



BERRYMEDE JUNIOR SCHOOL

Osborne Road, Acton, London W3 8SJ

Phone: 020 8993 9053 Fax: 020 8896 0472

E Mail: admin@berrymede-jun.ealing.sch.uk

Staff Appraisal Policy

Policy Review Date: September 2017

Policy Renewal Date: September 2018

'Be Happy, Be Healthy, Study Hard'



BERRYMEDE JUNIOR SCHOOL

Appraisal Policy



Introduction

The Education (School Teachers' Appraisal) (England) Regulations 2012, made under the Education Act 2002, came into force on 1 September 2012 and replace The Education (School Teacher Performance Management) (England) Regulations 2006; the new regulations can be found at www.legislation.gov.uk/ukxi/2012/115/pdfs/ukxi_20120115_en.pdf

The new regulations will 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 new regulations place a legal obligation on qualifying schools to have an appraisal procedure in place for all teachers.

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.

Those support staff subject to appraisal (limited to those employed for more than 15 hours a week and excluding cleaners and some SMSAs) are covered by the general principles of this policy, but not the performance related pay section.

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 senior leaders will moderate a sample of the planning statements 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.

Purpose

This policy sets out the framework for a clear and consistent assessment of the overall performance of teachers and support staff and for supporting their development needs both within the context of the school's improvement plan and the individual's career aspirations.

The Appraisal

The Governing Body must appraise the performance of the Head teacher. In turn, the Head teacher is responsible for ensuring that review is carried out of the performance of every other teacher and relevant member of support staff employed at the school.

The purpose of the appraisal process is to review the employee's current job, their performance and their future career plans (or ambitions). More specifically, the appraisal will also be an opportunity to discuss how the employee can contribute to the wider work of the school and to agree and set a number of objectives (usually between 2 and 4).

The Appraisal Period

The appraisal period will be for 12 months and will begin on 1 September; it must be completed by 31 October for teachers and by 31 December for Head teachers and support staff. The cycle will begin with a Planning Meeting and will end with a Review Meeting. Mid-year review meetings will be held for all teaching staff and where necessary for non-teaching staff.

Where a staff member starts their employment or transfers to a new post within the school part way through a performance management cycle, the Head teacher, or in the case where the employee is the Head teacher, the Governing Body, shall determine appraisal arrangements for the remainder of the appraisal period, with a view to bringing their cycle into line with the cycle for other teachers and staff as soon as possible.

Where a staff member is employed on a fixed term contract for a period less than 12 months, the length of the appraisal period will be determined by the duration of the contract.

The Appraisers

All appraisers, including allocated members of the Governing Body, should be provided with appropriate training.

For the Head teacher

The Governing Body is the appraiser for the Head teacher, and to discharge this particular responsibility on its behalf, will appoint (typically) 3 governors. Head Teachers 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 Head teacher. 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 Head teacher.

The external adviser is not responsible for determining a recommendation to the Pay Committee on whether an increment should be paid to the Head teacher, 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 Head teacher is responsible for the appraisal of all other employees but may delegate this responsibility to others, normally those who have line management responsibility for those they appraise.

Staff can object to the appointment of an appraiser, on professional grounds, in writing to the Head teacher who will consider this and make a decision. Where the objections are rejected by the Head teacher, the member of staff should be advised in writing.

Objective setting

The setting and agreement of objectives is fundamentally important to the effective operation of a performance management system that (for teachers) aims to link individual performance to pay progression. The job description can be a particularly useful place to begin the process of identifying relevant objectives for each individual job holder. However, the job description is just one 'reference document' that can be helpful context to the process of setting and agreeing objectives. Other useful 'reference documents' may include the school improvement plan, the Ofsted School Inspection Report and the Teachers' Standards.

In addition, it may be prudent to allow for some flexibility in the setting and agreement of objectives to enable objectives to be set and agreed around issues that are emerging for the school and that require some dedicated attention that is best articulated as one or as a set of objectives. On the grounds that emerging issues are unlikely to be known at the outset of an appraisal period, objectives may need to be adjusted throughout the appraisal period so that they remain relevant to the performance of the individual and to the priorities of the school.

Objectives should be CSMART

- C = Challenging
- S = Specific
- M = Measurable
- A = Achievable

R = Relevant
T = Timed

Objectives should also be fair and equitable when judged across employees with similar roles and responsibilities. However, appraisal objectives will normally become more challenging as a member of staff progresses up the main pay scale.

The Governing Body of a school must, before, or as soon as practicable after, the start of each appraisal period, in relation to a Head teacher, inform the Head teacher of the standards against which their performance will be assessed and set objectives for the Head teacher for the appraisal period.

The Head teacher of a school must, before, or as soon as practicable after, the start of each appraisal period, in relation to every member of staff employed at that school, inform them of the standards against which their performance will be assessed and set objectives for them for the appraisal period (some roles do not have national standards set). Head teachers may delegate this responsibility to the line manager cohort.

The objectives must be set such that they will contribute to the improvement of a school's educational provision and performance and appraisers will therefore be expected to align individual objectives with the school's priorities.

Every effort should be made to achieve agreement on the Head teacher's objectives; only in the last resort, should targets be imposed on the Head teacher. Similarly, all appraisers and appraisees should look to agree objectives; where agreement cannot be reached, the appraiser will make the final determination.

Objectives should focus on the priorities for the school or individual for the duration of the appraisal cycle. If, at some point in the assessment cycle it is clear that one or more of the standards are not being met then additional objectives may be set. This would be clear from the summary sheet that is used as part of the overall appraisal.

In the mid-year meeting there is a statement indicating whether a teacher is on track for pay progression. If the teacher is not, then clear indicators will be given as to how they can meet targets.

At the end of year meeting there will be a clear statement about pay progression (if applicable).

Objectives will be set out in a planning statement, along with details of any training and support which have been agreed. The planning statement should also specify the evidence that will be collected to support the review of performance including details of the arrangements for task or classroom observation, where relevant.

Objectives may be revised if circumstances change.

Teachers' Standards (this section only applies to teachers)

Under the 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 Head teacher 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 1 (Teaching) and Part 2 (Personal & Professional Conduct).

Applying the Teachers' Standards

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. Teachers are evaluated against all the elements set out in the Teachers' Standards. Each year teachers and their performance reviewer will audit themselves against the Teachers' Standards.

Head teachers

Teachers' Standards may be applied to Head Teachers as well as to all other teachers. However, on the grounds that only a proportion of Head Teachers spend part of their scheduled week teaching, governing bodies should exercise particularly careful judgement when assessing Head Teachers 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>

Gathering the evidence (Teachers)

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 Governing Body.. It is the responsibility of the reviewee to gather the evidence required for the mid and end of year meeting: the evidence should be given 5 working days before the meeting.

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:

- an increasing positive impact on pupil progress;
- an increasing impact on wider outcomes for pupils;
- improvement in specific elements of practice, e.g. lesson planning;
- an increasing contribution to the work at the school;
- an increasing impact on the effectiveness of staff.

The evidence gathered by a 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
- review of assessment results
- review of lesson planning records
- internal tracking
- moderation within and across schools
- work scrutiny
- parents' voice
- pupil interviews
- Senior leaders' walkabouts
- evidence supporting progress against Teachers' Standards

Classroom (and intervention) observation will be carried out by qualified teachers. At least 5 working days' notice of the date and time of the observation will be given and verbal feedback provided by the end of the next school day in a suitable private environment. Written feedback will be provided within 5 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.

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

Timeline

- lesson observations and work scrutiny
- performance reviewer audits member of staff
- performance reviewer completes summary sheet
- member of staff and performance reviewer meet and set targets using the audit and summary sheet as a guide
- if there any issues between first meeting and mid-year meeting, then performance reviewer will call meeting
- mid-year meeting repeats process- if any issues arise from summary of overall performance these may be an additional target for a teacher
- in the midyear meeting there is a statement indicating whether the teacher is currently on track for pay progression. If the teacher is not on track, then clear indicators will be given as to how they can meet targets.

Gathering the evidence (Non-teaching staff)

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. It is the responsibility of the reviewee to gather the evidence required for the mid and end of year meeting: the evidence should be given 5 working days before the meeting.

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

- achievement against objectives
- that overall performance fulfils the requirements of the job description

The evidence gathered by a member of staff will largely be determined by the nature and scope of the agreed objectives and if applicable the appropriate national standards.

Timeline

- performance reviewer audits member of staff
- performance reviewer completes summary sheet
- member of staff and performance reviewer meet and set targets using the audit and summary sheet as a guide
- if there any issues between first meeting and end of year meeting, then performance reviewer will call meeting
- where a mid-year meeting takes place the process is repeated: if any issues arise from the summary of overall performance these may be an additional target for the staff member.

Reviewing Performance and the Annual Assessment

At the end of the cycle, performance will be assessed based on evidence that was agreed and specified in the planning statement at the beginning of the cycle.

In determining an appraisal, the Governing Body, Head teacher or delegated manager must assess the performance in the appraisal period against agreed objectives, apply the relevant 'Standards', (where applicable) and assess the professional development needs and identify any action that should be taken. Finally, for teachers, a recommendation should be made relating to pay.

A planning and summary statement must be provided at the conclusion of the appraisal process – by 31 October for teachers and by 31 December for Head teachers and support staff; the report must record the overall performance assessment and for teachers, the pay recommendation.

Good progress towards the achievement of a challenging objective, even if the performance criteria have not been met in full, may be assessed favourably. If agreement cannot be reached, especially on the outcomes of an appraisal meeting, the member of staff may appeal to the Head teacher or the Head teacher may appeal to the chair of the Governing Body, whose decisions will be final.

The overall assessment of performance and its subsequent performance rating for individual members of staff will be subject to a process of moderation, arrangements for which will be put in place by the Head teacher with the approval of the Governing Body.

In the mid-year and end of year assessment, all staff will receive a performance rating graded as follows:

1. Outstanding all the time
2. Outstanding majority of the time
3. Good with some outstanding features
4. Good
5. Satisfactory with good features
6. Satisfactory
7. Unsatisfactory

This performance grading will be based on overall performance and not just on appraisal objectives and targets.

The final version of the appraisal documentation will be placed on the employee's file and a copy of their CPD made available to the school's CPD Coordinator. The sharing of such information is governed by the data protection principles under the Data Protection Act 1998.

The Governing Body and Head teacher will ensure that all written appraisal records are retained in a secure place for 5 years and then destroyed.

Appraising Disabled Employees

Managers should consider if the employee being appraised is disabled under the provisions of the Equality Act 2010.

The Equality Act defines someone with a disability as:

"A person who has a physical or mental impairment that has a substantial and long term adverse effect on that person's ability to carry out day to day activities."

If an employee has a disability, there is a duty to make reasonable adjustments to ensure that the disabled employee is not put at a substantial disadvantage compared to their non-disabled colleagues.

The DDA does not define what is "reasonable" but says that the following need to be considered in determining reasonableness:

- the extent to which taking the step would prevent the discriminatory effect in question
- the practicality of that step
- the financial and other costs of the adjustment and the extent of any disruption caused
- the extent of the employer's financial or other resources

The manager must consider if the employee is disabled at every appraisal meeting (mid-year and full-year) and review the effectiveness of any reasonable adjustments that have been agreed. The manager must record the fact that this discussion has taken place in the appraisal notes.

Continuing Professional Development

The school's CPD programme will be informed by the training and development needs identified through the appraisal procedure. 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.

Support to meet individual or collective development needs of both teaching and non-teaching staff should be provided within the context of the school's improvement plan.

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.

Pay progression linked to performance (teachers only)

The breakdown of standards document details what would be expected of teachers at different stages of their career.

The Governing Body must consider annually whether or not to increase the salary of teachers who have completed a year of 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. 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.
- d. A decision may be made not to award pay progression, whether or not the teacher is subject to capability proceedings.

The Head teacher will be responsible for ensuring that appropriate arrangements are put in place to support the links between performance and pay and that rates of pay progression are affordable and comply with prevailing legislation (e.g. 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 and the national standards. 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.

If the overall appraisal evidence shows that a teacher has demonstrated exceptional performance, the Governing Body may consider awarding enhanced pay progression.

The Head teacher 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.

Staff experiencing difficulties

If a member of staff is experiencing difficulties, support and guidance will be provided through the performance management process. Where it is clear that a member of staff's personal circumstances are leading to difficulties at work, appropriate support should be offered at the earliest opportunity.

Managers should consider if the member of staff is disabled under the provisions of the Equality Act 2010 and consider making reasonable adjustments (see 'Appraising Disabled Employees' on page 9).

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 to the occupational health service who will assess the member of staff's health and fitness for continued employment and whether continuing with monitoring or formal procedures is deemed to be appropriate.

If the appraiser identifies through the performance management process or through other sources of information, parental complaints for example, that the difficulties experienced by a member of staff are such that, if not rectified could lead to the capability procedure, the appraiser will, as part of the performance management process, meet the member of staff to:

- give clear written feedback to the them about the nature and seriousness of the concerns;
- give the member of staff the opportunity to comment on and discuss the concerns;
- give the member of staff at least 5 working days' notice that a meeting will be held to discuss targets for improvement.;
- agree and establish, in consultation with the member of staff, an action plan with support that will help to remedy 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 member of staff's progress will then continue to be monitored as part of the performance management process with a reasonable amount of time being given for their performance to improve. During this monitoring period, the member of staff will be given regular feedback on progress and arrangements will be made to modify the support programme if appropriate.

If sufficient progress is made, the member of staff should be informed of this at a formal meeting and the appraisal process will continue as normal.

If no, or insufficient improvement has been made, the member of staff will be invited to a transition meeting to determine whether formal capability proceedings will be invoked.

Transition to Capability

If progress towards addressing performance concerns is insufficient or the concerns are sufficiently serious, a 'transition meeting' should be held. At this meeting performance will be reviewed and a decision made whether to start the formal capability procedure or to continue with the performance management process. If it is decided to continue with the performance management process a further transition meeting will be held within a maximum period of 6 weeks and at this point if progress towards addressing performance concerns is insufficient or the concerns are sufficiently serious formal capability will be started.

Capability Procedure

The capability procedure applies only where there are serious concerns about their performance that are not able to be addressed by the performance management procedure.

The purpose of a capability meeting is to establish the facts and will usually be chaired by either the chair of governors or the Head teacher. The subject of the capability meeting will be able to respond to concerns about their performance and to present any relevant evidence.

Formal Capability Meeting

In all meetings the member of staff has the right to representation by a companion who may be a work colleague, full time trade official or a trade union representative.

At least 5 working days' notice will be given of the formal capability meeting. The notification will contain sufficient information about performance concerns and the possible consequences to enable the member of staff to prepare to present their case at the meeting. The notification of a capability meeting will be accompanied by copies of written evidence, details of the date and time of the meeting and will confirm the member of staff's entitlement to be accompanied by a companion who may be a work colleague or a trade union representative.

The chair of the capability meeting will aim to:

- a. identify the member of staff's professional difficulties
- b. give clear guidance on the improved standard of performance needed
- c. explain any support that will be available to help the member of staff improve to a point where they can be removed from the capability procedure
- d. 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, and
- e. warn the member of staff formally that failure to improve within the set period could lead to a final written warning, or in very serious cases, to dismissal.

Notes will be taken of the formal meeting and a copy sent to the member of staff. The chair of the capability meeting may also decide that capability procedures are not appropriate at this stage.

Monitoring and Review Period following a Capability Meeting

A performance monitoring and review period will follow the formal capability meeting as agreed in (b) and (d) above.

Formal Review Meeting

Following the conclusion of a monitoring and review period, the member of staff will be invited to a formal review meeting. At the formal review meeting, if the person conducting the meeting is satisfied that the member of staff has made sufficient improvement, the capability procedure will end and the appraisal process will re-start. 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, and there is no anticipation that this will improve, the member of staff will receive a final written warning. A further formal review meeting will be held after six weeks and if no or insufficient progress is made then the member of staff will be referred to the Dismissal Committee

Dismissal Committee Stage

A Dismissal Committee will be made up of three Governors who have had no prior involvement in the case. The panel must hear the representations and recommendations brought by the Head teacher, or other line manager, conducting the capability evaluation, and any representations that the employee may wish to make.

If the Dismissal Committee is satisfied that procedures have been properly followed and appropriate support provided to the staff member to assist improvement, and upholds the view that performance is unsatisfactory, a decision will be made that the member of staff should be dismissed. If sufficient improvement has been made the capability procedure will end and the member of staff's performance will be monitored for 3 months before re-entering the appraisal process. If the committee identifies any procedural irregularities, then the staff member will re-enter the appraisal process immediately.

Notification of Dismissal

Once the decision to dismiss has been taken, the employee will be notified in writing with the appropriate notice period.

Governing Body appeal

If a member of staff feels that the decision to dismiss them is wrong or unjust, they may appeal in writing against the decision, setting out the grounds of the appeal. Appeals will be heard by the Governing Body's appeal panel, comprised of previously uninvolved governors. Appeals should normally be restricted to considering the reasonableness of the decision made, any relevant new evidence, or any procedural irregularities. The appeal decision should be confirmed in writing and the employee told that there is no further appeal against the decision.