



Pennine Academies Yorkshire

Head Teacher and Teacher Appraisal Policy

2020 - 2021

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1. Introduction

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

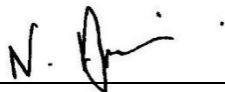
The Appraisal Regulations set out the principles that apply to teachers in all maintained schools and unattached teachers employed by a local authority, in each case where they are employed for one term or more. They retain the key elements of the 2006 Regulations but allow schools more freedom to design arrangements to suit their own individual circumstances. They provide the minimum national framework within which schools should operate and say nothing, or very little, on many subjects on which the 2006 Regulations made detailed provision. If they wish, schools may include in their own policies details that are no longer covered by the Appraisal Regulations.

Schools and local authorities must stay within the legal framework set out in the Appraisal Regulations and in other relevant legislation that affects all employers (for example legislation on equality, employment protection and data protection).

Schools and local authorities must have an appraisal policy for teachers and a policy, covering all staff, which deals with lack of capability.

The model policy covers appraisal and should be used as a reference point by schools and others as they review their policies to reflect the Appraisal Regulations.

Signed by:



Chair of Trustees

Date: November 2020

2. Model Policy and Procedure

The Trust Board of Pennine Academies Yorkshire adopted this policy and procedure on 20/10/2020 .

It will review it annually, next in September 2021.

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

The Trust Board and Local Committee is committed to ensuring consistency of treatment and fairness in the operation of performance management.

Purpose

The Trust Board believes that the school can only be fully effective in delivering a service to pupils and the community if it has well trained motivated, committed and competent staff.

In support of these aims this policy and procedure sets out the framework for a clear and consistent assessment of the overall performance of support staff and teachers, including the Head teacher, and for supporting their development within the context of the school's plan for improving educational provision and performance, and the standards expected of teachers and other occupational groups. In the case of support staff, these members of staff will be assessed against the relevant job description for their post in school and the context in which they work in school.

It also sets out the arrangements that will apply when staff are experiencing difficulties in meeting the standards that are expected of them.

The appraisal procedure will be used also to address any concerns that are raised about a member of staff's performance.

Where teachers are eligible for pay progression, the assessment of performance throughout the cycle, against the performance criteria specified in the statement, will be the basis on which the recommendation is made by the appraiser.

Application of the policy

This policy applies to the Head teacher and other members of the Leadership Team, to teachers and to all other staff 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 capability procedures.

The Appraisal Period

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

Staff 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.

There is flexibility to have a longer or shorter appraisal period when the staff member begins or ends employment with a school or local authority or when unattached teachers change post within the same authority. Where a teacher starts their employment at the school part-way through a cycle, the Head teacher or, in the case where the employee is the head teacher, the Chief Executive 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. The appropriate manager will inform the staff member of the arrangement where this applies.

Appointing Appraisers

The role of the Appraiser in school will involve the managing of all aspects of the Appraisal Cycle for the members of staff for which they are responsible. This will include where appropriate, pay progression recommendations being made to the relevant school leader.

As part of their role, the Appraiser at the start of the appraisal review period will complete a planning statement for each member of staff. Schools should create their own planning statements which should include the following information;

1. The number of formal lesson observations to take place within the appraisal cycle.
2. The duration of the formal lesson observations to take place within the appraisal cycle.
3. The person that will act as the member of staff's appraiser during the appraisal cycle.
4. The focus of the observations over the appraisal cycle.
5. When during the appraisal cycle the observations will take place.
6. The objectives which the member of staff will work towards achieving over the appraisal period.
7. The support/training that will be in place over the appraisal cycle for the member of staff to help them to develop and achieve their objectives.

For Head teachers

The task of appraising the Head teacher, including the setting of objectives, will be delegated to sub-Committee consisting of a the Trust Chief Executive, a maximum of two governors one of who needs to be the Chair of Local Committee two and an External Advisor appointed by the Trust. The external advisor needs to be suitably qualified.

Where a Head teacher is of the opinion that any of the governors appointed by the Local Committee 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. A quorate meeting of the Local Committee will decide on the matter.

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

The headteacher alongside Chair of Local Committee, Chief Executive and external advisor will determine up to 5 objectives to be addressed during the course of the year.

Objective 1 : Standards (Mandatory)

Objective 2: Curriculum

Objective 3: School development

Objective 4: Financial (Mandatory)

Objective 5: Trust (Mandatory)

Headteacher assessments in light of coronavirus

The DfE has stated that if your headteacher is paid according to the School Teachers' Pay and Conditions Document (STPCD), you must continue to adhere to it when appraising your headteacher's performance in the past year. However, the guidance goes on to say that you should use your "discretion and take pragmatic steps to adapt performance management and appraisal arrangements to take account of the current circumstances" (see the section on 'performance management and appraisal').

There are a few general principles to keep in mind when reviewing performance this year:

- Look only at performance from September up until school closures in March 2020 - no one should be penalised for events linked to coronavirus. If you look at performance beyond March, you may unconsciously discriminate against those headteachers who weren't able to meet objectives due to conditions beyond their control (e.g. shielding, working remotely, etc)
- Continue to link progression to performance on the objectives set before schools closure - avoid considering any factors outside of these objectives
- If you had capability concerns before March, it's fair to refuse to award progression based on those concerns - while it's true that your headteacher might not have had the chance to turn things around due to school closures, it's not necessary to assume that things would've turned around had it been a normal year
- Don't use pay progression to reward a headteacher who went above and beyond during school closures - this might seem counter-intuitive, but doing so can actually be discriminatory against a headteacher who couldn't do the same due to circumstances out of their control. Do recognise the hard work of those who excelled during school closures, but do so in another way

For Teachers

All appraisers of teachers, other than those appraising Head teachers, will be teachers who have qualified teacher status, will be suitably trained and, preferably, will have current or recent teaching experience. The Head teacher will appraise members of the school's Leadership Team and will decide who will appraise other teachers and staff.

Where a staff member has an objection to the Head teachers' choice, their concerns will be carefully considered by the Head teacher and, where both possible and appropriate, an alternative appraiser will be offered.

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

For all other staff

The appraiser of all other staff will be an appropriate manager, as determined by the Head teacher.

For staff experiencing difficulties

Where a staff member is experiencing difficulties and the Head teacher is not the appraiser, the Head teacher may undertake the role of appraiser or delegate this role to a Deputy Head teacher. (See also section on Staff Experiencing Difficulties).

Setting Objectives

The Head teachers' objectives will be set by the Governor Appraisers appointed by the Governing Body after consultation with the Head teacher and the external adviser.

Objectives for each member of staff will be set before, or as soon as practicable after, the start of each appraisal period and unless there are exceptional circumstances (e.g. maternity/paternity leave or sickness absence), no later than the end of October. The objectives set for each member of staff, will be:

Specific, Measurable, Achievable, Realistic and Time-bound

and will be appropriate to the staff member's role and level of experience.

The appraiser and the staff member 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. Should the objectives not be agreed, the final decision on allocation of objectives rests with the Head teacher.

The objectives set for each staff member including the Head teacher will, if achieved, contribute to the efficient management of the school and its plans for improving the school's educational provision and performance and improving the education of pupils at that school. This will be ensured by quality assuring all objectives against the school improvement plan and the school's organisational needs. Well-designed objectives should also take into account the professional aspirations of the staff member and will have regard to the time available to fulfil the objectives and his or her well-being and work/life balance.

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 staff member works and it will be recognized that factors outside the staff member's control may significantly affect success.

Setting too many objectives, or, for example, using sub-targets, can lead to staff experiencing unreasonable workload and pressure, making the objectives more difficult to achieve. Therefore, other than in exceptional circumstances, no staff member will normally be given more than three objectives but the number of targets may vary between staff members taking account of the difficulty and/or complexity the targets set.

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.

The performance management cycle is annual, but on occasions it may be appropriate to set objectives that will cover a period over more than one cycle. In such cases, the basis on which the progress being made towards meeting the performance criteria for the objective will be assessed at the end of the first cycle and will be recorded in the planning and review statement at the beginning of the cycle.

Before, or as soon as practicable after, the start of each appraisal period, each staff member will be informed of the standards against which 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 and progress towards set objectives. At the end of the appraisal cycle, providing the teacher has proved competent in the relevant teacher standards and made good progress towards set objectives, then the performance management cycle will be deemed to be a successful one unless clear, compelling evidence to the contrary is provided and any concerns have been raised, in writing, at the time with the teacher and appropriate support has been identified and provided. The Head teacher or Governing Body (as appropriate) will need to consider whether certain teachers should be assessed against other sets of standards published by the Secretary of State or other body that are relevant to them. For QTLS holders, that may include the overarching professional standards for teachers in the lifelong learning sector, held by the Learning and Skills Improvement Service.

Moderation

The school will operate a system of moderation to ensure that all appraisers are working to the same standards. The Head teacher will be responsible for ensuring that targets are moderated across the school to ensure that they are consistent between staff with similar experience and levels of responsibility. Additionally, the Head teacher will ensure that all appraisal processes comply with the school's performance management policy, the relevant regulations and the requirements of equality legislation.

All appraisers will be provided with training to enable them to discharge all aspects of their role appropriately and effectively, including the conduct of performance management reviews, objective setting, classroom observation, and providing quality feedback to appraisees.

The Governing Body will review the quality assurance processes when the performance policy is reviewed.

Reviewing Performance

Performance will be reviewed on an on-going basis, evaluating information from a range of sources and not just the appraisal meetings.

Observation

For teachers and other staff working with children, this school believes that observation of classroom practice and other associated responsibilities is important both as a way of assessing performance in order to identify any particular strengths and areas for development they may have and also to gain useful information which can inform school improvement more generally. All observations will be carried out in a supportive fashion.

Schools may like to be more specific here about how observations will be conducted. An example lesson protocol is included as an appendix of this policy

In this school, teachers' performance will be observed on an appropriate and reasonable number of occasions but the amount and type of classroom observation will depend on the individual circumstances of the teacher and the overall needs of the school. Observations should not normally exceed 3 hours per academic year. Classroom observation will be carried out by those with QTS. In addition to formal observation, Head teachers or other leaders with responsibility for teaching standards may "drop in" in order to evaluate the standards of teaching and to check that high standards of professional performance are established and maintained. The length and frequency of "drop in" or other observations, and the notice to be given, may vary depending on specific circumstances but will be in accordance with the school's classroom observation and drop-in policy.

In the observation process, account will be taken of any particular factors which might affect performance on that day.

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

Training and Support

Appraisal is a supportive process which will be used to inform continuing professional development. All staff will be encouraged to learn and develop so that they can perform their roles to a high standard and the appraisal process will play an important part in this process. The school wishes to encourage a culture in which all teachers and other staff take responsibility for improving their practise through appropriate professional development, through peer observation for example.

The school's CPD programme will be informed by the training and development needs identified as part of the appraisal process. The Governing Body will ensure in the budget planning that, as far as possible, resources are made available in the school budget for appropriate training, and support agreed for appraisees, maintaining access on an equitable basis.

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

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

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

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

Professional development will be linked to school improvement priorities and to the ongoing professional development needs and priorities of individual teachers and other staff.

Feedback during the Appraisal Year

Staff will receive feedback on their performance throughout the year and as soon as practicable after observations have taken place or other evidence has come to light. Where matters require discussion with the staff member there is no reason why this must wait until the next appraisal review meeting. The feedback will be constructive and will highlight particular areas of strength as well as any areas that need attention and what needs to be done to develop areas of weakness.

Annual Assessment

Each staff member's performance will be formally assessed in respect of each appraisal period and, in the case of assessing the performance of the Head teacher, the Governing Body's delegated sub-Committee 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 as and when necessary, but does not preclude the need for ongoing dialogue with members of staff throughout the year.

The staff member will receive a written appraisal report as soon as practicable following the end of each appraisal period, and have the opportunity to comment in writing on it. In this school, staff members will receive their written appraisal reports by 31 October (31 December for the Head teacher), or by the end of the term in which the annual assessment was completed. The appraisal report will be drawn up in discussion with both the appraiser and appraisee and will include:

- details of the staff member's objectives for the appraisal period in question;
- an assessment of the staff member's performance of their role and responsibilities against their objectives, in the context of the relevant standards;
- an assessment of the staff member'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 for staff covered by teachers' conditions of service

NB To move up the main pay range, teachers will need to show that they have been judged as having a successful performance appraisal. This will include competency in the Teachers' Standards and good progress towards set objectives. Where a teacher has had exceptional performance during the appraisal period, the Governing Body will consider using its discretion to award enhanced pay progression. However where the appraisal process has raised concerns about performance, which have been shared with the teacher in writing at the time, and these have not been sufficiently addressed, the performance appraisal will be judged as unsuccessful and no pay progression will be awarded. Where an individual has been unable to achieve a successful appraisal cycle and the reasons for this are beyond the control of the member of staff, or there have been extenuating circumstances, the governing body has the discretion to award an increment if they so wish.

Pay recommendations need to be made by 31 December for Head teachers and by 31 October for other teachers

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

Appeals

Staff will have the right to comment on the appraisal report and through discussion the need to appeal may be avoided.

Appraisees have a right of appeal against any of the entries in the written appraisal report. Details of the appeals process are available from the Head teacher or from the school Governing Body. The first line of appeal will be by making representations at a meeting with the appraiser or the Governing Body sub-committee in the case of the Head teacher. If the matter is still unresolved after this stage the matter will be heard by the Appeals Committee of the Governing Body using the school's grievance procedures.

Where the Head teacher has not been recommended for pay progression he/she will be informed by the appropriate governor. The Head teacher will notify any staff member who has not been recommended for pay progression of the date when the Governing Body meets to consider pay recommendations, following which the teacher (and Head teacher when the head has not been 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. Appeals on matters relating to pay progression will be dealt with under the procedure set out in the school's pay policy.

Confidentiality

The whole performance management process and the statements generated under it, in particular, will be treated with strict confidentiality at all times. Only the appraisees' line manager or, where he or she has more than one, each of his or her line managers, will be provided with access to the appraisees' plan recorded in his or her statement, upon request, where this is necessary to enable the line manager to discharge his or her line management responsibilities. Appraisees will be told who has requested and who has been granted access.

Retention of Statements

Performance management planning and review statements will be retained for a minimum period of six years.

3. Staff experiencing difficulties during the appraisal cycle.

The approach taken with the appraisal cycle is to encourage staff to develop their skills and expertise. Whilst it is perfectly normal for progress through the appraisal cycle to be monitored and additional support provided where necessary, occasionally a staff member may be identified as having particular difficulties in achieving a satisfactory standard of performance.

Meeting to discuss difficulties and additional support

If an appraiser identifies through the appraisal process that the staff member is experiencing difficulties in reaching the expected standard of performance, and that the use of capability procedures could be necessary if the situation is not rectified, a meeting will be arranged to discuss the situation. Concerns may arise through appraisal monitoring, observations of performance or via other sources of information (for example parental complaints).

At least 5 working days' notice of the meeting will be given and the staff member will be informed that he/she has the right to be assisted by a representative of an independent trade union or workplace colleague at the meeting.

The meeting will be conducted by the appraiser, the Head teacher, or a member of the leadership team. The purpose of the meeting will be to:

- give clear feedback about the nature and seriousness of the concerns;
- given the opportunity to comment and discuss the concerns;

Possible outcomes of this discussion

- it is agreed that the concerns do not merit special support over and above the normal arrangements for all staff and that normal appraisal arrangements should continue

or

- it is decided that special support under an Action Plan would be beneficial

and

- in all cases the staff member will be advised that the school's capability procedure may be used if under-performance continues and that the aim was to avoid such an eventuality

Preparing the Action Plan

- discuss targets for improvement;
- agree an Action Plan in consultation with the staff member, which includes any possible forms of support (e.g. coaching, training, in-class or on the job support, mentoring, structured observations, opportunities to observe outstanding practitioners and discussions with outside experts), that will be provided to help address those specific concerns;
- Make clear how, and by when, the appraiser will review progress and set dates for Review Meetings (see flow-chart).
- It may be appropriate during the process to revise objectives, and it will be necessary to allow sufficient time for improvement. The amount of time is up to the school but should reflect the seriousness of the concerns:
- explain the implications and process if no, or insufficient, improvement is made, including the possible use of capability procedures;
- where it is apparent that a staff member's personal circumstances or health are contributing to the difficulties at school, appropriate support including access to occupational health, will be offered as soon as possible, without waiting for the formal annual assessment.
- date for a final review meeting should be set reflecting the time allowed for improvement and that the outcome of this meeting could result in:
 - the staff member has improved performance so that this is no longer a concern
 - continued support where good progress towards improvement is being made
 - the use of capability procedures is considered
- The outcome of the meeting will be confirmed in writing including details of the Action Plan, the expected standards of performance and the timescale for improvement.

When dealing with a staff member experiencing difficulties, the objective is to provide support and guidance through the appraisal process in such a way that the staff member's performance improves and the problem is, therefore, resolved and the use of capability procedures becomes unnecessary.

The staff member also has a responsibility to engage with the support programme and to discuss with the appropriate manager any other forms that may be of assistance.

If sufficient progress is made such that the staff member is performing at a level that indicates there is no longer a possibility of capability procedures being invoked then he or she should be informed of this at a formal meeting with the appraiser or Head teacher and confirmed in writing. Following this meeting the appraisal process will continue as normal.

Where concerns about the staff member's progress persist, he or she will continue to be monitored as part of the appraisal process and a reasonable time given for their performance to improve. The amount of time allowed for improvement will depend upon the circumstances with appropriate support as agreed in the Action Plan, in order that the aim of recovering and improving performance can be achieved. During this monitoring period the staff member will be given regular feedback on progress and arrangements will be made to modify the support programme if appropriate.

NB A decision not to award a pay increment should not be made unless concerns about standards of performance have been raised in writing and discussed with the teacher as part of the normal appraisal cycle and also where the concerns raised have not been sufficiently addressed through appropriate support provided by the school.

4. General Principles Underlying This Policy

Consistency of Treatment and Fairness

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

Sickness

If long term sickness absence appears to have been triggered by the commencement of the appraisal 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 process, the process may be temporarily suspended in order to deal with the grievance.

Confidentiality & Professional Relationships

The appraisal processes will be treated with confidentiality. Only the appraiser's line manager or, where he or she had more than one, each of his or her line managers will be provided with access to the appraisees' plan recorded in his or her statements. This will be done upon request and only where this is necessary to enable the line manager to discharge his or her 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 staff. The governing body recognises that the appraiser will consult with, and seek to secure the agreement of, the appraisee before seeking information from other colleagues about his or her work.

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

Monitoring and Evaluation

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

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

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

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

Retention

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