



POLICY FOR APPRAISING TEACHER PERFORMANCE.

PURPOSE

This procedure sets out how John Chilton School will improve outcomes for pupils, and raise the morale of teachers, by motivating teachers to up-date their skills and improve their performance.

The appraisal procedure will be used also 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 commence the capability procedure.

APPLICATION OF THE APPRAISAL POLICY

This policy applies to the Headteacher and to all qualified teachers employed at the school except those on contracts of less than one term and those undergoing induction (*ie NQTs*) or teachers on capability procedures

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. It will help to ensure that teachers are able to continue to improve their professional practice and to develop as teachers.

THE APPRAISAL PERIOD

The appraisal period will run **for twelve months** normally from 1 September to 31 August.

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 Headteacher or, in the case where the employee is the Headteacher, the Governing Board 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 Headteacher or, in the case where the employee is the Headteacher, the Governing Board shall determine whether the cycle shall begin again and whether to change the appraiser.

APPOINTING APPRAISERS

All appraisers of teachers, other than those appraising Headteachers, will be qualified teachers and members of the Senior Leadership Team, and will be suitably trained.

Headteacher

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

The task of appraising the Headteacher, including the setting of objectives, will be delegated to a sub-group consisting of normally 3 members of the Governing Board.

Where a Headteacher is of the opinion that any of the Governors appointed by the Governing Board 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.

(See Appendix A for Headteacher Appraisal Procedure).

Teachers

The choice of appraiser is for the Headteacher. Where teachers have an objection to the Headteacher's choice, their concerns will be carefully considered and, where possible, an alternative appraiser will be offered. All appraisers appointed by the Headteacher will be qualified teachers and will have current or recent teaching experience.

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.

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.

Where a teacher is experiencing difficulties and the Headteacher is not the appraiser, the Headteacher may undertake the role of appraiser. See also section on Teachers Experiencing Difficulties.

SETTING OBJECTIVES

The Headteacher's objectives will be set by the Appraisal Sub-Group of the Governing Board after consultation with the external adviser and the Headteacher.

Objectives 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 appraisee's role, grade 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 appraiser and appraisee will seek to agree the objectives. Objectives may be revised if circumstances change. The school operates a system of moderation through the Senior Leadership Team to ensure that all appraisers are working to the same standards. Targets will be moderated across the school to ensure that they are consistent between teachers with similar experience, grade and levels of responsibility. Should the objectives not be agreed, the final decision on allocation of objectives rests with the Headteacher.

The agreed objectives will contain a description of what success may look like. Where 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 are intended to 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.

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. Teachers will be assessed against the appropriate set of standards contained in the document "Teachers' Standards" published in July 2011. The Headteacher or Governing Board (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 Board that are relevant to them, including Post Threshold Standards. Teachers should prepare for the appraisal meeting by completing a self-assessment using the school's format. This should be given to the teacher's appraiser in advance of the meeting by an agreed date.

PAY PROGRESSION

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 Board will be based on the statutory criteria and guidance set out in the STPCD and the relevant teacher standards.

The Governing Board 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 School Teachers' Pay and Conditions Document. The Governing Board will ensure that decisions on pay progression are made by 31 December for Headteachers and by 31 October for other teachers.

REVIEWING PERFORMANCE

Observation

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. Observations will not add to teacher workload.

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

Classroom observation for appraisal will be carried out by qualified teachers that are on the school's Senior Leadership Team.

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 Teacher'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.

Headteachers, or other leaders with responsibility for learning and teaching standards, may "drop in" or undertake other observations to evaluate the standards of teaching and learning and to ensure that high standards of professional performance are established and maintained. The length and frequency of "drop in" or other observations, and the notice to be given, will vary depending on specific circumstances but will be in accordance with the school's Teacher's Observation Protocol.

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 Headteacher) whose posts have responsibilities outside the classroom should also expect to have their performance of those responsibilities observed and assessed.

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, through peer observation for example. Professional development will be linked to school improvement priorities and to the on-going professional development needs and priorities of individual teachers.

The school's CPD programme will be informed by the training and development needs identified as part of the appraisal process. The Governing Board 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 Headteacher's annual report to the Governing Board 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 to achieve its priorities; and
- b) the CPD identified is essential for an appraisee to meet their objectives.

Teachers are expected to be proactive in accessing CPD necessary to achieve their appraisal 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.

ANNUAL ASSESSMENT

The range and level of evidence collected for appraisal and pay determination purposes will always be proportionate and minimise workload. Each teacher's performance will be formally assessed in respect of each appraisal period. In assessing the performance of the Headteacher, the Governing Board must consult the external adviser.

The teacher will receive as soon as practicable following the end of each appraisal period – and have the opportunity to comment on - a written appraisal report. 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 against the relevant 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 where that is relevant (**N.B. – pay recommendations need to be made by 31 December for Headteachers and by 31 October for other teachers**);
- a space for the teacher's own comments
- the school will include in its appraisal report any other relevant information.

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 most circumstances interim review meetings will be appropriate, and these will be planned in advance.

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

TEACHERS EXPERIENCING DIFFICULTIES

For 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.

An appraiser might identify that a teacher is having difficulties. This may be through the appraisal process or from other sources, e.g. parental complaints. If the difficulties appear to be such that, if not rectified, they could lead to capability procedures; the appraiser, the Headteacher, or a member of the Senior Leadership Team will, as part of the appraisal process meet the teacher, and instigate the following process:

Initial meeting:

1. give clear written feedback to the teacher about the nature and seriousness of the concerns;
2. give the teacher the opportunity to comment on and discuss the concerns;
3. give the teacher at least five 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;

Action plan meeting:

1. 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;
2. make clear how progress will be monitored and when it will be reviewed. The amount of time is up to the school and will reflect the seriousness of the concerns and depend upon the circumstances. In most cases the period will be for no more than four working weeks
3. explain the implications and process if no – or insufficient – improvement is made.

Monitoring:

4. the teacher's progress will continue to be monitored as part of the appraisal process within the reasonable time set, 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.

Review:

5. a.
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.
- b.
if no, or insufficient, improvement has been made over this period, the teacher will be invited to a transition meeting to determine whether formal capability proceedings need to be commenced or the appraisal process remains in place. The teacher may be assisted by a trade union representative or work colleague and will have at least five working days' notice of the meeting.

All of the above steps must be taken and clearly recorded using the school's format.

Appeals

Appraisees have a right of appeal against any of the entries in the written appraisal report, (see appendix B). Where the Headteacher has not been recommended for pay progression he/she will be informed by the appropriate governor. The Headteacher will notify any teacher who has not been recommended for pay progression of the date when the Governing Board meets to consider pay recommendations, following which the teacher (and Headteacher when the head has not been recommend 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.

GENERAL PRINCIPLES UNDERLYING THIS POLICY

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 of Treatment and Fairness

The Governing Board 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 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 & 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 Board 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 Board to quality-assure the operation and effectiveness of the 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.

Monitoring and Evaluation

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

The Headteacher will provide the Governing Board 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:

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

APPENDIX A: Procedure for Headteacher's Appraisal: Planning, Review and Pay Progression

1. It is the Governing Board's responsibility to review the Headteacher's performance against agreed objectives, and making any decision on pay progression. In doing so they must utilise external advice e.g. the School Improvement Partner.
2. The Governors of John Chilton School delegate responsibility for reviewing and setting the Headteacher's Performance Management objectives to a sub group of 3 nominated Governors who are not staff members (Headteacher's performance Management Group HTPMG). The membership of this group will be reviewed as necessary and at least every two years.
3. The Statement: The setting and outcomes of the Headteacher's Performance Management are in the form of a formal statement. This contains a set of objectives and the reviewer's assessment of performance and comments against achievement of these objectives together with a recommendation on pay progression. The statement will also contain monitoring arrangements for progress towards the objectives.
4. The Planning Meeting: The HTPMG must meet with an external advisor and the Headteacher to discuss and determine the Headteacher's objectives and performance criteria for the coming year before 31 December (or as soon as possible if the Headteacher is newly in post). The HTPMG may ask for feedback on setting objectives from non-staff members of the Governing Board in advance.
5. The Review Meeting: Also the HTPMG and the external advisor must meet with the Headteacher to review his or her performance against the performance criteria specified in the statement, and determine the recommendation on pay progression (up to 2 points). The HTPMG may also get further feedback on the Headteacher's overall performance using a number of tools e.g. feedback from senior staff. This information and feedback must be anonymised when included in the statement. The review meeting should be combined with the planning meeting for the next cycle, wherever practicable.
6. Within five working days of the review meeting, the HTPMG must record in draft in the statement the results of the review, together with any recommendation on pay progression, and pass the draft statement to the Headteacher. The Headteacher may provide feedback at this point for consideration by the HTPMG.
7. Within 10 working days of the review meeting, the HTPMG must prepare and sign a final version of the statement and make it available to the Headteacher, who will sign it and may add any comments. At this point the Headteacher may decide to appeal (see below).
8. The signed statement must then be passed to the Governing Board for information and noted in a confidential minute.
9. Decisions on the pay of the Head are communicated by the Chair of the Governing Board, in writing. The Chair of the Governing Board will make the necessary arrangements for any incremental increase to be paid.
10. Subject to the outcome of any appeal, the contents of the statement will be deemed to reflect the results of the review meeting.

Appeal

The arrangements for considering an appeal are as follows:

The Headteacher may seek a review of any determination in relation to his or her pay or any other decision taken by the governing Board (or a committee or individual acting with delegated authority) that affects his or her pay.

The following list, which is not exhaustive, includes the usual reasons for seeking a review;

That the person or committee by whom the decision was made:

- a) incorrectly applied any provision of the School Teacher's Pay and Conditions Document;
- b) failed to have proper regard for statutory guidance;
- c) failed to take proper account of relevant evidence;
- d) took account of irrelevant or inaccurate evidence;
- e) was biased; or
- f) Otherwise unlawfully discriminated against the Headteacher.

The order of proceedings is as follows. (The process progresses to the next step automatically as time limits expire as appropriate):

1. The Headteacher receives a final written version of the statement from the HTPMG.
2. If the Headteacher is not satisfied, he/she should seek to resolve this by discussing the matter informally with the HTPMG within ten working days of the decision. If the matter is resolved at this stage an amended statement may be issued.
3. Where this is not possible, or where the Headteacher continues to be dissatisfied, he/she may follow a formal appeal process.
4. The Headteacher should set down in writing the grounds for questioning the pay decision and send it to the HTPMG who made the determination, within ten working days of the final statement being issued.
5. The HTPMG who made the determination should provide a hearing, within ten working days of receipt of the written appeal, to consider the appeal and give the Headteacher an opportunity to make representations in person. Following the hearing and within five working days, the Headteacher should be informed in writing of the decision and the right to appeal. If the matter is resolved at this stage an amended statement may be issued.
6. Any appeal should be heard by a panel of three governors (non staff) who were not involved in the original determination, normally within 20 working days of the receipt of the written appeal notification. The Headteacher will be given the opportunity to make representations in person. The decision of the appeal panel will be given in writing, and where the appeal is rejected will include a note of the evidence considered and the reasons for the decision.

APPENDIX B: APPEALS

The arrangements for considering appeals are as follows:

A teacher may seek a review of any determination in relation to his or her pay or any other decision taken by the governing Board (or a committee or individual acting with delegated authority) that affects his or her pay.

The following list, which is not exhaustive, includes the usual reasons for seeking a review of a pay determination;

That the person or committee by whom the decision was made –

- a) incorrectly applied any provision of the Document;
- b) failed to have proper regard for statutory guidance;
- c) failed to take proper account of relevant evidence;
- d) took account of irrelevant or inaccurate evidence;
- e) was biased; or
- f) otherwise unlawfully discriminated against the teacher.

The order of proceedings is as follows:

1. The teacher receives written confirmation of the pay determination and where applicable the basis on which the decision was made.
2. If the teacher is not satisfied, he/she should seek to resolve this by discussing the matter informally with the decision-maker within ten working days of the decision.
3. Where this is not possible, or where the teacher continues to be dissatisfied, he/she may follow a formal appeal process.
4. The teacher should set down in writing the grounds for questioning the pay decision and send it to the person (or committee) who made the determination, within ten working days of the notification of the decision being appealed against or of the outcome of the discussion referred to above.
5. The committee or person who made the determination should provide a hearing, within ten working days of receipt of the written appeal, to consider the appeal and give the teacher an opportunity to make representations in person. Following the hearing the employee should be informed in writing of the decision and the right to appeal.
6. Any appeal should be heard by a panel of three governors who were not involved in the original determination, normally within 20 working days of the receipt of the written appeal notification. The teacher will be given the opportunity to make representations in person. The decision of the appeal panel will be given in writing, and where the appeal is rejected will include a note of the evidence considered and the reasons for the decision.

This Policy was agreed at the Governors' Resources Committee September 2020 and will be reviewed Autumn 2021