

## **P324a Model Teacher Performance Management Policy for Schools**

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### **Introduction**

The model performance management policy (on pages 5 to 21 of this document) has been prepared for schools to use to support the implementation of the revised appraisal arrangements set out in The Education (School Teachers' Appraisal) (England) Regulations 2012.

These regulations came into force on 1 September 2012. The revised regulations have applied for pay progression purposes from 1 September 2013. Schools should ensure that all teachers are briefed on the appraisal arrangements.

Statutory Instrument 2012 No 155 sets out the requirements on governing bodies and school leaders in relation to the appraisal process.

The regulations require that the Governing Body shall ensure that the appraisal of teachers and the head teacher is managed and reviewed in accordance with the regulations and the school's appraisal policy. Before establishing or revising the school's appraisal policy the Governing Body shall seek to agree the policy with the recognised trade unions, having regard to the results of the consultation with all teachers.

As the school is required to demonstrate the link between appraisal, school improvement and its development plan it is good practice to consult all teachers on the school improvement and development plan and self-evaluation process.

In the model policy text in **Bold** is required by regulation. Text in ***Bold italics*** identifies issues which are required by regulation but where there are options on the way they are interpreted. Text in *Italics* is good practice guidance recommended for inclusion.

The model appraisal policy applies only to teachers and head teachers. There are no national appraisal regulations which apply to support staff and there is no national agreement on appraisal with support staff unions. A model policy is being prepared for Schools PeopleNet and will be available shortly

The model appraisal policy does not duplicate everything that is covered by regulations and guidance, rather it sets out what are considered to be the key points for school policies. For this reason this policy should be read in conjunction with the regulations.

This model policy has been written in the context of schools, but the same principles apply equally to the appraisal of 'unattached' teachers i.e. those that are Centrally Employed.

### **Equal Opportunities and Scope**

The school expects employees to adhere to this policy in line with the school's obligations under equality legislation. Headteachers must ensure that all reasonable adjustments or supportive measures are considered to allow equality of access and opportunity regardless of age, gender, ethnicity, sexual orientation, disability, faith or religion, gender identity, pregnancy or marital status.

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The Governing Body of Wicklewood School adopted this appraisal policy on 11th October 2012

### **1. Application of the policy**

The policy is in two separate sections.

**The policy applies to the head teacher and to all teachers employed by the school or local authority, except those on contracts of less than one term, those undergoing induction (i.e. NQTs) and those who are subject to action under the Formal Capability Procedure.**

### **2. Purpose**

This policy sets out the framework for a clear and consistent assessment of the overall performance of 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. It also sets out the arrangements that will apply when teachers fall below the levels of competence that are expected of them.

### **3. Links to school improvement, school self evaluation and school development planning**

*To comply with the requirement to show how the arrangements for appraisal link with those for school improvement, school self-evaluation and school development planning and to minimise workload and bureaucracy the appraisal process will be the main source of information as appropriate for school self-evaluation and the wider school improvement process.*

*Similarly, the school improvement and development plan and the school's self evaluation statement are key documents for the appraisal process.*

*All appraisers are expected to explore the alignment of reviewees' objectives with the school's priorities and plans. The objectives should also reflect reviewees' professional aspirations.*

### **4. Consistency of treatment and fairness**

*The Governing Body is committed to ensuring consistency of treatment and fairness in the operation of appraisal.*

*To ensure this the following provisions are made in relation to moderation, quality assurance and objective setting.*

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### **5. Quality assurance**

*The head teacher has determined that they will:*

Option 1  
***be the reviewer for all teachers.***

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### **The Governing Body will:**

*nominate two governors from the Staffing Committee who will not be involved in the head teacher's performance management or any appeal regarding the head teacher's performance management **to ensure that the head teacher's appraisal report is consistent with the school's improvement priorities and complies with the school's performance management policy and the Regulations.***

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

### **6. Objective setting**

*Objectives will be set before or as soon as practicable after the start of the appraisal period. The objectives set will be rigorous, challenging, achievable, time-bound, fair and equitable in relation to teachers with similar roles/responsibilities and experience, and their relevant standards. **They will have regard to what can reasonably be expected of any teacher in that position given the desirability of the appraisee being able to achieve a balance between the time required to discharge his professional duties and the time required to pursue his personal interests outside work. They shall also take account of the teacher's professional aspirations and any relevant pay progression criteria. They should be such that, if they are achieved, they will contribute to improving the progress of pupils at the school.***

*The appraiser and appraisee will seek to agree the objectives but where a joint determination cannot be made the appraiser will make the determination.*

*In this school*

- The appraiser will determine the number and focus of the appraisee's objectives, having regard to the need to meet individual, team and whole school requirements.*
- The appraisal 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.*

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### **7. Annual assessment**

*Appraisal is an assessment of overall performance of teachers and the head teacher, and will be based on:*

- 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 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 (NB – pay recommendations need to be made by 31 December for head teachers and by 31 October for other teachers);**
- *(schools to say here what else, if anything, their appraisal reports will include).*

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

### **8. Reviewing Progress and Performance**

When dealing with a teacher experiencing difficulties, the objective is to provide support and guidance through the appraisal process in such a way that the teacher's performance improves and the problem is, therefore, resolved.

Where it is apparent that a teacher's personal circumstances are leading to difficulties at school, support will be offered as soon as possible, without waiting for the formal annual assessment.

If an appraiser identifies through the appraisal process, or via other sources of information, for example parental complaints, that the difficulties experienced by a teacher are such that, if not rectified, could lead to capability procedures the appraiser, the head teacher, or a member of the leadership team, will, as part of the appraisal process meet the teacher to:

- give clear written feedback to the teacher about the nature and seriousness of the concerns;
- give the teacher the opportunity to comment on and discuss the concerns;
- give the teacher at least 5 working days' notice that a meeting will be held to discuss targets for improvement alongside a programme of support, and inform the teacher that they have the right to be assisted by a representative of an independent trade union or work place colleague, and at any future meetings where capability will be discussed;
- in consultation with the teacher at the above meeting, an action plan with support will be established (for example coaching, training, in-class support, mentoring, structured observations, visits to other classes or schools or discussions with

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- advisory teachers), that will help address those specific concerns;
- make clear how progress will be monitored and when it will be reviewed;
- explain the implications and process if no – or insufficient – improvement is made.

The teacher's progress will continue to be monitored as part of the appraisal process and a reasonable time given for the teacher's performance to improve. This will depend upon the circumstances, with appropriate support as agreed in the Action Plan, in order that the aim of recovering and improving performance can be achieved. During this monitoring period the teacher will be given regular feedback on progress and arrangements will be made to modify the support programme if appropriate.

If sufficient progress is made such that the teacher is performing at a level that indicates there is no longer a possibility of capability procedures being invoked the teacher should be informed of this at a formal meeting with the appraiser or head teacher. Following this meeting the appraisal process will continue as normal.

If no, or insufficient, improvement has been made over this period, the teacher will be invited to a First Formal Capability Meeting under the Formal Capability Procedure to determine whether formal capability proceedings need to be commenced or the appraisal process remains in place. The teacher may be assisted by a trade union representative or work colleague and will have at least 5 working days notice of the meeting.

### **9. Appeals**

**At specified points in the appraisal process teachers and head teachers have a right of appeal against any of the entries in their planning and assessment report.** *Where a reviewee wishes to appeal on the basis of more than one entry this would constitute one appeal hearing.*

The Governing Body must set up a committee (Performance Management Appeals Committee) which would hear appraisal appeals in accordance with this. The members of this Committee should not have participated in the appraisal process in the current round. The Chair of the Appraisal Appeals Committee must inform the member of staff of the outcome of the appeal and should also notify the Governing Body.

Details of the appeals process are set out in Annex 2.

### **10. Confidentiality**

*The whole appraisal process and the planning and assessment report generated under it, in particular, will be treated with strict confidentiality at all times. Only the reviewee's line manager or, where they have more than one, each of their line managers will be provided with access to the reviewee's plan recorded in their statement, upon request, where this is necessary to enable the line manager to discharge their line management responsibilities. Reviewees will be told who has requested and has been granted access.*

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*Confidentiality does not override the need for the head teacher (and for the headteacher, governors) to quality assure the process and effectiveness of the appraisal system. The professional development annex of the assessment report may be made available to the CPD co-ordinator.*

*Where teachers or headteachers move schools, during or at the end of the appraisal cycle, they can request that their appraisal report is sent to their next school to enable continuity in the appraisal process and any pay eligibility progression.*

### **11. Training and support**

*The school's CPD programme will be in part ,informed by the training and development needs identified in the training annex of the appraisees' appraisal statements.*

*The governing body will ensure in the budget planning that, as far as possible, appropriate resources are made available in the school budget for any training and support agreed for appraisees.*

*An account of the training and development needs of teachers in general, including the instances where it did not prove possible to provide any agreed CPD, will form a part of the head teacher's annual report to the governing body about the operation of the performance management in the school.*

*With regard to the provision of CPD in the case of competing demands on the school budget, a decision on relative priority will be taken with regard to the extent to which: (a) the CPD identified is essential for an appraisee to meet their objectives; and (b) the extent to which the training and support will help the individual's and school to achieve their priorities. Teachers should not be held accountable for failing to make good progress towards meeting their performance criteria where the support recorded in the appraisal report has not been provided.*

### **12. Appointment of appraisers for the Head teacher**

#### **Appointment of Governors:**

**The Governing Body is the appraiser for the head teacher *and to discharge this responsibility on its behalf will appoint 2 or 3 governors to carry out this function.* They will carry out this process with the support of an external adviser.**

#### **Appointment of External Adviser**

**The head teacher will be appraised by the Governing Body, supported by a suitably skilled and experienced external adviser who has been appointed by the Governing Body for that purpose.**

#### **Appointment of reviewers for teachers**



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**In the case where the head teacher is not the teacher's line manager, the head teacher may delegate the duties imposed upon the appraiser, in their entirety, to the teacher's line manager. In this school the head teacher has decided that:**

***The head teacher will be the appraiser for all teachers in this school.***

### **13. The Appraisal cycle**

**The performance of the head teacher and teachers must be reviewed on an annual basis. Performance planning and reviews must be completed for all teachers by 31 October and for head teachers by 31 December.**

***The appraisal cycle in this school, therefore, will run from 1<sup>st</sup> September to 31<sup>st</sup> August for teachers, and from 1<sup>st</sup> January to 31<sup>st</sup> December for the head teacher.***

*Teachers who are employed on a fixed term contract of at least one term but less than one year, will have their appraisal in accordance with the principles underpinning the provisions of this policy. The length of the cycle will be determined by the duration of their contract.*

**Where a teacher starts their employment at the school part-way through a cycle, the head teacher or, in the case where the teacher is the head teacher, the governing body shall determine the length of the first cycle for that teacher, with a view to bringing their cycle into line with the cycle for other teachers at the school as soon as possible.**

**Where a teacher transfers to a new post within the school part-way through a cycle, the head teacher or, in the case where the teacher is the head teacher, the governing body shall determine whether the cycle shall begin again and whether to change the reviewer.**

### **14. Retention of appraisal reports**

*Appraisal reports should be retained in a safe and secure manner for a period of 6 years and should then be destroyed.*

### **15. Monitoring and evaluation**

*The governing body will monitor the operation and outcomes of appraisal arrangements.*

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The head teacher will provide the governing body with a written report on the operation of the school's appraisal policy annually. The report will not contain any information which would enable any individual to be identified. The report will include:

- the operation of the appraisal policy;
- the effectiveness of the school's appraisal procedures;
- teachers' training and development needs
- impact of appraisal on school improvement
- measures to support or address any poor performance

*The Governing Body is committed to ensuring that the appraisal process is fair and non-discriminatory.*

*On appointment, all teachers will be invited to provide the following personal data:*

- Race
- Sex
- Sexual orientation
- Disability
- Religion and belief
- Age
- Part-time contracts
- Trade union membership.

*The head teacher will, therefore, also report annually to the Governing Body (may be delegated to the personnel committee), in a confidential section, appropriate details of:*

- 1. any appeals or representations on an individual or collective basis on the grounds of alleged discrimination under any of the categories above in relation to performance management*
- 2. cases, including the circumstances, where teachers have not made satisfactory progress towards objectives*
- 3. any instances where the training and development set out in the training and development annex of a planning and review statement has not been provided*

*Where the relevant personal data is available the head teacher will include an analysis of the cases specified in 1 to 3, above. However, the report will not enable any individual to be identified.*

### **16. Review of the policy**

**The Governing Body (may be delegated to the Staffing committee) will review the appraisal policy every school year at its Autumn Term meeting.**

*The Governing Body will take account of the head teacher's report in its review of the appraisal policy. The policy will be revised as required to introduce any changes in regulation to ensure that it is always up to date.*

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**The Governing Body will seek to agree any revisions to the policy with the recognised trade unions having regard to the results of the consultation with all teachers.**

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

### **17. Access to documentation**

*Copies of the school improvement and development plan and any other associated documents can be obtained from the school office.(or other specified place)*

### **18. Classroom observation**

**All classroom observation will be undertaken in accordance with the appraisal regulations**

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 Annex 1. *(Schools may like to be more specific here about how observations will be conducted – or to refer to any separate document that clarifies how classroom observation will be conducted in their school).*

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. 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" observations will vary depending on specific circumstances *(schools may wish to be more specific about "drop in" observations).*

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

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### **Annex 1 - 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 throughout the year with professionalism, integrity and courtesy;*
- *evaluate objectively;*
- *report accurately and fairly; and*
- *respect the confidentiality of the information gained.*

*The amount of observation for each teacher should reflect and be proportionate to the needs of the individual.*

*Information gathered during the observation will be used, as appropriate, for a variety of purposes including to inform 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.*

**Classroom observations will only be undertaken by persons with QTS.** *In addition, in this school classroom observation will only undertaken by those who have had adequate preparation and the appropriate professional skills to undertake observation and to provide constructive oral and written feedback and support, in the context of professional dialogue between colleagues.*

*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. Feedback will highlight strengths and areas that need attention. Where there are concerns about any aspect of the teacher's performance, the appraiser will give clear feedback and give the teacher the opportunity to comment and discuss the findings and to agree any support*

**Written feedback will be provided within five working days of the observation taking place.** *If issues emerged from an observation that were not part of the focus of the observation as recorded in the planning and review statement these should also be covered in the written feedback and the appropriate action taken in accordance with the regulations and guidance. This will include details on how the appraiser will continue to review progress and the implications of the process, if progress was insufficient and continued to be so.*

*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.*

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*A head teacher has a duty to evaluate the standards of teaching and learning and to ensure that proper standards of professional performance are established and maintained. Heads have a right to drop in to classrooms to inform their monitoring of the quality of learning.*

*Clearly the appraisal arrangements are integral to fulfilling this duty and head teachers may consider the classroom observations they have agreed for appraisal are sufficient and that drop in will not be needed.*

*In this school:*

Option 1  
*drop ins will be undertaken by the head teacher or other staff as mutually agreed.*

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### **ANNEX 2**

#### **Pay and Performance Management Appeal Procedure**

A member of staff may make an appeal against any determination or proposed determination in relation to his/her pay or performance management.

i) The possible grounds for appeal are that the person or committee by whom the decision was made:

- incorrectly applied any provision of the Teacher Appraisal Regulations;
- failed to have proper regard for the relevant statutory guidance;
- failed to take proper account of relevant evidence;
- took account of irrelevant or inaccurate evidence;
- failed to apply the school's own performance management policy;
- was biased; or
- otherwise unlawfully discriminated against the teacher.

Or

*The School will undertake its own arrangements to deal with grading appeals: these are set out in Annex – (to be completed by the School) to this document.*

(ii) Any appeal against non-spinal column point progression will not be dealt with by this procedure. Such appeals will be dealt with by the school's Pay Policy Appeal Procedure.

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### ANNEX 2(a)

#### Performance Management Appeal Procedure

#### **Procedure at a Hearing of the Performance Management Appeal Committee of the Governing Body (Headteacher)**

1. The committee should elect a Chair who should then introduce those present and explain the purpose of the hearing.
2. The Headteacher, or nominated person, should present evidence on the case, referring to any relevant documentation.
3. The designated member of the appropriate Performance Management Committee should be given the opportunity to ask questions.
4. The members of the committee and their adviser(s) should be given the opportunity to ask questions.
5. The designated member of the appropriate Performance Management Committee should present his/her case referring to any relevant documentation.
6. The Headteacher, or his/her representative, should be given the opportunity to ask questions.
7. The members of the Committee and their adviser(s) should be given the opportunity to ask questions.
8. The Headteacher, or his/her representative, should make a closing statement.
9. The designated member of the appropriate Performance Management Committee should make a closing statement.
10. The Chair of the Performance Management Appeal Committee should call an adjournment. All parties will be required to withdraw except members of the Committee and their adviser(s) who consider the evidence, discuss the case and the Committee will reach a decision.

#### **Note**

The Chair of the Committee may vary the order of procedure in exceptional circumstances and at any stage in the proceedings a request by either side for the Chair may be granted at the discretion of the Committee.

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11. The Performance Management Appeals Committee will deliberate in private and will communicate their decision to all parties within 48 hours.
12. The decisions of the Governing Body's Performance Management Appeals Committee are final and there is no recourse to the staff grievance procedure.



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### **ANNEX 2<sup>(b)</sup>**

#### Performance Management Appeal Procedure

#### **Procedure at a Hearing of the Performance Management Appeal Committee of the Governing Body (for staff other than the Headteacher)**

1. The committee should elect a Chair who should then introduce those present and explain the purpose of the hearing.
2. The appellant or his/her representative should present evidence on the case, referring to any relevant documentation.
3. The Headteacher or designated member of the appropriate Performance Management Committee and his/her representative should be given the opportunity to ask questions.
4. The members of the committee and their adviser(s) should be given the opportunity to ask questions.
5. The Headteacher or designated member of the appropriate Performance Management Committee and his/her representative should present his/her case referring to any relevant documentation.
6. The appellant, or his/her representative, should be given the opportunity to ask questions.
7. The members of the Committee and their adviser(s) should be given the opportunity to ask questions.
8. The appellant, or his/her representative, should make a closing statement.
9. The Headteacher, or his/her representative should make a closing statement.
10. The Chair of the Performance Management Appeal Committee should call an adjournment. All parties will be required to withdraw except members of the Committee and their adviser(s) who consider the evidence, discuss the case and the Committee will reach a decision.

#### **Note**

The Chair of the Committee may vary the order of procedure in exceptional circumstances and at any stage in the proceedings a request by either side for the Chair may be granted at the discretion of the Committee.

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