



## **Appraisal and Performance Management Policy – Teachers**

### **1. Purpose**

This policy sets out the framework for a clear and consistent assessment of the overall performance of teachers, including the Headteacher, and for supporting their development within the context of the school's plan for improving educational provision and performance, and the standards expected.

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

The appraisal procedure will also be used to address any concerns that are raised about a teacher's performance during the annual performance management cycle. If concerns are such that they cannot be resolved through the appraisal process or if the improvement made has not been sufficient or sustained, there will be consideration of whether to commence the capability procedure.

The Governing Body recognises that it is bound by the terms of the STPCD; the National Conditions of Service for School Teachers in England and Wales ('the Burgundy Book'); and relevant local collective agreements on conditions of service. These documents are available from the Headteacher of the school or the School's HR provider. The Governing Body will also ensure compliance with all necessary legislation.



The Governing Body will, at all times, pay due regard to the terms of relevant statutory guidance and other advice and guidance issued by the LA, and where applicable Diocesan/Church Authorities.

## 2. Scope

This policy applies to the Headteacher and to all qualified teachers employed in community and voluntary controlled schools where the Local Authority (LA) is the employer and those employed centrally by the Local Authority (LA) under the School Teachers' Pay and Conditions Document (STPCD), except those on contracts of less than one term and those undergoing induction (i.e. NQTs) or teachers in capability procedures. It is also commended to all other schools in the borough.

## 3. Definitions

**School** – in this policy “school” refers to all types of school (Community, Aided, Controlled, Academy, Trust etc.).

**Centrally employed** – this policy also applies to teachers employed centrally by the Local Authority (LA).

**LA** – Local Authority.

**Performance Management** – the mechanism by which the Headteacher/reviewer evaluates and ensures that goals and objectives are consistently being met by Teachers in an effective and efficient manner

**Appraisal** – annual formal review and assessment of a teacher overall performance as part of the performance management process.

**Appraisee/Reviewee** – employee whose performance is being reviewed.

**Appraiser/Reviewer** – the nominated person(s) responsible for carrying out an individual's performance management and appraisal.

**Line manager** – the person who is immediately above the reviewee in the school's hierarchical staffing structure.

**Planning and Review Statement** – This document contains the outcomes of the planning and review meetings, including the agreed objectives.

**Teachers' Standards** – the national standards for teachers, as set out in the current “Teachers' Standards” document published by the DfE.

**Team** – a group of colleagues working in a particular department, subject area, key stage or aspect of the school.

**STPCD** – School Teachers' Pay and Conditions Document.

**Observation** – Lesson observation for the purposes of performance management and professional development.

## 4. Roles and responsibilities

**Governors** – the role of the Governing Body is to:



- adopt a written Appraisal Policy for the school;
- ensure that all teachers feel valued and that the contribution they make is recognised as important in the success of the School;
- ensure that all teaching staff have effective performance management with an appraisal on an annual basis;
- undertake regular and effective performance management and an annual appraisal of the Headteacher;
- ensure that training and development needs are identified and met within the resources available;
- ensure that there are opportunities for teachers to share their views and ideas and provide feedback;
- be aware of the outcomes of annual appraisals and any impact on pay progression;
- regularly review, and if necessary revise, the Appraisal Policy to ensure that it remains up to date and fit for purpose in line with legislation.

**Headteacher** – the role of the Headteacher is to:

- ensure the operational delivery of effective performance management and annual appraisals in the school;
- ensure that procedures are in place to monitor and evaluate the effectiveness of performance management and annual appraisals and the delivery and impact of training, development and support provided for the school workforce;
- provide information to the Governing Body, including an annual written report, to enable it to take a strategic view of appraisal in the school and any pay progression;
- have a professional duty to consider the evidence of appraisals for the last two years prior to application, in relation to UPS pay progression. Those who have been absent, through sickness, disability or maternity, may cite written evidence for a three year period before the date of application.

**Appraiser/Reviewer** – the role of the reviewer is to:

- undertake effective performance management and annual appraisals for identified teachers which will enable them to assess whether or not a reviewe has made good progress towards meeting his/her objectives;
- ensure that they have appropriate and current knowledge of the relevant statutory requirements, Teachers' Standards, frameworks and other documentation;
- pass the signed planning review statement to the Headteacher to enable him/her to monitor annual appraisal in the school and determine whether teacher standards are met for quality assurance;
- provide information regarding appropriate and relevant individual training and development needs to the nominated person responsible for continuous professional development;
- write the teacher's annual Appraisal report, which must make a recommendation to



the Headteacher/Governing Body regarding pay progression;

- ensure (if appointed mid-cycle) that as the reviewer they are fully aware of the content of the reviewe's planning and review statement, any actions that have been taken to implement it and all relevant evidence and documentation as part of the performance management process.

**Appraisee/Reviewee** – the role of the reviewee is to:

- be clear about his/her role and responsibilities and to seek clarification if necessary;
- have the skills and competencies to perform his/her job now and a willingness to develop those required in the future;
- actively prepare for and participate in discussions about his/her progress, performance as part of performance management and annual appraisal processes and any applicable threshold application.

## **5. The Appraisal Cycle**

The appraisal cycle will be for 12 months and will begin on 1 September. The review of the previous year's cycle must be completed by 31 October for teachers and by 31 December for Headteachers. The cycle will begin with a Planning Meeting (where the planning and review statement will be completed and objectives will be set for this appraisal cycle) and will end with a Review Meeting. Mid-year review meetings of the reviewer and reviewee may also be held as part of good practice in performance management.

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

There is flexibility to have a longer or shorter appraisal period when teachers begin or end employment with a school or LA or when unattached teachers change post within the same LA.

Where a teacher starts their employment at the school part-way through an annual performance management cycle, the Headteacher or, in the case where the employee is the Headteacher, the Governing Body shall determine the length of the first cycle for that teacher, with a view to bringing his/her performance management 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 performance management cycle, the Headteacher or, in the case where the employee is the Headteacher, the Governing Body shall determine whether the cycle shall begin again and whether to change the Appraiser.



## **6. Appointing Appraisers**

All Appraisers of teachers, other than those appraising Headteachers, will be qualified, suitably trained teachers with current or recent teaching experience.

### **Headteacher**

The Headteacher will be appraised by the Governing Body, supported by a suitably skilled and/or experienced external advisor who has been appointed by the Governing Body for that purpose. The task of appraising the Headteacher, including the setting of objectives, will be delegated to a sub-group consisting of normally three members of the Governing Body, but no fewer than two. Staff Governors must not be involved.

Where a Headteacher 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 to the Chair of Governors for that Governor to be replaced, stating the reasons for the request. Where the Chair of Governors is one of the sub-group and the Headteacher is of the opinion that s/he is unsuitable to act in that role, the Headteacher may write to the Director of Children's Services and Education.

### **Teachers**

The choice of Appraiser is for the Headteacher. Where teachers have an objection to the Headteacher's choice, their concerns should be submitted to the Headteacher in writing and will be carefully considered and, where possible, an alternative Appraiser will be offered.

Where it becomes apparent that the Appraiser appointed by the Headteacher will be absent for the majority of the performance management cycle, the Headteacher may perform those duties herself/himself or delegate those duties to another Appraiser for the duration of that absence.

If the Headteacher appoints an Appraiser who is not the teacher's line manager, the Appraiser to whom s/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 Headteacher is not the Appraiser, the Headteacher may undertake the role of Appraiser. See also section 13 on Teachers Experiencing Difficulties.



## **7. Quality Assurance**

Where the Headteacher is not the reviewer for all Teachers s/he will moderate the planning and review statements to check that the plans recorded in the statements:

- are consistent between those who have similar experience and similar levels of responsibility;
- comply with the Appraisal Policy and relevant legislation.

In the case where, as a result of the quality assurance process, the Headteacher's advice may not be in line with the Appraiser's pay recommendation, a meeting will take place with the Headteacher, Appraiser and Appraisee prior to the Governors' pay committee meeting.

The Chair of the Governing Body, or up to three Governors, who will not be involved in the Headteacher's performance management or any appeal regarding the Headteacher's performance management, will ensure that the Headteacher's planning statement is consistent with the school's improvement priorities and complies with the Appraisal Policy and relevant legislation.

## **8. Setting Objectives**

The Headteacher's objectives will be set by the sub-group of the Governing Body, after consultation with the external advisor and the Headteacher.

Objectives will be set in the Planning Meeting, before or as soon as practicable after, the start of each appraisal period. The objectives set will be linked to the relevant teacher standards and will be Specific, Measurable, Achievable, Realistic and Time-bound (SMART), and appropriate to the Appraisee'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 employees. Appraisees may at any point include their comments alongside their objectives.

The Appraiser and Appraisee will seek to agree the objectives. Objectives may be revised if circumstances change. The school operates a system of quality assurance to ensure that all Appraisers are working to the same standards (see Section 7). Objectives will be moderated across the school to ensure that they are consistent between teachers with similar experience and levels of responsibility. Should the objectives not be agreed, the Appraisee has the right to appeal. (See Appeal Process in Section 14).



The agreed objectives will contain a description of what success may look like and could include numerical targets. Numerical targets will not be inappropriately imposed, however, where the use of numerical targets is appropriate, these will be reasonable, in 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, 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.

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. The objectives will take into account any relevant pay progression criteria and the professional aspirations of the teacher.

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 an employee returns from a period of extended absence, objectives may be adjusted to allow them to readjust to their working environment.

Teachers will be assessed against the "Teachers' Standards". The presumption will be that all teachers are meeting the relevant Teachers' Standards and they will be assessed as meeting the standards unless clear written evidence to the contrary is provided.

The Headteacher or Governing Body (as appropriate) will need to consider whether certain teachers should be assessed against other sets of standards published by the Secretary of State or other body that are relevant to them. For QTLS holders, that may include the overarching professional standards for teachers in the lifelong learning sector, held by the Learning and Skills Improvement Service.

## **9. Pay Progression**

To progress through the relevant pay scale it is expected that a teacher will meet their objectives and also demonstrate development and enhanced professional practice resulting in a positive impact on the school and outcomes for pupils. The decision made by the relevant decision-making body will be properly rooted in evidence and based on the objectives set, the statutory criteria and guidance set out in the STPCD and the relevant Teachers' Standards.



The recommendation made by the Appraiser will be based on the assessment of the teacher's performance against the agreed objectives. Good progress towards the achievement of a challenging objective, even if the performance criteria have not been met in full, will be assessed favourably. The decision made by the relevant decision-making body will be based on the objectives set, the statutory criteria and guidance set out in the STPCD and the relevant Teachers' Standards.

Pay progression will be made with reference to the teacher's annual appraisal reports and the pay recommendations they contain. It will be possible for a "no progression" determination to be made without recourse to the capability procedure.

All teachers can expect to receive regular, constructive feedback on their performance during the appraisal period. The annual appraisal should recognise their strengths and any concerns raised during the appraisal period should also be discussed, therefore the employee should have already been made aware from discussions during the appraisal period if concerns are such that their appraisal may result in a "no progression" determination.

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 Headteachers and normally by 31 October for other teachers, unless there are exceptional circumstances.

## **10. Reviewing Performance**

### **Observation**

The effective and efficient operation of the performance management process requires lesson observation to be a confidential process of constructive engagement within an atmosphere of development, support and co-operation. Accordingly, observations will be carried out with professionalism, integrity and courtesy, will be evaluated objectively, reported accurately and fairly and will take account of particular circumstances which may affect performance on the day.

In keeping with the commitment to supportive and developmental classroom observation, those being observed will be notified where possible at least 5 working days in advance, with an agreed focus. Observations will normally be scheduled at the first appraisal meeting.

Verbal feedback will be provided by the end of the next school day. Written feedback should be provided within 5 working days of the observation unless circumstances make this impossible.





Classroom observation will be carried out by qualified teachers. In addition, classroom observation will only be undertaken by those who have had adequate preparation, training and have the appropriate professional skills to undertake observation and to provide constructive oral and written feedback and support, in the context of professional dialogue between colleagues.

Under normal circumstances there should be no more than three lesson observations for a teacher in an academic year for all purposes, unless there are exceptional and justified reasons, such as capability issues or following an individual request and agreement. These will be based on the individual circumstances of the teacher and the overall needs of the school. Individual classroom observations for the purposes of performance management will normally also be limited to a maximum of 60 minutes in length and there is no requirement to use all of the three hours. The amount of observation for each teacher should reflect and be proportionate to the needs of the individual.

For the purpose of professional development, feedback about lesson observations should be developmental.

Information gathered during the observation will be used, as appropriate, for a variety of purposes, including informing school self-evaluation and school improvement strategies in accordance with the school's commitment to streamlining data collection and minimising bureaucracy and workload burdens on employees. The 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 Headteacher) whose posts have responsibilities outside the classroom should also expect to have their performance of those responsibilities observed and assessed.

N.B. Headteachers or other school leaders have a right to walk around the school. These walks are to ensure the safeguarding of children and employees, and the effective operation of the school. Such walks should not be confused with or treated as formal lesson observations.

## **11. Development and Support**

Performance management and 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, for example through peer observation.



Professional development will be linked to school improvement priorities and to the on-going professional development needs and aspirational priorities of individual teachers.

During the review meeting, 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, this must be taken into account and given due consideration in making any judgments and assessments.

## **12. Annual Assessment**

Each teacher's performance will be formally assessed in respect of each appraisal period.

In assessing the performance of the Headteacher, the Governing Body must consult the external advisor.

The teacher will receive a written appraisal report as soon as practicable following the end of each appraisal period and will have the opportunity to comment on it. The appraisal report will include:

- details of the teacher's objectives for the performance management and appraisal period in question;
- an assessment of the teacher's performance of their role and responsibilities against their objectives, and against the relevant Teachers' Standards;
- an assessment of the teacher's training and development needs and identification of any action that should be taken to address them;
- a recommendation on pay (N.B. – pay recommendations need to be made by 31 December for Headteachers and normally by 31 October for other teachers, unless there are exceptional circumstances );
- 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 performance management cycle. In some circumstances an interim review meeting may be appropriate.

This will be through on-going professional dialogue and an opportunity will be made available for a mid-year review if requested.

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



The Headteacher will provide the Governing Body with a written report on appraisal annually. The report will not contain any information which would enable any individual to be identified. The report will include:

- the operation of the Appraisal Policy;
- the effectiveness of the school's performance management and appraisal procedures;
- reviewees' training and development needs;
- information regarding pay progression of teachers.

The Headteacher will be required to provide anonymised information of the outcomes of the most recent performance management and appraisal of all teachers to the Governing Body. Steps should be taken to ensure that no individual teacher is identified so that confidential information is not revealed.

### **13. Teachers Experiencing Difficulties**

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 appraisal assessment.

If an Appraiser identifies through the performance management 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 Headteacher, or a member of the leadership team, will, as part of the performance management process, meet the teacher to:

- give clear written feedback to the teacher about the nature and seriousness of the concerns;
- give the teacher the opportunity to comment on and discuss the 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 accompanied/assisted by a representative of an independent trade union or work place colleague at this meeting, and at any future meetings where capability will be discussed;
- in consultation with the teacher at the above meeting, establish an action plan with support (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 or if appropriate improvement has not been sustained.

The teacher's progress will continue to be monitored as part of the performance management and appraisal process and a reasonable time given for the teacher's performance to improve. This will depend upon the circumstances, 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.

If sufficient progress is made, such that the teacher is performing 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 Headteacher. Following this meeting the appraisal process will continue as normal.

If no, or insufficient, improvement has been made over this period or if appropriate improvement has not been sustained, the teacher will be invited to a capability pre policy support meeting and provided with one final opportunity to improve before the Headteacher makes a determination whether capability proceedings need to be commenced or the appraisal process remains in place. The teacher may be assisted/ accompanied by a trade union representative or work colleague and will have at least 5 working days' notice of the meeting.

## **14. General Principles**

### **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 Sickness Absence Management Policy and the employee will normally be referred to the occupational health service to assess the individual's health and fitness for continued employment, any support or adjustments 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 consideration before a decision is reached.

In order for the Reviewer to be able to make an appraisal and pay recommendation at the end of the Appraisal cycle, the reviewer may need to make a report based on the evidence of performance to date in that appraisal year. The Reviewer could also take account of the teacher's performance and any written evidence from previous appraisal periods if there is very little to go on in the current year. Where it is not



possible for the Reviewer to make an appraisal determination due to the Reviewee's sickness absence during that appraisal cycle it will be for the Governing Body to decide whether any pay increase can be awarded.

### **Maternity Leave**

Where a teacher is absent from school due to maternity leave, it is unlawful to deny her an appraisal and subsequent pay progression decision on the grounds of her maternity leave. When a teacher returns to work from maternity leave, the school must give her any pay increase that she would have received, following appraisal, had she not been on maternity leave.

Schools need to take a practical and flexible approach to conducting appraisals and making pay decisions for those absent on maternity leave, where a teacher has been absent for some or all of an appraisal cycle.

Schools should consider conducting an Appraisal Review prior to a teacher commencing a period of maternity leave, even if this is early in the appraisal year. This could assist the Reviewer in making an appraisal and pay determination at the end of the Appraisal cycle, based on the evidence of performance to date in that appraisal year. The Reviewer could also take account of the teacher's performance and any written evidence from previous appraisal periods if there is very little to go on in the current year. However, schools should not require teachers to use Keeping in Touch (KIT) days for the purposes of appraisal.

Schools may also consider conducting an Appraisal Review prior to a teacher commencing any other pre-planned long-term absence e.g. a period of extended unpaid leave, Adoption Leave, a planned long-term sickness absence.

### **Grievances**

Where an employee raises a grievance during the performance management/ appraisal or capability process, the process may be temporarily suspended in order to deal with the grievance. Where the grievance and performance management/appraisal or capability cases are related it may be appropriate to deal with both issues concurrently.



## **Confidentiality & Professional Relationships**

The appraisal and capability processes will be treated with confidentiality. Only the Appraisee'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 management and appraisal 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 Headteacher and Governing Body to quality-assure the operation and effectiveness of the performance management/appraisal system. The Headteacher 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 Headteacher might also wish to be aware of any pay recommendations that have been made.

## **Appeal Process**

Where a teacher is dissatisfied with the Appraisal Process, including the setting of objectives or the Appraisal Report, the expectation is that they should first seek to resolve their concerns with the Appraiser directly within 10 days of the objectives being set or of receiving their Appraisal Report.

(If the concerns relate to the Pay recommendation, then the procedure set out in the Pay policy should be followed. See Pay policy for full details).

Should it prove impossible to resolve matters through this route, the Appraisee may Appeal in writing to the Clerk of the Governing Body within 10 days of the meeting with their Appraiser with respect to their concerns.

The Clerk to the Governing Body will arrange for a panel of Governors to hear the Appeal. Staff Governors should not be asked to serve on the panel.

The Appeal Hearing will be arranged as quickly as possible and within 20 working days of receipt of the teacher's written appeal.



The teacher has the right to representation at this hearing by a trade union representative from a recognised trade union, or a work colleague.

### **Monitoring and Evaluation**

The Governing Body and Headteacher will monitor the operation and effectiveness of the school's performance management and appraisal arrangements.

The Headteacher 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 in line with relevant legislation on:

- Race;
- Sex;
- Sexual Orientation;
- Disability;
- Religion and Beliefs;
- Age;
- Part-time Status;
- Maternity and Pregnancy.

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

### **Further Guidance**

Further advice and guidance regarding the application of this policy is available from the Headteacher or the school's HR provider.

### **Document Control**

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| <b>Approving Body</b>      | LJNCC Meeting (Teachers)   |
| <b>Date Agreed</b>         | Wednesday 26 <sup>th</sup> September 2018  |
| <b>Date of Next Review</b> | September 2021   |
| <b>Review Period</b>       | Every 3 Years (unless there is a change to the organisation or statutory legislation, whichever is sooner) |



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