



Policy for Appraising Teacher Performance

Milton Road Primary School

In the development of this policy consideration has been given to the impact on protected characteristics under the Equality Act and the work life balance of employees.

Policy for Appraising Teacher Performance and Dealing with Capability Issues for All School Staff

The Governing Body of School adopted this policy in December 2018 and it applies to all teachers and the head teacher, employed at the school as defined in paragraph 1 below.

The Governing Body will review it annually following consultation with the staff to which appraisal applies.

1. Definitions

- 1.1 The term “Head teacher” also refers, where appropriate, to any other title used to identify the Head teacher.
- 1.2 The term “employee” refers to any member of the school teaching staff employed to work solely at the school.
- 1.3 The term “senior manager” refers to any member of the Leadership Group, as defined by the School Teachers’ Pay and Conditions Document, or a senior support employee in cases involving support staff, delegated by the Head teacher to deal with an appraisal and/or capability matter under these procedures. A senior manager may only make a decision to issue a sanction up to and including a final written warning.
- 1.4 If the Head teacher, following consultation with the Chair of Governors, considers that there is no senior manager to whom s/he can reasonably delegate a specific capability matter then the Head teacher will take the role of the senior manager for that specific case and the role of the “Head teacher” under this procedure will be performed by a “Disciplinary Committee” of the Governing Body consisting of not less than 3 governors, (except in circumstances provided for in the Secretary of State’s guidance on the Staffing Regulations), none of whom will have had previous involvement in the case.
- 1.5 The role of the Head teacher will be taken by appropriate governors as indicated where the appraisal and or capability being reviewed is that of the Head teacher.
- 1.6 “Lack of capability” is defined as a situation in which an employee fails consistently to perform his/her duties to a wholly satisfactory standard of performance over a period of time.

2. Purpose

- 2.1 This policy sets out the framework for a clear and consistent assessment of the overall performance of employees covered by the appraisal policy and for supporting their development within the context of the school’s plan for improving educational provision and performance, and the standards expected of employees in their respective roles. It also sets out the arrangements that will apply when employees fall below the levels of competence that are expected of them.
- 2.2 This policy does not form part of any employee’s contract of employment and it may be amended at any time following consultation. We may also vary any parts of this procedure, including any time limits, as appropriate in any case.

3. **Application of the policy**

This policy which covers appraisal, applies to the headteacher and to all teachers employed by the school, except those on contracts of less than one term, those teachers undergoing induction (*ie* NQTs), and those who have been transferred to Capability measures (See Capability Policy).

Appraisal

The appraisal policy in this school will be a supportive and developmental process designed to ensure that all employees identified by the policy have the skills and support they need to carry out their role effectively. It will help to ensure that all employees are able to continue to improve their professional/employment practice and to develop in their respective roles.

1. The appraisal period

- 1.1 The appraisal period will run for twelve months from 1st November to 31st October each year
- 1.2 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 review period will be determined by the duration of their contract.
- 1.3 Employees will not normally be dismissed for performance reasons without previous warnings. However, in serious cases of gross negligence, or in any case involving an employee who has not yet completed their probationary period, dismissal without previous warnings may be appropriate.

2. Appointing appraisers

- 2.1 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.
- 2.2 The task of appraising the head teacher, including the setting of objectives, will be delegated to a sub-group normally comprising of three members of the Governing Body.
- 2.3 The head teacher will decide who will appraise other employees covered by the policy.
- 2.4 Where it becomes apparent that the appraiser appointed by the headteacher will be absent for the majority of the appraisal cycle, the headteacher may perform those duties herself/himself or delegate those duties to another teacher for the duration of that absence.
- 2.5 On an exceptional basis, where a teacher objects to the headteacher's choice, his/her concerns will be carefully considered and an alternative appraiser may be appointed.
- 2.6 If the headteacher 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.

3. Setting objectives

- 3.1 The head teacher's objectives will be set by the Governing Body after consultation with the external adviser.
- 3.2 Objectives for each employee covered by the policy will be set before, or as soon as practicable after, the start of each appraisal period. The objectives set will be Specific, Measurable, Achievable, Realistic and Time-bound and will be appropriate to the employee's role and level of experience. There is an expectation that as teachers progress, their practice will improve and be demonstrated at a higher level, with increased levels of expectation in place for the performance of teachers and their on-going contributions to whole school improvement and practice. These expectations should be reflected in the appraisal process, where targets should reflect the level of experience of each teacher involved (See Pay Policy for details).

The appraiser and employee 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. 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.

- 3.3 The objectives set for each employee will, if achieved, contribute to the school's plans for improving the school's educational provision and performance and improving the educational opportunities of pupils at that school; in turn, they will also enable the professional development of the teacher. This will be ensured by quality assuring all objectives against the school improvement plan. For the majority of teachers, we expect that there will be three significant objectives set each year.

4. Overall Performance of Teachers

- 4.1 Before, or as soon as practicable after, the start of each appraisal period, a teacher will be informed of the standards against which that teacher's performance in that appraisal period will be assessed. Each teacher will be assessed against the set of standards contained in the current version of the "Teachers' Standards" document.
- 4.2 Certain teachers will, where relevant, also be assessed against other sets of standards published by the Secretary of State that are relevant to them.

5. Reviewing performance

5.1 Observation

- 5.1.1 This school believes that observation of classroom practice and other responsibilities for teachers, is important both as a way of assessing 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. It forms part of the professional expectation of all teachers, although observation is not the only way in which performance should be assessed. Where lesson observation is to be used to assess performance, the aim will be to identify strengths and areas for development.
- 5.1.2 In order to be effective, the school expects observations to be carried out in a supportive manner, with professionalism, integrity and courtesy from all parties. Classroom observation will only be carried out by qualified and experienced teachers. Performance in the classroom will be evaluated objectively and reported accurately and fairly and will take account of particular circumstances which may affect the teacher's performance on the day.
- 5.1.3 Teachers can expect to be given at least 5 working days' notice of the date and time of the observation and will be provided with verbal feedback by no later than the end of the next school day. Other than in exceptional circumstances, teachers can expect to receive written feedback within 5 working days.
- 5.1.4 Teachers' performance will be regularly observed but the amount and type of classroom observation will depend on the individual circumstances of the employee and the overall needs of the school. As such, 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.

5.1.5 Employees who have responsibilities outside the classroom should also expect to have their performance of those responsibilities observed and assessed.

5.1.6 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.

6. Drop-Ins and Learning Walks

6.1 In addition to formal observation, the head teacher or other leaders with responsibility for teaching standards may "drop-in" or undertake other monitoring such as Learning Walks 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.

6.2 All "drop-ins" will be carried out in accordance with the school's protocols.

7. Development and support

7.1 Appraisal is a supportive process which will be used to inform continuing professional development. The school wishes to encourage a culture in which all employees take responsibility for improving their performance through appropriate development.

7.2 Teachers professional development will be linked to school improvement priorities and to the ongoing professional development needs and priorities of individual teachers.

7.3 The school's/ CPD programme will be informed by the training and development needs identified as part of the appraisal process. In the annual budget planning cycle, the governing body will make best efforts to ensure that resources are made available for appropriate training and support agreed for appraisees. The headteacher will be responsible for ensuring that access to CPD support is provided on an equitable basis.

7.4 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 reports to the governing body about the operation of the appraisal process in the school.

7.5 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 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.

8. Feedback

- 8.1 Employees will receive constructive feedback on their performance throughout the year and as soon as practicable after an 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.
- 8.2 Where there are concerns about any aspects of the employee's performance the appraiser will meet with the employee to:
- give clear feedback about the areas of concern;
 - give the employee the opportunity to comment and discuss the concerns and establish the likely causes of poor performance and identify any training needs/support needed (e.g. coaching, monitoring, structured observation);
 - clarify the required standards and agree any support (e.g. coaching, mentoring, structured observations), that will be provided to help address those specific concerns;
 - make clear how, and by when, the appraiser will review progress
 - if it is appropriate to revise objectives, it will be necessary to allow sufficient time for improvement.
 - the amount of time will reflect the seriousness of the concerns; explain the implications and process if no, or insufficient, improvement is made.
- 8.3 When progress is reviewed, if the appraiser is satisfied that the employee has made, or is making, sufficient improvement, the appraisal process will continue as normal, with any remaining issues continuing to be addressed through that process.
- 8.4 The appraiser will keep a note of any concerns, the support given and the review judgement. A copy of this note will be given to the employee. (See 11.4 below). If required, this will inform any decision on transition to the capability procedure.

9. Transition to capability

- 9.1 If the appraiser, is not satisfied with progress, the employee will be notified in writing that the appraisal system will no longer apply and that his/her performance will be managed under the capability procedure. The employee will be invited to a formal capability meeting. The capability procedures are recorded in the school's Capability policy.

10. Annual assessment

- 10.1 The performance of each employee covered by the appraisal policy will be formally assessed in respect of each appraisal period.
- 10.2 In assessing the performance of the head teacher, the Governing Body must consult the external adviser.
- 10.3 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 at least once a term.

11 The Appraisal Meeting

- 11.1 Teachers will receive constructive feedback on their performance throughout the year. Feedback will highlight particular areas of strength as well as any areas that need attention.

The appraisal meeting will be conducted in a supportive and professional manner, with professionalism, integrity and courtesy from all parties.

- 11.2 The employee 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.

- 11.3 Teachers will receive their written appraisal reports by 31 October (31 December for the head teacher)

- 11.4 The appraisal report will include:

- details of the employee's objectives for the appraisal period in question;
- an assessment of the employee's performance of their role and responsibilities against their objectives and, for teachers, against the relevant standards;
- an assessment of the employee's training and development needs and identification of any action that should be taken to address them. The assessment of performance and of training and development needs will inform the planning process for the following appraisal period.
- a recommendation on pay where that is relevant. Pay recommendations will be made by 31 December for head teachers, by 31 October for other teachers.

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

12 Pay Progression

- 12.1 The governing body will determine the school's pay policy on an annual basis in accordance with the School Teachers' Pay and Conditions Document. Decisions on pay progression will be made by 31st December for the headteacher and normally by 31st October for all other teachers.

Where teachers are eligible for pay progression, the recommendations 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 criteria and guidance contained in the School Teachers' Pay and Conditions Document and the relevant teacher standards and the school's Pay policy.

Where the head teacher has not been recommended for pay progression s/he 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) will be entitled to exercise the right of appeal (see Whole School Pay Policy), assisted by a companion who may be a school-based colleague or a representative of his/her trade union.

13. **Teachers experiencing difficulties**

- 13.1 When dealing with a teacher experiencing difficulties, the objective will be 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, appropriate support will be offered as soon as possible, without waiting for the formal annual assessment.

Where there are concerns about any aspects of the teacher's performance the appraiser will meet the teacher to agree a support plan, which will:

- A. give clear feedback about the areas of concern;
- B. give the teacher the opportunity to comment and discuss the concerns establish the likely causes of poor performance including any outside factors;
- C. identify any training needs/support needed (e.g. coaching, mentoring, monitoring, structured observation including peer observation; and observation of good practice) ;
- D. clarify the required standards and agree any support that will be provided to help address those specific concerns;
- E. make clear how, and by when, the appraiser will review progress;
- F. if it is appropriate to revise objectives, sufficient time will be agreed for improvement.
- G. the amount of time will reflect the seriousness of the concerns and the appraiser will 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 will be given for the teacher's performance to improve. This will depend upon the circumstances but will normally be for a period of four weeks. The aim is to ensure that the teacher can recover and improve his/her performance, so s/he will be provided with appropriate support as agreed in the support plan.

During the monitoring period the teacher will be given regular feedback on progress and arrangements will be made to modify the support plan if appropriate. If, at the end of the monitoring period, the appraiser is satisfied that the teacher has made, or is making, sufficient improvement, the appraisal process will continue as normal, with any remaining issues continuing to be addressed through that process. The appraiser and the appraisee will keep a note of any concerns, the support given and the review judgement.

If the appraiser has evidence to show that the teacher is not making progress, s/he should consult the headteacher, so that consideration may be given to whether or not to use the school's capability procedure.

General Principles

This Policy is based on the following principles and good practice guidance:

ACAS Code of Practice on Disciplinary and Grievance Procedures

The conduct of the formal capability stage will be undertaken in accordance with the provisions of the ACAS Code of Practice.

Consistency 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 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 headteacher will determine whether the appraisal or capability process may be temporarily suspended in order to deal with the grievance. 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 in confidence. 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.

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 will also be entitled to review any pay recommendations.

Monitoring and Evaluation

The governing body and head teacher will monitor the operation and effectiveness of the school's appraisal arrangements via the headteacher's annual report. The headteacher will provide the governing body with a written report on the operation of the school's appraisal and capability policies, which will include an assessment of the impact of the policies on the protected characteristics as set out in the Equality Act, 2010 i.e.

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

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 of records

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.

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