself/himself or delegate those duties to another teacher for the duration of that absence.

If the Head teacher appoints an appraiser who is not the teacher's line manager, the appraiser to whom she/he delegates those duties will have an appropriate position in the staffing structure, together with the necessary background knowledge, skills and training to undertake the role.

Where a teacher is experiencing difficulties and the Head teacher is not the appraiser, the Head teacher or senior member of staff may undertake the role of appraiser.

### c. Setting Objectives

The Head teacher's objectives will be set by the Governing Body, through the Head teacher's appraisal committee, after consultation with the external adviser.

Objectives for each teacher will be set before, or as soon as practicable after, the start of each appraisal period. The objectives set for each teacher, will be Specific, Measurable, Achievable, Realistic and Time-bound (SMART) and will be appropriate to the teacher's role and level of experience. In setting the objectives, reviewers will have regard to what can reasonably be expected in the context of roles, responsibilities and experience, consistent with the school's strategy for achieving a work/life balance for all staff. Appraisees may at any point append their comments alongside their objectives. The school operates a system of moderation to ensure that all appraisers are working towards the same standards. The appraiser and teacher will seek to agree the objectives but, if that is not possible, the appraiser will determine the objectives. Objectives may be revised if circumstances change.

The agreed objectives will contain a description of what success may look like. Where use of numerical targets is appropriate, these will be reasonable, related to the circumstances in which the teacher works and it will be recognised that factors outside teachers' control may significantly affect success.

Setting more than three objectives for teaching and learning, or, for example, using sub-targets, can lead to teachers experiencing unreasonable workload and pressure, making the objectives more difficult to achieve. Therefore, other than in exceptional circumstances, no teacher will be given more than three objectives for teaching and learning.

The objectives set for each teacher will, if achieved, contribute to the school's plans for improving the school's educational provision and performance and improving the education of pupils at that school and will take into account the professional aspirations of the teacher. This will be ensured by linking objectives to key aspects of the school development plan.

The appraiser will take into account the effects of an individual's circumstances, including any disability, when agreeing objectives. For example, this might include a reasonable adjustment to allow an individual slightly longer to complete a task than might otherwise be the case. When staff return from a period of extended absence, objectives may be adjusted to allow them to readjust to their working environment.

Before, or as soon as practicable after, the start of each appraisal period, each teacher will be informed of the standards against which that teacher's performance in that appraisal period will be assessed. With the exception of those who are qualified teachers by virtue of holding and maintaining Qualified Teacher Learning and Skills (QTLS) status, all teachers must be assessed against the set of standards contained in the document called "Teachers' Standards" published in July 2011. The Head teacher or governing body

(as appropriate) will need to consider whether certain teachers should also be assessed against other sets of standards published by the Secretary of State that are relevant to them.

For teachers who are qualified teachers by virtue of holding QTLS status, it is for the governing body or Head teacher to decide which standards are most appropriate. Such teachers may be assessed against the Teachers' Standards, against any other sets of standards issued by the Secretary of State, against any other professional standards relevant to their performance or any combination of those three.

## d. Reviewing Performance

### i. Observation

This school believes that observation of classroom practice and other responsibilities is important both as a way of assessing teachers' performance in order to identify any particular strengths and areas for development they may have and of gaining useful information which can inform school improvement more generally. The effective and efficient operation of the appraisal process requires lesson observation to be a confidential process of constructive engagement within an atmosphere of support and co-operation.

Accordingly, observations will be carried out in a supportive fashion, with professionalism, integrity and courtesy, will be evaluated objectively and reported accurately and fairly and will take account of particular circumstances which may affect performance on the day.

At least five working days' notice of the date and time of the observation will be given and verbal feedback provided by at least by the end of the next school day and written feedback within 5 working days, unless circumstances make this impossible.

For the purposes of appraisal, teachers' performance will be observed on an appropriate and reasonable number of occasions and will, as far as possible, be agreed by the appraiser with the appraisee based on the individual circumstances of the teacher and the overall needs of the school. The number and duration of appraisal observations will be in accordance with the school's observation protocol, which includes provision for exceptional circumstances where concerns have been raised about a teacher's performance, or where the teacher requests additional observation visits. In this school teachers' performance will be regularly observed but the amount and type of classroom observation will depend on the individual circumstances of the teacher and the overall needs of the school. Classroom observation will be carried out by those with QTS.

In addition to formal observation, Head teachers or other leaders with responsibility for teaching standards may "drop in" in order to evaluate the standards of teaching and to check that high standards of professional performance are established and maintained. The length and frequency of "drop in" observations will vary depending on specific circumstances but will be in accordance with the school's classroom observation and "drop in" policy.

For the purpose of professional development, feedback about lesson observations should be developmental, not simply a judgement using Ofsted grades.

This school will use the findings of each observation, including appraisal observations, for other management requirements (for example subject area reviews), thereby seeking to minimise the total number of occasions on which teachers are observed.

Teachers (including the Head teacher) who have responsibilities outside the classroom should also expect to have their performance of those responsibilities observed and assessed.

## ii. Development and support

Appraisal is a supportive process which will be used to inform continuing professional development. The school wishes to encourage a culture in which all teachers take responsibility for improving their teaching through appropriate professional development. Professional development will be linked to school improvement priorities and to the ongoing professional development needs and priorities of individual teachers identified as part of the appraisal process. The Governing Body will ensure in the budget planning that, as far as possible, resources are made available in the school budget for appropriate training, and support agreed for appraisees, maintaining access on an equitable basis.

An account of the training and development needs of teachers including the instances where it did not prove possible to provide any agreed CPD, will form a part of the Head teacher's annual report to the Governing Body about the operation of the appraisal process in the school.

With regard to the provision of CPD in the case of competing demands on the school budget, a decision on relative priority will be taken with regard to the extent to which:

- (a) the training and support will help the school/academy to achieve its priorities; and
- (b) the CPD identified is essential for an appraisee to meet their objectives.

Account will be taken in a review meeting of where it has not been possible for teachers to fully meet their performance criteria because the support recorded in the planning statement has not been provided.

## iii. Feedback

Teachers will receive constructive feedback on their performance throughout the year and as soon as practicable after observation has taken place or other evidence has come to light. Feedback will highlight particular areas of strength as well as any areas that need attention. When dealing with a teacher experiencing difficulties, the objective is to provide support and guidance through the appraisal process in such a way that the teacher's performance improves and the problem is, therefore, resolved.

Where it is apparent that a teacher's personal circumstances are leading to difficulties at school, support will be offered as soon as possible, without waiting for the formal annual assessment.

If an appraiser identifies through the appraisal process, or via other sources of information, for example parental complaints, that the difficulties experienced by a teacher are such



that, if not rectified, could lead to capability procedures the appraiser, the Head teacher, or a member of the leadership team, will, as part of the appraisal process meet the teacher to:

- give clear feedback to the teacher about the nature and seriousness of the concerns;
- give the teacher the opportunity to comment and discuss the concerns;
- agree any support (eg coaching, mentoring, structured observations), that will be provided to help address those specific concerns;
- give the teacher at least 5 working days' notice that a meeting will be held to discuss targets for improvement alongside a programme of support, and inform the teacher that he/she has the right to be assisted by a representative of an independent trade union or work place colleague, and at any future meetings where capability will be discussed;
- in consultation with the teacher at the above meeting, an action plan with support will be established (for example coaching, training, in-class support, mentoring, structured observations, visits to other classes or schools or discussions with advisory teachers), that will help address those specific concerns;
- make clear how progress will be monitored and when it will be reviewed;
- explain the implications and process if no – or insufficient – improvement is made.

The teacher's progress will continue to be monitored as part of the appraisal process and a reasonable time given for the teacher's performance to improve. This will depend upon the circumstances but will be for a period of 4 weeks, with appropriate support as agreed in the Action Plan, in order that the aim of recovering and improving performance can be achieved. During this monitoring period the teacher will be given regular feedback on progress and arrangements will be made to modify the support programme if appropriate.

When progress is reviewed, if the appraiser is satisfied that the teacher has made, or is making, sufficient improvement, at a level that indicates there is no longer a possibility of capability procedures being invoked the teacher should be informed of this at a formal meeting with the appraiser or head teacher. Following this meeting the appraisal process will continue as normal, with any remaining issues continuing to be addressed through that process.

#### iv. Transition to capability

If the appraiser is not satisfied with progress, the teacher will be notified in writing that the appraisal system will no longer apply and that their performance will be managed under the Capability Procedure, and will be invited to a formal capability meeting. The formal capability procedures will be conducted as set out in the LDBS 'Capability Procedures'.

#### e. Annual assessment

Each teacher's performance will be formally assessed in respect of each appraisal period. In assessing the performance of the Head teacher, the Governing Body must consult the external adviser.

This assessment is the end point to the annual appraisal process, but performance and development priorities will be reviewed and addressed on a regular basis throughout the year in interim meetings which will take place (*eg once a term*).

The teacher will receive as soon as practicable following the end of each appraisal period – and have the opportunity to comment in writing on - a written appraisal report. In this school, teachers will receive their written appraisal reports by 31 October (31 December for the Head teacher). The appraisal report will include:

- details of the teacher's objectives for the appraisal period in question;
- an assessment of the teacher's performance of their role and responsibilities against their objectives and the relevant standards;
- an assessment of the teacher's professional development needs and identification of any action that should be taken to address them;
- a recommendation on pay where that is relevant (NB – pay recommendations need to be made by 31 December for Head teachers and by 31 October for other teachers);
- a space for the teacher's own comments;

A review meeting will take place to discuss the content of the report and any further action required and to inform objective setting for the next cycle. In some circumstances an interim review meeting may be appropriate.

The assessment of performance and of professional development needs will inform the planning process for the following appraisal period.

## f. Appeals

Teachers have a right of appeal against any of the entries in the written appraisal report. Details of the appeals process are available from the Head teacher or from the school Governing Body. Where the Head teacher has not been recommended for pay progression he/she will be informed by the appropriate governor. The Head teacher will notify any teacher who has not been recommended for pay progression of the date when the Governing Body meets to consider pay recommendations, following which the teacher (and Head teacher when the Head has not been recommended for pay progression) may exercise the right of appeal, assisted by a companion who may be a colleague, a trade union official or a trade union representative.

## g. General principles underlying this policy

## The LDBS Capability procedure

The conduct of the formal capability stage will be undertaken in accordance with the provisions of the LDBS Capability Procedure.

## Consistency of Treatment and Fairness

The Governing Body is committed to ensuring consistency of treatment and fairness and will abide by all relevant equality legislation.

## Sickness

If long term sickness absence appears to have been triggered by the commencement of monitoring or a formal capability procedure, the case will be dealt with in accordance with the school's sickness absence policy and will normally be referred to the occupational health service to assess the member of staff's health and fitness for continued employment and the appropriateness or otherwise of continuing with monitoring or formal procedures. In some cases it may be appropriate for formal procedures to continue during a period of sickness absence. However, the views of the occupational health physician will always be taken into account before a decision is reached.

## Grievances

Where a member of staff raises a grievance during the appraisal or capability process, the appraisal or capability process may be temporarily suspended in order to deal with the grievance. However, where the grievance and appraisal or capability cases are related it may be appropriate to deal with both issues concurrently.

## Confidentiality and Professional Relationships

The appraisal and capability processes will be treated with confidentiality. Only the appraiser's line manager or, where s/he had more than one, each of her/his line managers will be provided with access to the appraisee's plan recorded in her/his statements. This will be done upon request and only where this is necessary to enable the line manager to discharge her/his line management responsibilities. Appraisees will be consulted on requests for access to statements in the context of this policy.

The process of gathering evidence for performance review will not compromise normal professional relationships between teachers. The Governing Body recognises that the reviewer will consult with, and seek to secure the agreement of, the reviewee before seeking information from other colleagues about the work of the reviewee.

However, the desire for confidentiality does not override the need for the Head teacher and Governing Body to quality-assure the operation and effectiveness of the appraisal system. The Head teacher or appropriate colleague might, for example, review all teachers' objectives and written appraisal records personally – to check consistency of approach and expectation between different appraisers. The Head teacher might also wish to be aware of any pay recommendations that have been made.

## Monitoring and Evaluation

The Governing Body and Head teacher will monitor the operation and effectiveness of the school's appraisal arrangements.

The Head teacher will provide the Governing Body with a written report on the operation of the school's appraisal and capability policies annually. The report will not identify any individual by name. The report will include an assessment of the impact of these policies on equality issues.

The Head teacher will report on whether there have been any appeals or representations on an individual or collective basis on the grounds of alleged discrimination.

## Retention

The Governing Body and Head teacher will ensure that all written appraisal records are retained in a secure place for six years and then destroyed.

Policy reviewed ..... Policy reviewed annually