



## Thameside Primary School: Staff Appraisal Policy

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<b>Policy reviewed by:</b>	Sophie Greenaway
<b>Key Changes:</b>	This policy remains fit for purpose.



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

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

The 2012 regulations 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; and whether employed by the governing body of that school or by the local authority to work in that school.

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

The regulations don't apply to a teacher that is undergoing an induction period or the subject of a formal capability procedure.

Support staff aren't covered by the regulations, but it would be both prudent and practicable for the governing body to agree and the head teacher to implement the same or a broadly similar staff appraisal policy for non-teaching staff.

### **Guiding principles**

In its oversight of the appraisal system, the governing body is committed to ensure 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 head teacher will moderate a sample of the planning statements (more on those later) to check the agreed plans are consistently weighted between employees who have similar levels of responsibility and comply with the school's appraisal policy.

The appraisal process and the supporting documentation will be treated with strict confidentiality at all times. We will only grant those who need access to such information to carry out 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 in the context of the school's improvement plan.

### **The appraisal**

The governing body of a school must appraise the performance of a head teacher. In turn, the head teacher of a school is responsible for ensuring the review of the performance of every other school leader, teacher and member of support staff employed at the school.

Appraisal meetings should be held during normal working hours and scheduled for at least one hour or longer if necessary.

The purpose of the appraisal meeting is to review the employee's current job, performance and plans. More specifically, the meeting will also be an opportunity to discuss how the employee can contribute to the wider work of the school and agree and set a number of objectives (there's no minimum or maximum number of objectives). Mid-appraisal reviews, while not mandatory, are used at Thameside Primary as a means to ensure progress is being made and obstacles are being dealt with effectively.



### **The appraisal period**

The appraisal period will be for 12 months, and it will begin on 1 September; the appraisal itself should ideally be completed by 31 October for teachers, support staff, middle leaders and non-teaching staff and by 31 December for head teachers. The cycle will begin with a planning meeting and end with a review meeting. Mid-appraisal review meetings are also held to review progress towards targets.

Where a member of staff starts their employment or transfers to a new post in 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. They will do this with a view to bringing their appraisal arrangements into line with the cycle for other school leaders, teachers and support staff as soon as possible.

Where a school leader or teacher is employed on a fixed-term contract for 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 it will (typically) appoint three governors to discharge this particular responsibility. 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 to provide it with advice and support in relation to the appraisal of the head teacher. The qualifications and experience required of an external adviser aren't set by regulation. It's for the governing body to decide who it wishes to use as an external adviser, ideally with the agreement of the head teacher.

The external adviser isn't 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 they may delegate this responsibility to others who will normally have line management responsibility for those they appraise.

Teaching staff should be able to object to the appointment of an appraiser, on professional grounds, in writing to the head teacher, who will consider the objection and make a decision. Where the objections are rejected by the head teacher, the teacher should be advised in writing.

### **Objective setting**

The setting and agreement of objectives are fundamentally important to the effective operation of a performance management system that 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 bring helpful context to the process of setting and agreeing on objectives. Other useful 'reference documents' may include the school's improvement plan, the school's business plan, Ofsted's school inspection report or the Teachers' Standards.

In addition, it may be prudent to allow for some flexibility in the setting and agreement of objectives to enable them to be set and agreed around issues that are emerging for the school and require some dedicated attention that's best articulated as one



or as a set of objectives. Because 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 the priorities of the school. This is perfectly standard practice and strengthens the case for having mid-appraisal reviews where objectives can be discussed and adjusted; the ideal outcome for all parties is that the overall weight of objectives is broadly or proportionately the same at the conclusion of any subsequent 'objectives' discussion.

Objectives should be SMART.

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 teacher 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 teacher employed at that school, inform the teacher of the standards against which their performance will be assessed and set objectives for the teacher for the appraisal period. Head teachers may delegate this responsibility to the employee's line manager.

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

Every effort should be made to achieve agreement on the head teacher's objectives; only as a last resort should targets be imposed on the head teacher. Similarly, all appraisers and appraisees should look to agree on objectives; where an agreement can't 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. Although there's no actual minimum or maximum number, normally staff at Thameside should expect to have five objectives (the first is self-selected, two are based on SDP priorities, one on school values/behaviours and the other on Health & Safety).

Objectives will be set out in a planning statement along with details of any agreed training and support. 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.

### **A final word on objectives...**

On the understanding that pay decisions must be directly related to the performance of individual teachers, it's important to acknowledge that agreed performance objectives are in the working scope and remit of each teacher.

While it may be entirely appropriate to agree on a subject-related target with a teacher who is the subject lead, it wouldn't, for example, be appropriate to set and agree whole pupil progress targets for a teacher who is clearly not wholly responsible for the aggregated educational progress of individual pupils or groups of pupils that they coincidentally teach.



A robust moderation process should ensure teachers have set and agreed on performance objectives that are not beyond but within their reach, albeit with a little stretch.

### **Teachers' Standards**

From 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.

To meet the Teachers' Standards, a teacher will need to demonstrate their practice is consistent with the definitions set out in part one (teaching) and part two (personal and professional conduct).

### **Applying the Teachers' Standards**

Teachers make pupils' education their first concern, and they are accountable for achieving the highest possible standards in their work and 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 and carers in the best interests of their pupils.

### **Teachers**

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

### **Head teachers**

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

After an 11-years' absence, the National Standards of Excellence for Head Teachers were reintroduced in January 2015. Unlike the teachers' standards, the standards for head teachers are non-mandatory. These standards are intended to inform the appraisal of head teachers.

Use of the standards in academies and free schools will depend on the arrangements of those schools. Independent schools aren't required to use the standards, but they can do so if they wish.

### **Gathering the evidence**

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



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

- A positive impact on pupils' progress
- A positive impact on wider outcomes for pupils
- Improvement in specific elements of practice, eg lesson planning
- A positive contribution to the work at the school.

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

- Deep dives
- Classroom observations
- Task observations
- Reviews of assessment results
- Reviews of lesson planning records
- Internal tracking
- School improvement, working party and subject action plans
- Moderation in and across schools
- Pupils' voice
- Parents' voice
- Head teachers' walkabouts
- Evidence supporting progress against the Teachers' Standards.

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

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

- Carry out the role with professionalism, integrity and courtesy
- Evaluate objectively
- Report accurately and fairly
- Respect the confidentiality of the information gained.

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

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

The three hours' statutory limit on classroom observations for appraisal no longer applies; the government believes head teachers and other appraisers should be free to decide how much observation is necessary for them to form an accurate assessment of a teacher's performance.

A head teacher must evaluate the standards of teaching and learning, and ensure proper standards of professional performance are established and maintained throughout the school. They may, therefore, determine that it's necessary to



collect additional evidence to help inform the evaluation of teaching standards and school improvement strategies. This additional evidence may include learning walks, task observation, reviews of assessment results and lesson planning records. It may not be practicable to provide notice of these additional monitoring activities. As part of their overall inspection framework, Ofsted will want to see that the appraisal procedure is being used effectively and facilitates school improvement.

### **Reviewing performance and the annual assessment**

At the end of the cycle, assessment of performance will be on the basis agreed at the beginning of the cycle.

In determining an appraisal, the governing body or head teacher must assess the performance in the appraisal period, apply the relevant standards, assess performance against the agreed objectives, assess the professional development needs, identify any action that should be taken and, finally, include a recommendation relating to pay.

It will be for individual schools to establish their arrangements for determining the overall evaluation and rating of the individual's performance. Many schools may wish to continue to use their existing arrangements for evaluating and rating an individual's performance and apply the Teachers' Standards where appropriate.

A written appraisal report must be provided at the end of the appraisal process – ideally by 31 October for middle leaders, teachers and support staff, and ideally by 31 December for head teachers; the report must record the overall performance assessment and pay recommendation.

Good progress towards the achievement of a challenging objective, even if the performance criteria have not been met in full, may still be assessed favourably. If an agreement can't be reached, especially on the outcomes of an appraisal meeting, the teacher 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.

The final version of the appraisal documentation will be placed on the employee's file, and a copy of their continuing professional development (CPD) will be made available to the school's CPD coordinator. The sharing of such information is governed by the data protection principles set out under the Data Protection Act 2018 and General Data Protection Regulation.

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

### **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 or CPD.

Support to meet an individual or collective's development needs should be provided in the context of the school's development plan.

### **Conflict of interest**

In any circumstances where an individual believes 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 a 'conflict of interest' would or is likely to prevail.





### **Pay progression linked to performance**

The governing body must consider, annually, whether or not to increase the salary of teachers who have completed a year of continuous employment since the previous annual pay determination, and if so, to what salary in 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 a 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; this is regardless of whether or not the teacher is subject to capability proceedings.

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

Where teachers are eligible for pay progression, the recommendation made by the appraiser will be based on an assessment of performance against agreed performance objectives. The decision made by the relevant decision-making body will be based on the statutory criteria and guidance set out in the School Teachers' Pay and Conditions Document (STPCD) and the relevant Teachers' Standards.

To move up the main pay range, one point at a time, teachers will need to have made good progress towards achieving their objectives and demonstrated they are competent in all elements of the Teachers' Standards. Teaching should be consistently 'good', as defined by Ofsted (however, this doesn't necessarily mean every lesson observed needs to be rated as 'good').

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

The head teacher will consult with staff and union representatives on the establishment of appraisal and pay policies, and they will also ensure appraisers have the knowledge and skills to apply procedures fairly.

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

### **Applications to be paid on the upper pay range**

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

To be assessed successfully, a teacher will be required to meet the criteria set out in the STPCD:

- The teacher is 'highly competent' in all the elements of the Teachers' Standards
- The teacher's achievements and contribution to the school are 'substantial' and 'sustained'.



### **Highly competent**

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

### **Substantial**

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

### **Sustained**

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

### **Leading practitioner role**

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

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

The leading practitioner must demonstrate the following:

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

See our [pay policy](#)

### **Staff, especially teachers, experiencing difficulties**

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

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



If the appraiser identifies through the appraisal process or other sources of information (eg parental complaints) that the difficulties experienced by a teacher could lead to the capability procedure, the appraiser will, as part of the appraisal process, meet the member of staff to do the following:

- 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 five working days' notice that a meeting will be held to discuss targets for improvement (alongside a programme of support) and remind them that they have the right to be accompanied by a work colleague or trade union representative at any future meetings where capability will be discussed
- Agree and establish, in consultation with the teacher, an action plan with the 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 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. 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, the teacher 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 teacher will be invited to a 'transition meeting' to determine whether formal capability proceedings will be invoked.

As a final check and balance to invoking the capability procedure, it's advised that line managers ensure the following have been put in place:

- The employee has undergone an appropriate period of induction to their role
- An up-to-date job description has been issued to the employee
- Professional standards and overall expectations of performance have been made clear
- The employee's performance has been monitored and feedback has been provided.

### **Transition to capability**

Performance concerns should be dealt with through the staff appraisal policy, but if progress towards addressing performance concerns is insufficient or the concerns are sufficiently serious, a 'transition meeting' should be held; the expectation is that this meeting will reduce the likelihood of invoking the capability procedure or triggering a prolonged period of sickness absence. In this event, further support should be granted through the appraisal procedure.

A meeting of this nature doesn't amount to part of the formal capability procedure.

The employee, their line manager and the head teacher (or chair of governors where the capability of the head teacher is in question) will be present at the meeting. Because the outcome of the meeting may have serious consequences, the employee should be encouraged to be accompanied by a work colleague or trade union representative.

Guiding principles to the overall approach to the meeting:

- Ensure practical support, advice and guidance is provided to the employee
- Training should be provided where this is a reasonable expectation
- Performance criteria should be clear and monitored in agreed time schedules
- The employee's shortcomings are clearly set out in writing.



The meeting will consider the following matters:

- The evidence that has given rise to the specific concerns about the employee's performance
- The seriousness of the concerns and their impact on the performance of the school
- The support that has been provided to date
- The time for which the concerns have persisted
- The degree of improvement that has been achieved and whether or not this has been sustained
- The extent to which the employee has shown insight and has engaged with the support provided throughout the appraisal process
- Any mitigating factors.

Once these matters have been considered, the chair should close the meeting and reflect on the findings, take advice and reach a decision. The employee will be informed of the decision in writing and normally in five working days. The decision will be either to continue with the appraisal process or to invoke the capability procedure by convening a formal capability meeting.

The transition to the capability procedure won't normally be made unless there's evidence of the following:

- Underperformance against agreed objectives and/or standards has prevailed for some time
- The underperformance is either serious or has persisted despite the provision of support.

**For more information about capability, please refer to our policy for 'Managing poor performance'.**

*S Greenaway, June 2021*