



# **Teacher Appraisal and Capability**

**Date agreed by Governors: October 2018**

**Date of Review: October 2018**

**Member of Staff Responsible for the Policy: RG/KLF**

**Date of next review: October 2019**

**Dissemination of the Policy: All staff and Governors, School Website**

## **1. Introduction**

Under statutory regulations, appraisal arrangements for all teachers in maintained schools in England were changed from 1 September 2013.

*The Education (School Teachers' Appraisal) (England) Regulations 2012*, made under the Education Act 2002, came into force on 1 September 2012 and replaced *The Education (School Teacher Performance Management) (England) Regulations 2006*. The 2012 regulations can be found at:

[www.legislation.gov.uk/ukxi/2012/115/pdfs/ukxi\\_20120115\\_en.pdf](http://www.legislation.gov.uk/ukxi/2012/115/pdfs/ukxi_20120115_en.pdf).

The 2012 regulations apply to any teacher employed for one school term or more, in a community, voluntary, foundation, community special or foundation special school or a maintained nursery school, whether employed by the governing body of that school or by the local authority to work in that school.

The regulations place a legal obligation on qualifying schools to have an appraisals procedure in place for all teachers and a capability procedure in place for all staff.

The regulations do not apply to a teacher whilst that teacher is undergoing an induction period or whilst a teacher is the subject of a formal capability procedure.

Support staff are not covered by the regulations but it would be both prudent and practicable for the governing body to agree and the Headteacher to implement the same or a broadly similar staff appraisal policy for non-teaching staff.

Text in bold indicates statutory requirements contained in the Appraisal Regulations or the School Staffing Regulations.

## **Guiding Principles**

In its oversight of the appraisal system, the governing body is committed to ensuring consistency of treatment and fairness and to stay within the prevailing legal framework applicable to all employers; for example, the Equality Act 2010, the Employment Rights Act 1996, the Part-Time Workers Regulations 2000, the Fixed Term Employees Regulations 2002 and the Data Protection Act 1998.

The Headteacher/senior leadership team will moderate a sample of the planning statements (more on those later) to check that the agreed plans are consistently weighted between employees who have similar levels of responsibility and that the plans comply with the school's appraisal policy.

The appraisal process and the supporting documentation will be treated with strict confidentiality at all times. Only those who need access to such information will be granted access to enable them to discharge their responsibilities as directed by the school. The governing body will monitor the operation of the appraisal system and review it at appropriate intervals.

## **2. Policy for Appraising Teacher Performance**

The Governing Body will monitor the outcomes and impact of this policy on an annual basis.

## **3. 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 of teachers. It also sets out the arrangements that will apply when teachers fall below the levels of competence that are expected of them.

#### **4. Application of the policy**

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

#### **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. It will help to ensure that teachers are able to continue to improve their professional practice and to develop as teachers. Performance management is set in the context of Pittville School's Development Plan. The SDP (School Development Plan) will provide advice to the governing body's representatives on the setting of performance objectives for the head and will support them in reviewing performance at the end of the review cycle.

#### **Roles**

Performance appraisal is a shared responsibility. The governing body has a strategic role in agreeing the school's performance appraisal policy, ensuring that performance of teaching staff at the school is regularly reviewed and for monitoring the performance appraisal process. The Headteacher is responsible for implementing the school's performance appraisal policy and ensuring that performance appraisal reviews take place.

Performance appraisal involves both the reviewer and the reviewee working together to ensure that objectives are discussed and agreed; regular and objective feedback is given; adequate coaching, training and development is provided and that the performance review takes place within an annual frame. The reviewer leads the review meeting and completes the appropriate paperwork and liaises with the reviewer throughout the year to ensure the staff access the necessary support. An additional interim review will take place between March and June in order to monitor progress towards the targets set.

#### **Responsibility for Reviews For the Headteacher**

The governing body is the appraiser for the Headteacher, and to discharge this particular responsibility on its behalf, will appoint (typically) three governors. Headteachers can raise an objection to the chair of governors, in writing and with good reason, outlining why an appointed governor should be excluded from the appraisal process.

The governing body of a school must appoint an external adviser for the purposes of providing it with advice and support in relation to the appraisal of the Headteacher. The qualifications and experience required of an external adviser are not set by regulation. It is for the governing body to decide who they wish to use as an external adviser, ideally with the agreement of the Headteacher. The external adviser is not responsible for determining a recommendation to the pay committee on whether an increment should be paid to the Headteacher, following the review; this is a matter for the governor's panel alone. However, governors can ask for advice and should take account of any advice offered.

#### **For all other employees**

The Headteacher decides who shall act as reviewer for each member of staff on the basis of responsibilities in the school and on a judgement about who has the best overview of the member of staff's work. In doing this, the head has delegated responsibility to an appropriate line manager to ensure that each reviewer is responsible for a limited number of reviews. Whenever and wherever possible, we will limit the number of reviewees to 5.

## **5. Performance Appraisal at Pittville School**

The appraisal period will be for 12 months and will begin on 1 September. The review cycle operates on a continuous one year cycle; review meetings held prior to 31st October and observation prior to 30th June. The Headteacher's meeting and setting of objectives will have taken place by 31 December of each year.

Performance appraisal is set in the context of Pittville School Development Plan. Performance appraisal is an on-going cycle involving 3 stages of planning, monitoring performance and reviewing performance. The end of year review and fresh target setting will happen at the same time prior to 31st October.

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 and will be appropriate to the teacher's role and level of experience. 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. If the teacher considers them unacceptable there is a right of appeal to the Headteacher whose decision is final.

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 Headteacher along with the senior leadership team will quality assure all objectives against the school improvement plan.

The Headteacher's objectives will be set with the three members of the sub-group of the Governing Body after consultation with the external adviser.

### **i. The Appraisal Period**

#### **(a) Objectives set in the autumn term**

These will inform and support our school management policies and professional development programme. We will take account of the range of professional development objectives in setting the school's overall priorities for staff development.

#### **(b) Monitoring and Feedback**

The final review will assess performance against Teacher Standards and targets over the cycle and form part of an evidence base for decisions on pay progression. At Pittville School, we will combine the final review and planning meetings into one session. This will take place each year by October 31st. Interim Reviews will take place in March/April. The observations will take place in term 1 and term 4.

### **ii. The Performance Appraisal Cycle**

**Stage 1: Planning** – Each reviewee will discuss and agree objectives with their reviewer and record these on the '**Performance Appraisal Planning and Review Statement Form**'

(an example of a blank planning statement form can be found in **T drive- performance appraisal 2018-19**) and a completed example in Performance appraisal guidance in **T drive Performance appraisal 2018-19**). Objectives should be challenging but realistic and take account of the reviewee's job description and their existing skill and knowledge base. A **pre performance appraisal checklist (appendix 1)** should be completed prior to the review/planning meeting.

At Pittville School all reviewees should have 3 objectives, linked to the School Development Plan (SDP), department development plans and personal development needs (see appendix 4- pre-performance appraisal checklist). These targets are related to Teaching and Learning, Student Progress and Wider Professional Standards. Agreeing objectives does not mean itemising every activity but picking out key expectations and yardsticks. Objectives may be revised at any time during the performance appraisal cycle if there is agreement between the reviewer and the reviewee or the Headteacher. Where this takes place all reference to objectives in this policy shall be read as reference to revised objectives.

We will follow the following principles in discussing objectives:

- The reviewers should ensure that the reviewee understands what his or her objectives involve, is in a position to achieve them, knows what they need to do to achieve them and understands when and how they will be reviewed;
- The Student Progress Objective should be measurable via a numerical target, based on an individual's class or a year group, depending on staff roles (i.e. Head of Faculty, Subject Leader, class teacher) and staff are recommended that this should be an aspirational figure based, where appropriate, on MTGs (Minimum Target Grades) and or residuals /average grades of individual students. However, it is recognised that due to this, the objective may not always be achieved therefore performance review will be used as a professional dialogue concerning how the member of staff has strived to reach this objective and the barriers they have encountered. This will be taken in to account if the Reviews are used as evidence for Upper Pay Scale applications.
- Objectives are clear and concise and are usually measurable within the yearly cycle;
- Objectives focus on matters over which a reviewee has direct influence/control and take into account fully the wider socio-economic, cultural factors and other external influences on students
- Objectives for each reviewee should relate to the objectives in the school development plan or the department development plan and any subject priorities as well as his / her own professional development needs.
- Objectives can be revised, if circumstances dictate it, at the Interim Review meeting in March. At this point if a teacher has any concerns about an objective a significant concerns proforma should be completed (see appendix 7).

The reviewer should record the objectives which will apply for the review period. These should be jointly agreed. If there are any differences of opinion about the objectives the reviewee may add comments to the written record of objectives.

Professional development opportunities are needed to support agreed objectives, to develop

strengths and address areas for development or professional growth. The 'Support needed...' section of the Planning Statement Form will be used to record the action to be taken.

Reviewers should make the Planning Statement available to the reviewee within 5 working days. The reviewee may then discuss any changes with the reviewer. The completed Planning Statement should be sent to the Headteacher before November 1st.

**Stage 2: Monitoring Progress** – The reviewee and reviewer will keep progress under active review throughout the year using classroom observation, interim review and other relevant information.

Including classroom observation as part of performance appraisal is accepted good practice. The observation element will comprise a minimum of a thirty minute observation or a range of sections of lessons over a period of time.

In planning observation, we will follow these principles:

A focus for the observation will be agreed at the initial review using the '**Teacher Standards Lesson Observation Record Sheet**' (Appendix 3).

Full, constructive and timely feedback offers an opportunity to discuss what went well and what might be done better or differently next time. When giving feedback, the observer should take into account particular strengths and targets judged against the teacher standards. Feedback should take place by the end of the next school day.

We will use the Teacher Standards Lesson Observation Record Sheet for observations. Copies should be kept by the reviewee, the reviewer and the subject leader and an additional copy should be sent 2016 to KLF for reference.

### **Stage 3: Reviewing Performance:**

The annual review of the reviewee's performance will use the recorded objectives as a focus to discuss his/her achievements and identify any developmental needs. It will be combined with agreeing objectives for the following performance management cycle.

The focus of the review is on how to raise performance and improve effectiveness. It will involve:

- reviewing, discussing and confirming the reviewee's essential tasks and objectives;
- recognising strengths and achievements and taking account of factors outside the reviewee's control;
- confirming action agreed with the teacher at other reviews;
- identifying areas for development and how these will be met;
- recognising professional development needs;
- agreeing new objectives and completing a 'Planning Statement' for the year ahead.

The reviewer should evaluate the reviewee's overall performance, including an assessment of the extent to which objectives have been met, and the reviewee's contribution to the wider life of the school during the review period. It should take account of the stage the reviewee is at in his or her career e.g. inexperienced classroom teacher, advanced skills teacher, senior leader. Good practice shows that the review statement should be written as soon as possible after the review, whilst the facts are still fresh in the reviewer's memory.

## **6. Teachers' standards**

From appraisal arrangements that took effect from 1 September 2013, the performance of all teachers, regardless of their career stage, will be assessed against the teachers' standards. The standards define the minimum level of practice expected of trainees and teachers from the point of being awarded QTS.

The standards against which performance must be assessed in respect of a teacher are the set of standards articulated in the teachers' standards document and any other set of standards relating to teachers' performance published by the Secretary of State as the governing body or Headteacher determine as being applicable.

In order to meet the teachers' standards, a teacher will need to demonstrate that their practice is consistent with the definitions set out in part one (teaching) and part two (personal and professional conduct).

### **Applying the teachers' standards (see appendix 3)**

Teachers make the education of their pupils their first concern and are accountable for achieving the highest possible standards in their work and their conduct. Teachers act with honesty and integrity, have strong subject knowledge and are self-critical. They forge positive professional relationships with those around them and work with parents in the best interests of their pupils.

### **Teachers**

The teachers' standards effectively set out a 'code' of good teaching practice and professional conduct and as such, it would seem to be perfectly reasonable for schools to expect all teaching staff to meet the expectations set out in the standards document. Teachers should therefore be evaluated against all the elements set out in the teachers' standards and it is for schools to put appropriate arrangements in place to achieve a fair and equitable process of evaluation.

### **Headteachers**

Teachers' standards must also be applied to Headteachers and school leaders as well as to all other teachers. However, on the grounds that only a proportion of Headteachers and school leaders spend part of their scheduled week teaching, governing bodies should exercise particularly careful judgement when assessing such staff against the teachers' standards. Support from the external adviser will be important in this respect.

A full version of the teachers' standards can be found at <http://media.education.gov.uk/assets/files/pdf/t/teachers%20standards%20information.pdf>.

After an 11-years' absence, National Standards of Excellence for Headteachers' were reintroduced in January 2015. Unlike the teachers' standards, the standards for Headteachers are non-mandatory and can be found at:

<http://www.naht.org.uk/welcome/news-and-media/key-topics/government-policy/national-standards-of-excellence-for-head-teachers/>

These standards are intended to be used to inform the appraisal for Headteachers.

Use of the standards in academies and free schools will depend on the arrangements of those schools. Independent schools are not required to use the standards but may do so if they wish.

## **7. Gathering the evidence**

As part of the overall appraisal process, it will be critically important for all members of staff who are subject to the school's staff appraisal policy to be clear about the evidence that will be required by their appraiser to enable the appraiser to assess their performance and make a substantiated and evidence-based pay recommendation to the 'decision maker'.

Judgements relating to performance should be supported by evidence, agreed at the beginning of the performance cycle. Evidence should show and demonstrate a contribution towards:

- a positive impact on pupil progress;
- a positive impact on wider outcomes for pupils;
- improvement in specific elements of practice, eg lesson planning; and
- a positive contribution to the work at the school.

The evidence gathered by the school and the member of staff will largely be determined by the nature and scope of the agreed objectives and/or the teachers' standards. Examples of evidence may include:

- Classroom observations
- Task observations
- Reviews of assessment results
- Reviews of lesson planning records
- Internal tracking
- School Improvement and Departmental / Faculty Plans
- Moderation within and across schools
- Pupils' voice
- Parents' voice
- Headteachers' walkabouts
- Evidence supporting progress against teachers' standards

#### **8. Observation (see appendix 4)**

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. All observation will be carried out in a supportive fashion and in accordance with the school's observation protocols. It is recommended that the foci for the observations are discussed and agreed in advance.

Any classroom or task observations will be carried out in accordance with the school's classroom and task observation protocol. Classroom observation will be carried out by qualified teachers. At least five working days' notice of the date and time of the observation will be given and verbal feedback will be provided by the end of the next school day in a suitable private environment. Written feedback will be provided within five working days. The appraisee has the right to append written comments to the feedback document.

For appraisal purposes, the governing body is committed to ensuring that classroom and task observation is developmental and supportive and that those involved in the process will:

- carry out the role with professionalism, integrity and courtesy;
- evaluate objectively;
- report accurately and fairly; and
- respect the confidentiality of the information gained.

The arrangements for classroom/task observation will be stated in the appraisal planning statement and will include the amount of observation, specify its primary purpose, any particular aspects of the employee's performance which will be assessed, the duration of the observation, when, during the appraisal cycle, the observation is likely to take place and who is likely to conduct the observation.

Where evidence emerges about the appraisee's performance, which gives rise to concern during the cycle, additional observations may be arranged during the cycle.

The three hours' statutory limit on classroom observations for appraisal has been removed; the government believes that Headteachers and other appraisers should be free to decide how much observation is necessary for them to form an accurate assessment of a teacher's performance.

A Headteacher has a duty to evaluate the standards of teaching and learning and to ensure proper standards of professional performance are established and maintained throughout the school and may therefore determine that it is necessary to collect additional evidence to help inform the evaluation of teaching standards and school improvement strategies. This additional evidence may include learning walks, task observation, reviews of assessment results and lesson planning records. It may not be practicable to provide advance notice of these additional monitoring activities.

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

## **9. Ofsted**

As part of their overall inspection framework, Ofsted wishes to see evidence in schools that the appraisal procedure is used effectively and enables school improvement; if appraisal evidence is not available, this is likely to impact negatively on the Ofsted inspection grade for leadership and management.

It is therefore prudent for schools to generate and retain as much reasonable 'appraisal system' evidence as practicably possible and discharge the school's budget to differentiate appropriately between high and low performers. Where a teacher's performance is less than good, inspectors will seek evidence that this is rigorously managed and that appropriate training and support are provided. Where a teacher's performance is good, inspectors will expect to see evidence that this is recognised through the appraisal system.

Ofsted inspectors may ask to have sight of anonymised data from the last three years that illustrates the numbers of teaching staff who have:

- progressed along the main pay range;
- progressed to and through the upper pay range;
- progressed along the leadership scale; and
- received additional responsibility payments such as TLRs and SEN allowances.

Inspectors will expect to see a correlation between the pattern of pay progression and the improvements made to the overall quality of teaching and learning; where there is no or little correlation, the inspectors will want to investigate the reasons for this. However, inspectors will take account of the length of time the Headteacher has been in post.

## **10. Pay progression linked to performance (see appendix 5- also refer to T drive – performance appraisal 2017-18- UPS applications)**

The governing body must consider annually whether or not to increase the salary of teachers who have completed a year of continuous employment since the previous annual pay determination and, if so, to what salary within the relevant pay ranges.

All pay recommendations should be clearly attributable to the performance of an employee.

The relevant body must decide how pay progression will be determined, subject to the following:

- a. The decision, whether or not to award pay progression, must be related to a teacher's performance
- b. A pay recommendation must be made in writing as part of a teacher's annual appraisal report
- c. Where a teacher is not subject to either the 2012 or the 2011 regulations, the relevant body must determine through what process the teacher's performance will be assessed and a pay recommendation made for the purposes of making its decision on pay
- d. Continued good performance, as defined by an individual school's pay policy, should give a classroom or an unqualified teacher an expectation of progression to the top of their respective pay ranges
- e. A decision may be made not to award pay progression, whether or not the teacher is subject to capability proceedings

The relevant body must set out clearly in the school's pay policy how pay progression will be determined. The Headteacher will be responsible for ensuring that appropriate arrangements are put in place to support the links between performance and pay and that agreed rates of pay progression are affordable and comply with prevailing legislation (eg equal pay).

Where teachers are eligible for pay progression, the recommendation made by the appraiser will be based on an assessment of performance against agreed performance objectives. The decision made by the relevant decision-making body will be based on the statutory criteria and guidance set out in the STPCD and the relevant teacher standards.

To move up the main pay range, one point at a time, teachers will need to have made good progress towards achieving their objectives and have demonstrated that they are competent in all elements of the Teachers' Standards. Teaching should be consistently 'good', as defined by Ofsted (however, this does not mean that every lesson observed needs to be rated as 'good'). To be considered for pay progression, a teacher's effectiveness will be such that they have not been subject to a formal support plan within appraisal or capability procedures during the appraisal cycle

Threshold – teachers who want to move to the upper pay spine should put their request in writing to the Headteacher. Evidence from the last 2 years reviews will be used to inform applications by teachers and assessment by heads.

Performance pay points above the threshold, and teachers in the leadership group – performance reviews will be expected to form the evidence which the school can use to inform decisions about awarding performance pay points to eligible teachers.

If the overall appraisal evidence shows that a teacher has demonstrated exceptional performance, the governing body will consider awarding enhanced pay progression. Teaching should be 'outstanding', as defined by Ofsted.

The Headteacher will consult with staff and union representatives on the establishment of appraisal and pay policies and will ensure that appraisers have the knowledge and skills to apply procedures fairly.

Teachers will work with their appraisers to ensure that there is sufficient evidence to support pay recommendations. Teachers will also keep records of objectives and review them throughout the appraisal period.

### **11. Applications to be paid on the upper pay range - refer to T drive –performance appraisal 2017-18- UPS applications**

From 1 September 2013, any qualified teacher can apply to be paid on the upper pay range. All applications should include the results of appraisals; where such information is not available, a written statement and summary of evidence that sets out how the applicant has met the assessment criteria will be sufficient. Teachers who have been absent through sickness, disability or maternity may cite written evidence from previous years in support of the application.

To be assessed successfully, a teacher will be required to meet the criteria set out in the school teachers' pay and conditions document (STPCD):

- The teacher is 'highly competent' in all the elements of the teachers' standards
- The teacher's achievements and contribution to the school is 'substantial' and 'sustained'

#### **Highly competent**

The teacher's performance is assessed as having excellent depth and breadth of knowledge, skills and understanding of the teachers' standards in the particular role they are fulfilling and the context in which they are working.

#### **Substantial**

The teacher's achievements and contribution to the school are significant, not just in raising standards of teaching and learning in their own classroom but also in making a significant wider contribution to school improvement which impacts on pupil progress and the effectiveness of staff and colleagues.

#### **Sustained**

The teacher must have had two consecutive successful appraisal reports and have made good progress towards their objectives; they will have been expected to have shown that their teaching expertise has grown over the relevant period and is consistently good to outstanding.

### **12. Leading Practitioner Role**

Typically, the additional duties of a leading practitioner role will include:

- A leadership role in developing, implementing and evaluating policies and practices in a school that contribute to school improvement
- The improvement of teaching within school which impacts significantly on pupil progress
- Improving the effectiveness of staff and colleagues, eg lesson planning

The leading practitioner must demonstrate that they:

- have made good progress towards their objectives;
- are an exemplar of teaching skills which should impact significantly on pupil progress within school and within the wider school community;
- have made a substantial impact on staff and colleagues, including any specific elements of practice that have been highlighted as in need of improvement;
- are highly competent in all aspects of the teachers' standards; and
- have shown strong leadership in developing, implementing and evaluating policies and practices in their workplace that contribute to school improvement.

### **13. Continuing Professional Development**

Appraisal is a supportive process which will be used to inform continuing professional learning. 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 on-going professional development needs and priorities of individual teachers. The school's CPD programme will be informed by the professional learning needs identified as part of the appraisal process. The governing body is responsible for monitoring provision for teachers' professional learning needs. The governing body will ensure in the budget planning, that, as far as possible, appropriate resources will be made available for any agreed training, support and continuing professional development.

### **14. 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 progress is reviewed, if the appraiser is satisfied that the teacher has made, or is making, sufficient improvement, the appraiser will recommend to the Headteacher that the appraisal process will continue as normal, with any remaining issues continuing to be addressed through that process. The final decision to accept the recommendation rests with the Headteacher.

### **15. Teachers Experiencing Difficulty**

Where there are concerns about any aspects of the teacher's performance the appraiser or the line manager will meet the teacher formally 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 (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. It may be appropriate to revise objectives, and it will be necessary to allow sufficient time for improvement. The amount of time will be defined by the school and will reflect the seriousness of the concerns;
- explain the implications and process if no – or insufficient – improvement is made.

In all cases the appraiser will inform the Headteacher of the situation prior to the meeting.

## **16. Transition to capability**

If the Headteacher 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 Headteacher's decision is final. The capability procedures will be conducted according to the school's capability policy and procedures.

## **17. 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 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. The frequency of these meetings will be determined by the School.

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, called the review statement. In this school, teachers will receive their review statement reports by 31st October and 31st December for the Headteacher.

### **The review statement 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 teacher's 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 which will be reviewed by the Headteacher who has the responsibility for making the final decision on pay. (NB – pay recommendations need to be made by 31<sup>st</sup> December for Headteachers and by 31st October for other teachers.)
- A space for the teacher to comment.

The assessment of performance and of professional development needs will inform the planning process for the following appraisal period. 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 will be based on the statutory criteria and guidance set out in the STPCD and the relevant teacher standards.

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

## **18. Appeals**

A simple disagreement should not be regarded as grounds for an appeal; the appraiser's judgement should prevail in the event of disagreement concerning the appraisal report and objective setting. The aim should be to resolve such issues informally through professional dialogue. If a teacher wishes to appeal against any aspects of the appraisal report this should be undertaken using the school's grievance procedures. The usual grounds would need to be related to a flawed process such as:

- Failure to have proper regard to the appraisal regulations;

- Incorrect application of the regulations or the provision of the school's Appraisal policy;
- Failure to take account of relevant evidence;
- Bias;
- Unlawful discrimination.

## **19. General Principles Underlying this Policy**

### **a. Confidentiality**

The appraisal processes will be treated with confidentiality. 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 appraisal system, and for other purposes including:

- Planning continuing professional development;
- Making efficient use of aggregated lesson observation information for a variety of school leadership and improvement purposes;
- Providing evidence for Ofsted inspections.

The Headteacher (or appropriate senior colleague given delegated responsibility) will review all teachers' objectives and written appraisal records in order to check consistency of approach and expectation between different appraisers.

### **b. Conflict of Interest**

In any circumstances where an individual believes that their participation in any part of the appraisal process amounts or may amount to a 'conflict of interest' they should declare this to their appraiser and/or absent themselves from any part of the appraisal process where they believe that a 'conflict of interest' would or is likely to prevail.

### **c. Consistency of Treatment and Fairness**

The Governing Body is committed to ensuring consistency of treatment and fairness. It will abide by all relevant equality legislation, including the duty to make reasonable adjustments for disabled teachers. The governing body is aware of the guidance on the Equality Act issued by the Department for Education.

### **d. Maternity leave**

To mitigate the risk of discriminating against pregnant employees or employees on maternity leave, appraisals should be undertaken before the employee leaves to go on maternity leave, even if this is early in the appraisal year and then base any assessment of performance on the evidence to date in the relevant appraisal period. Account could also be taken of performance in previous appraisal periods if there is very little to go on in the current appraisal period. Assessment should be based on actual service rather than speculative assessment based on what a teacher might have achieved during the year. Alternatively, an employee should be given the opportunity to attend school during their maternity leave (on a 'keep-in-touch' day) or to make written representations so that a reliable appraisal can take place and be recorded as usual.

### **e. Definitions**

Unless indicated otherwise, all references to "teacher" include the Headteacher.

### **f. Delegation**

Normal rules apply in respect of the delegation of functions by the Governing Body and Headteacher.

#### **g. Grievances**

The Schools Grievance policy applies – see also Appeals. Where a member of staff raises a grievance

during the capability procedure the capability procedure may be temporarily suspended in order to deal with the grievance. Where the grievance and capability cases are related it may be appropriate to deal with both issues concurrently.

#### **h. 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 be referred immediately 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 monitoring and/or formal procedures to continue during a period of sickness absence.

#### **i. Monitoring and Evaluation**

The governing body and Headteacher will monitor the operation and effectiveness of the school's appraisal arrangements.

#### **j. 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.

### **20. Capability Procedure**

This procedure applies only to teachers or Headteachers about whose performance there are serious concerns that the appraisal process has been unable to address. At least five working days' notice will be given of the formal capability meeting. The notification will contain sufficient information about the concerns about performance and their possible consequences to enable the teacher to prepare to answer the case at a formal capability meeting. It will also contain copies of any written evidence; the details of the time and place of the meeting; and will advise the teacher of their right to be accompanied by a companion who may be a colleague, a trade union official, or a trade union representative who has been certified by their union as being competent.

#### **Formal capability meeting**

This meeting is intended to establish the facts. It will be conducted by the Chair of Governors (for Headteacher capability meetings) or Headteacher (for other teachers). The meeting allows the teacher, accompanied by a companion if they wish, to respond to concerns about their performance and to make any relevant representations. This may provide new information or a different context to the information/evidence already collected. The person conducting the meeting may conclude that there are insufficient grounds for pursuing the capability issue and that it would be more appropriate to continue to address the remaining concerns through the appraisal process. In such cases, the capability procedure will come to an end. The person conducting the meeting may also adjourn the meeting for example if they

decide that further investigation is needed, or that more time is needed in which to consider any additional information. In other cases, the meeting will continue. During the meeting, or any other meeting which could lead to a formal warning being issued, the person conducting the meeting will:

- identify the professional shortcomings, for example which of the standards expected of teachers are not being met;
- give clear guidance on the improved standard of performance needed to ensure that the teacher can be removed from formal capability procedures (this may include the setting of new objectives focused on the specific weaknesses that need to be addressed, any success criteria that might be appropriate and the evidence that will be used to assess whether or not the necessary improvement has been made);
- explain any support that will be available to help the teacher improve their performance;
- set out the timetable for improvement and explain how performance will be monitored and reviewed. The timetable will depend on the circumstances of the individual case but in straightforward cases could be between four and ten weeks. It is for the school to determine the set period. It should be reasonable and proportionate, but not excessively long, and should provide sufficient opportunity for an improvement to take place; and
- warn the teacher formally that failure to improve within the set period could lead to dismissal. In very serious cases, this warning could be a final written warning. Notes will be taken of formal meetings and a copy sent to the member of staff. Where a warning is issued, the teacher will be informed in writing of the matters covered in the bullet points above and given information about the timing and handling of the review stage and the procedure and time limits for appealing against the warning.

### **Monitoring and review period following a formal capability meeting**

A performance monitoring and review period will follow the formal capability meeting. Formal monitoring, evaluation, guidance and support will continue during this period. The member of staff will be invited to a formal review meeting, unless they were issued with a final written warning, in which case they will be invited to a decision meeting (see below).

### **Formal review meeting**

As with formal capability meetings, at least five working days' notice will be given and the notification will give details of the time and place of the meeting and will advise the teacher of their right to be accompanied by a companion who may be a colleague, a trade union official, or a trade union representative who has been certified by their union as being competent. If the person conducting the meeting is satisfied that the teacher has made sufficient improvement, the capability procedure will cease and the appraisal process will re-start.

In other cases:

- If some progress has been made and there is confidence that more is likely, it may be appropriate to extend the monitoring and review period;
- If no, or insufficient improvement has been made during the monitoring and review period, the teacher will receive a final written warning.

As before, notes will be taken of formal meetings and a copy sent to the member of staff. The final written warning will mirror any previous warnings that have been issued. Where a final warning is issued, the member of staff will be informed in writing that failure to achieve an acceptable standard of performance (within the set timescale), may result in dismissal and given information about the handling of the further monitoring and review period and the procedure and time limits for appealing against the final warning. The teacher will be invited to a decision meeting.

### **Decision meeting**

As with formal capability meetings and formal review meetings, at least five working days' notice will be given and the notification will give details of the time and place of the meeting and will advise the teacher of their right to be accompanied by a companion who may be a colleague, a trade union official, or a trade union representative who has been certified by their union as being competent.

If an acceptable standard of performance has been achieved during the further monitoring and review period, the capability procedure will end and the appraisal process will re-start. If performance remains unsatisfactory, a decision, or recommendation to the Governing Body, will be made that the teacher should be dismissed or required to cease working at the school.

The teacher will be informed as soon as possible of the reasons for the dismissal, the date on which the employment contract will end, the appropriate period of notice and their right of appeal.

### **Decision to dismiss**

The power to dismiss staff in this school rests with the Governing Body.

### **Dismissal**

Once the decision to dismiss has been taken, the Governing Body will dismiss the teacher with notice.

### **Appeal**

If a teacher feels that a decision to dismiss them, or other action taken against them, is wrong or unjust, they may appeal in writing against the decision within five days of the decision, setting out at the same time the grounds for appeal.

Appeals will be heard without unreasonable delay and, where possible, at an agreed time and place. The same arrangements for notification and right to be accompanied by a companion will apply as with formal capability and review meetings and, as with other formal meetings, notes will be taken and a copy sent to the teacher.

The appeal will be dealt with impartially and, wherever possible, by managers or governors who have not previously been involved in the case.

The teacher will be informed in writing of the results of the appeal hearing as soon as possible.

### **Review of the policy**

The Board of Governors has delegated the review of appraisal policy to the Staffing, Care and Guidance Committee. The committee will review the appraisal policy annually, ahead of the next cycle of appraisal. The Board of Governors will take account of the Headteacher's report on its review of the appraisal policy. The policy will be revised as required to introduce any changes in regulation and statutory guidance to ensure that it is always up to date.

The Board of Governors will seek to agree to any revisions to the policy with the recognised professional association having regard to the results of consultation with all teachers.

To ensure teachers are fully conversant with the appraisal arrangement, all new teachers who join the school will be briefed on them as part of their induction to the school.

### **General Principles Underlying**

The policy will be implemented in accordance with the provisions of the ACAS Code of Practice.

### **Confidentiality**

The appraisal and capability processes will be treated with confidentiality. 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 appraisal system.

### **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.

### **Definitions**

Unless indicated otherwise, all references to "teacher" include the Headteacher.

### **Delegation**

Normal rules apply in respect of the delegation of functions by governing bodies, Headteachers and local authorities.

### **Grievances**

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

### **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. In some cases, it may be appropriate for monitoring and/or formal procedures to continue during a period of sickness absence.

### **Monitoring and Evaluation**

The governing body and Headteacher will monitor the operation and effectiveness of the school's appraisal arrangements to ensure compliance. This policy will be reviewed annually. This policy review will be undertaken by the Headteacher or nominated representative. 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.

Linked Documents  
Teachers Pay Policy  
Personnel Policy

## **1. Timescales**

### **Term 1**

Teacher reviews objectives for the appraisal cycle which is finishing.  
Teacher assesses themselves against current Teachers Standards and Career Stage Expectations.  
Teacher uses this assessment, previous lesson observation feedback and other information to consider objectives for next cycle.  
Teacher and Appraiser meet to discuss and produce the Appraisal Report. This written report needs to be with the Headteacher by 31st October. (Teacher to ensure Appraiser has a copy of their self-assessment of their performance against current Teaching Standards at least 48 hours before the Review Meeting.)

### **Term 2**

Headteachers Appraisal Meeting and Report to be produced by 31st December.  
Teachers first lesson observation to be completed by mid December. Lesson Observation to be copied to the Headteacher.

### **Term 4**

Teachers second lesson observation to be completed by mid March. Lesson observation to be copied to the Headteacher.  
Interim Review of Objectives to take place between Teacher and Appraiser by the end of term 4. A copy of the Interim Review Statement to be copied to the Headteacher.

### **Term 5&6**

Teachers ensure they have collected enough evidence for each of their targets  
Notes:  
Lesson observations which are part of HOD monitoring can also be used as an Appraisal Observation.  
If an inadequate lesson is observed the teacher must be seen again within two weeks. The usual school protocols will apply. (See Teaching & Learning Stepped response Support Document).

## Appendix 2



### **Pre-Performance Appraisal Checklist.**

**Please complete and bring to your Performance Appraisal Meeting**

- 1. Do I know what my targets from last year were?**
- 2. Have I prepared evidence that I have met my targets?**

	Brief overview of targets	Met?	Evidence Produced?
1.			
2.			
3.			

**3. What CPD opportunities do you feel would enable you to become a more effective practitioner in your current role?**

**4. What would you like to have achieved by the end of this academic year?  
What CPD would help you achieve this?**

**5. Where do you hope to be in your career in 3-5 years from now? What CPD will help you to achieve this?**

**6. What other opportunities for both professional and personal development would you like to be able to access that would help you in your role and on your career path?**

**Appendix 3:  
Lesson Observation Record Sheet**

#### **Appendix 4: Classroom observation protocol**

The Governing Body is committed to ensuring that classroom observation is developmental and supportive and that those involved in the process will:

- carry out the role with professionalism, integrity and courtesy;
- evaluate objectively;
- report accurately and fairly; and
- respect the confidentiality of the information gained.

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. "Other" formal observations and their focus should be discussed at the planning meeting at the start of the appraisal cycle.

The amount should be proportionate to the individuals need. This information should be recorded in the planning and review/appraisal report.

Where evidence emerges about the reviewees teaching performance which gives rise to concern during the cycle, classroom observations may be arranged, in addition to those recorded at the beginning of the cycle, subject to a revision meeting being held in accordance with the Regulations.

In addition to formal observation, Headteachers 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.

Information gathered during the observation will be used, as appropriate, for a variety of purposes which include 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 staff.

In keeping with the commitment to supportive and developmental classroom observation those being observed will be notified in advance.

Oral feedback will be given as soon as possible after the observation and no later than the end of the following working day. It will be given during directed time in a suitable, private environment.

Written feedback will be provided within five working days of the observation taking place. The written record of feedback also includes the date on which the observation took place, the lesson observed and the length of the observation. The teacher has the right to append written comments on the feedback document. No written notes in addition to the written feedback will be kept.

When this policy was reviewed, an equality impact assessment was conducted to ensure any changes did not have an adverse effect under the terms of the Equality Act 2010. Should you have any comments regarding this policy, please contact the school.

## **Appendix 5**

### **STANDARDS FOR TEACHERS September 2012**

Teachers make the education of their pupils their first concern, and are accountable for achieving the highest possible standards in work and conduct. Teachers act with honesty and integrity; have strong subject knowledge, keep their knowledge and skills as teachers up-to-date and are self-critical; forge positive professional relationships; and work with parents in the best interests of their pupils.

#### **PART ONE: TEACHING**

A teacher must:

##### **1 Set high expectations which inspire, motivate and challenge pupils**

- establish a safe and stimulating environment for pupils, rooted in mutual respect
- set goals that stretch and challenge pupils of all backgrounds, abilities and dispositions
- demonstrate consistently the positive attitudes, values and behaviour which are expected of pupils.

##### **2 Promote good progress and outcomes by pupils**

- be accountable for pupils' attainment, progress and outcomes
- plan teaching to build on pupils' capabilities and prior knowledge
- guide pupils to reflect on the progress they have made and their emerging needs
- demonstrate knowledge and understanding of how pupils learn and how this impacts on teaching
- encourage pupils to take a responsible and conscientious attitude to their own work and study.

##### **3 Demonstrate good subject and curriculum knowledge**

- have a secure knowledge of the relevant subject(s) and curriculum areas, foster and maintain pupils' interest in the subject, and address misunderstandings
- demonstrate a critical understanding of developments in the subject and curriculum areas, and promote the value of scholarship
- demonstrate an understanding of and take responsibility for promoting high standards of literacy, articulacy and the correct use of standard English, whatever the teacher's specialist subject. If teaching early reading, demonstrate a clear understanding of systematic synthetic phonics
- if teaching early mathematics, demonstrate a clear understanding of appropriate teaching strategies.

##### **4 Plan and teach well-structured lessons**

- impart knowledge and develop understanding through effective use of lesson time
- promote a love of learning and children's intellectual curiosity
- set homework and plan other out-of-class activities to consolidate and extend the knowledge and understanding pupils have acquired
- reflect systematically on the effectiveness of lessons and approaches to teaching
- contribute to the design and provision of an engaging curriculum within the relevant subject area(s).

### **5 Adapt teaching to respond to the strengths and needs of all pupils**

- know when and how to differentiate appropriately, using approaches which enable pupils to be taught effectively
- have a secure understanding of how a range of factors can inhibit pupils' ability to learn, and how best to overcome these
- demonstrate an awareness of the physical, social and intellectual development of children, and know how to adapt teaching to support pupils' education at different stages of development
- have a clear understanding of the needs of all pupils, including those with special educational needs; those of high ability; those with English as an additional language; those with disabilities; and be able to use and evaluate distinctive teaching approaches to engage and support them.

### **6 Make accurate and productive use of assessment**

- know and understand how to assess the relevant subject and curriculum areas, including statutory assessment requirements
- make use of formative and summative assessment to secure pupils' progress
- use relevant data to monitor progress, set targets, and plan subsequent lessons
- give pupils regular feedback, both orally and through accurate marking, and encourage pupils to respond to the feedback.

### **7 Manage behaviour effectively to ensure a good and safe learning environment**

- have clear rules and routines for behaviour in classrooms, and take responsibility for promoting good and courteous behaviour both in classrooms and around the school, in accordance with the schools behaviour policy
- have high expectations of behaviour, and establish a framework for discipline with a range of strategies, using praise, sanctions and rewards consistently and fairly
- manage classes effectively, using approaches which are appropriate to pupils' needs in order to involve and motivate them
- maintain good relationships with pupils, exercise appropriate authority, and act decisively when necessary.

### **8 Fulfil wider professional responsibilities**

- make a positive contribution to the wider life and ethos of the school
- develop effective professional relationships with colleagues, knowing how and when to draw on advice and specialist support
- deploy support staff effectively
- take responsibility for improving teaching through appropriate professional development, responding to advice and feedback from colleagues
- communicate effectively with parents with regard to pupils' achievements and wellbeing.

## **PART TWO: PERSONAL AND PROFESSIONAL CONDUCT**

A teacher is expected to demonstrate consistently high standards of personal and professional conduct. The following statements define the behaviour and attitudes which set the required standard for conduct throughout a teachers career.

Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by:

- treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teachers professional position

- having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions showing tolerance of and respect for the rights of others
- not undermining fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs
- ensuring that personal beliefs are not expressed in ways which exploit pupils' vulnerability or might lead them to break the law.
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards in their own attendance and punctuality.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

## **Appendix 6**

### **Pay Progression Evidence**

In order to be eligible for pay progress teachers will need to demonstrate that:-

1. Good progress is made by pupils across all ages and ability groups and that this has been sustained throughout the year

Evidence from:-

- a. Lessons observations
- b. Data
- c. Marking and feedback

2. Strong commitment to professional development

Evidence from:-

- a. Writing and implementing effective schemes of work
- b. Improving subject knowledge from INSET/visiting other schools
- c. High level of professional skill eg marking and feedback and that pupils are engaging with the feedback regularly

3. Strong commitment to the school

Evidence from:-

- a. Developing and delivering INSET
- b. Coaching and mentoring colleagues
- c. Being part of a focus group within school
- d. Input into the Teaching School programme
- e. Development of the school strategies within their department
- f. Attendance at important school events
- g. Contribution to the wider life of the school, including f above

Evidence for this will be found as part of the Appraisal documentation

## Appendix 7



### Pittville School Appraisal Process - Significant Concerns Form 2018-2019

**Date**

<b>Appraisee</b>	
<b>Appraiser</b>	
<b>Date</b>	
<b>Details of Concern:</b>	
<b>Strategies for improvement:</b>	
<b>Support:</b>	
<b>Timescale and Review Date</b>	