



Partnership Achievement Community Excellence

Teacher Appraisal and Capability Policy

Agreed by Directors:

Review Date: September 2018

Beecholme Primary, Chipstead Valley Primary and New Valley Primary Appraisal and Capability Policy

PURPOSE

This procedure sets out how the above named schools will improve outcomes for children and raise the morale of teachers, by motivating them to up-date their skills and improve their performance.

The appraisal procedure will be used also to address any concerns that are raised about a teacher's performance. If concerns are such that they cannot be resolved through the appraisal process, there will be consideration of whether to commence the capability procedure.

APPLICATION OF THE APPRAISAL POLICY

This policy is in two separate sections.

Part A

This section applies to the Headteachers, Head of School and to all qualified teachers employed at the school, except those on contracts of less than one term and those undergoing induction (ie NQTs) or teachers on capability procedures.

Part B

This section, which sets out the formal capability procedure, applies only to teachers (including the Headteachers and Head of School) about whose performance there are serious concerns that the appraisal process has been unable to address.

Part A – Appraisal

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

THE APPRAISAL PERIOD

The appraisal period will run for twelve months normally from September to August.

Teachers who are employed on a fixed term contract of less than one year will have their performance managed in accordance with the principles underpinning this policy. The length of the period will be determined by the duration of their contract.

Where a member of staff starts their employment at the school part-way through a cycle, the Headteachers or Head of School or, in the case where the employee is the Headteacher or Head of School, the Executive Headteacher or governing body, shall determine the length of the first cycle for that staff member, with a view to bringing his/her cycle into line with the cycle for other staff as soon as possible.

Where a member of staff transfers to a new post within the trust part-way through a cycle, the Headteachers or Head of School or, in the case where the employee is the Headteacher or Head of School the Executive Headteacher or governing body, shall determine whether the cycle shall begin again and whether to change the appraiser.

APPOINTING APPRAISERS

All appraisers of teachers, other than those appraising the Headteacher or the Heads of School, will be teachers and will be suitably trained.

Head Teachers / Heads of School

The Headteacher and Heads of School will be appraised by a sub-group of the local governing body, supported by the Executive Head Teacher or a suitably skilled and/or experienced external adviser who has been appointed by the directors for that purpose.

The task of appraising the Headteachers and Head of School, including the setting of objectives, will be delegated to a sub-group of the Local Governing Body and Executive Headteacher.

Where a Headteacher or Head of School is of the opinion that any of the governors appointed by the governing body is unsuitable to act as his/her appraiser, s/he may submit a written request for that governor to be replaced, stating the reasons for the request.

Teachers

The choice of appraiser is decided upon by the Headteacher or Head of School. Where a teacher has an objection to their choice, their concerns will be carefully considered and, where possible, an alternative

appraiser will be offered. All appraisers of teaching staff will be qualified teachers themselves and will have current or recent teaching experience.

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

If the Headteacher or Head of School appoints an appraiser who is not a teacher's line manager, the appraiser to whom she/he delegates those duties will have an appropriate position in the staffing structure, together with the necessary background knowledge, skills and training to undertake the role.

Where a teacher is experiencing difficulties and the Headteacher or Head of School is not the appraiser, the Headteacher or Head of School may undertake the role of appraiser. See also section on Staff Experiencing Difficulties.

SETTING OBJECTIVES

Setting more than three objectives, or, for example, using sub-targets, can lead to teachers experiencing unreasonable workload and pressure, making the objectives more difficult to achieve. Therefore, other than in exceptional circumstances, no teacher will be given more than three objectives.

The objectives set for each member of staff are intended to contribute to the school's plans for improving the school's educational provision and performance and improving the education of pupils at that school and will take into account the professional aspirations of the member of staff.

The appraiser will take into account the effects of an individual's circumstances, including any disability, when agreeing objectives. For example, this might include a reasonable adjustment to allow an individual slightly longer to complete a task than might otherwise be the case. When staff return from a period of extended absence, objectives may be adjusted to allow them to readjust to their working environment.

Before, or as soon as practicable after, the start of each appraisal period, each teacher will be informed of the standards against which that teacher's performance in that appraisal period will be assessed. Teachers will be assessed against the appropriate set of standards contained in the document "Teachers' Standards" published in July 2012. The Headteacher/Head of School or governing body (as appropriate) will need to consider whether certain teachers should be assessed against other sets of standards published by the Secretary of State or other body that are relevant to them.

PAY PROGRESSION FOR TEACHERS

Where teachers are eligible for pay progression, the recommendation made by the appraiser will be based on the assessment of their performance described in the Reviewing performance section of this policy. 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.

REVIEWING PERFORMANCE

Monitoring performance

For teaching staff, the effective and efficient operation of the appraisal process requires confidentiality and constructive engagement within an atmosphere of support and co-operation. Accordingly, observations, learning walks and work scrutinies will be carried out in a supportive fashion, with professionalism, integrity and courtesy, will be evaluated objectively and reported accurately and fairly and will take account of particular circumstances which may affect performance at a particular time.

Where they effect the appraisal process, at least 5 working days' notice of the date and time of any observations, learning walks and work scrutiny will be given and verbal feedback provided at least by the end of the next school day and written feedback within 7 working days, unless circumstances make this impossible.

The appraisal process

The annual appraisal process for head teachers, heads of school, teachers, SENCos and Inclusion leaders is described in appendix I.

FINAL OUTCOME AND LINK TO PAY PROGRESSION

Appraisal outcomes and links to annual pay progression are described in Appendix II.

DEVELOPMENT AND SUPPORT

Appraisal is a supportive process, which will be used to inform continuing professional development. The school wishes to encourage a culture in which all staff take responsibility for improving their performance through appropriate professional development; peer observation for example. Professional development will be linked to school improvement priorities and to the on-going professional development needs and priorities of individual.

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

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

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

TEACHERS EXPERIENCING DIFFICULTIES

When dealing with a teacher who is 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 Headteacher or Head of School, or a member of the leadership team, will, as part of the appraisal process meet the teacher to:

- give clear written feedback to the member of staff 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 he/she has 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 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 their performance to improve. This will depend upon the circumstances, but will be for a period of 6 weeks, 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 individual 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 transition meeting 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.

Appeals

Appraisees have a right of appeal against any of the entries in the written appraisal report. Where the Headteacher or Head of School has not been recommended for pay progression, he/she will be informed by the appropriate governor. The Headteacher or Head of School will notify any teacher who has not been recommended for pay progression of the date when the governing body meets to consider pay recommendations, following which the teacher (and Headteacher or Head of School when he/she has not been recommended for pay progression) may exercise the right of appeal, assisted by a companion who may be a colleague, a trade union official or a trade union representative.

PART B – Capability

This procedure applies only to teachers or Headteachers about whose performance there are serious concerns that the appraisal process has been unable to address.

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

Formal capability meeting

This meeting is intended to establish the facts. It will be conducted by the Chair of Directors (for Headteacher and Head of School capability meetings) or Headteacher or Head of School (for other teachers). The meeting allows the teacher, accompanied by a companion if they wish, to respond to concerns about their performance and to make any relevant representations. This may provide new information or a different context to the information/evidence already collected.

The person conducting the meeting may conclude that there are insufficient grounds for pursuing the capability issue and that it would be more appropriate to continue to address the remaining concerns through the appraisal process. In such cases, the capability procedure will come to an end. The person conducting the meeting may also adjourn the meeting for example if they decide that further investigation is needed, or that more time is needed in which to consider any additional information.

In other cases, the meeting will continue. During the meeting, or any other meeting which could lead to a formal warning being issued, the person conducting the meeting will:

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

Notes will be taken of formal meetings and a copy sent to the member of staff. Where a warning is issued, the teacher will be informed in writing of the matters covered in the bullet points above and given information about the timing and handling of the review stage and the procedure and time limits for appealing against the warning.

Monitoring and review period following a formal capability meeting

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

Formal review meeting

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

If the person conducting the meeting is satisfied that the teacher has made sufficient improvement, the capability procedure will cease and the appraisal process will re-start. In other cases:

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

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

Decision meeting

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

If an acceptable standard of performance has been achieved during the further monitoring and review period, the capability procedure will end and the appraisal process will re-start. If performance remains unsatisfactory, a decision, or recommendation to the governing body and Strategic Board, will be made that the teacher should be dismissed or required to cease working at the school. The teacher will be informed as soon as possible of the reasons for the dismissal, the date on which the employment contract will end, the appropriate period of notice and their right of appeal.

Decision to dismiss

The power to decide that members of staff should no longer work at the school rests with the Strategic Board in conjunction with the Executive Headteacher and Head of School.

Dismissal

In the case of Trust schools, the Executive Headteacher must dismiss the staff member within fourteen days of the date of the notification.

Appeal

If a teacher feels that a decision to dismiss them, or other action taken against them, is wrong or unjust, they may appeal in writing against the decision within five days of the decision, setting out at the same time the grounds for appeal. Appeals will be heard without unreasonable delay and, where possible, at an agreed time and place. The same arrangements for notification and right to be accompanied by a companion will apply as with formal capability and review meetings and, as with other formal meetings, notes will be taken and a copy sent to the teacher. The appeal will be dealt with impartially and, wherever possible, by managers or governors who have not previously been involved in the case. The teacher will be informed in writing of the results of the appeal hearing as soon as possible.

Consistency of Treatment and Fairness

All members of the Trust are committed to ensuring consistency of treatment and fairness and will abide by all relevant equality legislation.

Sickness

If long term sickness absence appears to have been triggered by the commencement of monitoring or a formal capability procedure, the case will be dealt with in accordance with the school's absence policy and will normally be referred to the occupational health service to assess the member of staff's health and fitness for continued employment and the appropriateness or otherwise of continuing with monitoring or formal procedures. In some cases it may be appropriate for formal procedures to continue during a period of sickness absence. However, the views of the occupational health physician will always be taken into account before a decision is reached.

Grievances

Where a teacher raises a grievance during the appraisal or capability process, the appraisal or capability process may be temporarily suspended in order to deal with the grievance. Where the grievance and appraisal or capability cases are related it may be appropriate to deal with both issues concurrently.

Confidentiality & Professional Relationships

The appraisal and capability processes will be treated with confidentiality. Only the appraiser's line manager/s, Head of School and Executive Head Teacher will be provided with access to the appraisee's plan recorded in her/his statements. Appraisers will be consulted on requests for access to statements in the context of this policy.

The process of gathering evidence for performance review will not compromise normal professional relationships between staff. The governing body recognises that the reviewer will consult with, and seek to secure the agreement of, the reviewee before seeking information from other colleagues about the work of the reviewee.

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

Monitoring and Evaluation

The governing body, Executive Head Teacher or Head of School will monitor the operation and effectiveness of the school's appraisal arrangements.

The Executive Head Teacher or Head of School will provide the governing body with a written report on the operation of the school's appraisal and capability policies annually. The report will not identify any individual by name.

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

Retention

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

Annual Appraisal Process

There will be three overall categories underpinning the process, two of which have sub-sections. These are:

1. Teaching Quality
2. School Improvement
3. The Teachers' Standards

1. Teaching Quality

This area will have three sub-sections (a, b and c), each of which will be graded in the same way with a score of 0-3 (not met, partially met, met, exceeded).

a) Achievement of a specific objective: (0-3)

The objective will be drawn from the Teaching Standards and be decided on jointly by the appraiser and appraisee. Outcomes will be judged through lesson observations, learning walks and other methods by agreement.

b) Evidence of teaching quality over time: (0-3)

Judged by learning walks, lesson observations and work/book scrutinies (these may be separate to those in our assessment cycle).

Exceeding (Books show very good progress, differentiation and challenge – marking and feedback clearly support learning) (3)

Met (Books show good progress, differentiation and challenge – marking and feedback largely support learning) (2)

Partially met (Books show adequate progress, differentiation and challenge – marking and feedback sometimes supports learning) (1)

Not met (Inadequate progress, differentiation and challenge – marking and feedback rarely support learning) (0)

c) Pupil outcomes (0-3)

Judged through professional discussion based on FFT targets, PiRA & PUMA and teacher assessments

2. School Improvement

This category will have two elements, each scored on the same 0-3 basis

Whole school target: (0-3)

This objective will be drawn from the 2017/2018 School Improvement Plan and will be common to all teachers but may differ in detail depending on experience. Outcomes will be judged according to criteria set by the SLTs of each school.

Leadership and Management: (0-3)

All teachers will have a leadership and management objective appropriate to their own level of development. Outcomes will be judged according to criteria set jointly by the appraiser and appraisee.

3. The Teachers' Standards

The same 0-3 scale will be used for each of the 8 Teachers' Standards. For Part Two – Personal and

professional Conduct the judgement will be 'met' or 'not met'. These should be assessed during the mid-year review to provide guidance for the appraisee as well as the end of year final judgement.

Appraisal for SENCos/Inclusion Leaders 2017/2018

SENCos without a significant teaching role

Where a SENCo does not have a regular class teaching role, the appraisal process will differ from the approach outlined for those with significant teaching responsibility. He/she will have three objectives, all relating to leadership and management

SENCos with a significant teaching role

Where a SENCo has a regular teaching role of at least one afternoon a week or equivalent, a hybrid version of the two approaches will be required. This will be discussed in advance with the Head Teacher/Head of School, and appraisee. The balance of the two approaches will depend on the level of teaching commitment.

Appraisal for Head Teachers and Heads of School

Head Teachers and Heads of school will undergo the same process. Between three and five objectives will be set and recorded across the themes of leadership and management, pupil progress and personal development. The appraisee will meet with the appraisers at least each term and more regularly with the Executive Headteacher.

Appraisal for Deputy Head Teachers with significant teaching responsibility

Where a Deputy Head Teacher has significant teaching responsibility, the appraisal will consist of a hybrid version of the various processes, which in agreement with the Head Teacher/Head of School appraiser will consist of teaching quality and leadership and management objectives.

Appraisal for Deputy Head Teachers without significant teaching responsibility

Where a Deputy Head Teacher has very little teaching responsibility, he/she will have three leadership and management objectives.

Performance and Pay Progression - Teachers

✚ Using the categories outlined in Appendix I, the total possible score for categories 1 and 2 is 15. Using this score and those for each of the Teachers' Standards (parts 1 and 2), teachers will be placed on one of 4 levels. These are outlined below alongside the appropriate pay progression outcome. Appraisers who are not Head Teachers, Heads of School or Deputy Head Teachers will submit their judgements to their most senior leaders for discussion and confirmation.

Level 4 Highly effective performance	At least 13 points across the scales And A score of 3 on five of the 8 Teachers' Standards and 2 on the other 3 And Meets the 'Part 2' element of the Teachers' Standards (Personal and Professional Conduct)	1 point on the Main Professional Scale (if not at the top). See below for UPS teachers or those wishing to apply And Annual national uplift And One/Two days additional paid annual holiday
Level 3 Effective performance	At least 9 points across the scales with no more than 1 individual score of 1 or less And A score of 2 on all Teachers' Standards And Meets the 'Part 2' element of the Teachers' Standards (Personal and Professional Conduct)	1 point on the Main Scale (if not at the top). See below for UPS teachers or those wishing to apply And Annual national uplift
Level 2 Performance Requires Improvement	At least 7 points across the scales And A score of 2 on 5 of the 8 standards (none at 0) And Meets the 'Part 2' element of the Teachers' Standards (Personal and Professional Conduct)	Annual national uplift only
Level 1 Ineffective performance. Urgent support strategy and time-limited targets. Formal procedures under the capability policy may follow (see Part B)	Failure to meet any of the Level 2 requirements	Annual national uplift only

Performance and Pay Progression – SENCos/Inclusion Leaders

The outcomes will be judged on the same scales (not met - 0, partially met - 1, met - 2, exceeded – 3). In addition, he/she will be expected to meet Teachers’ Standard 8 and Part B.

<p>Level 4 Exceptional performance</p>	<p>At least 8 points across the three objectives And Meets TS8 And Meets the ‘Part 2’ element of the Teachers’ Standards (Personal and Professional Conduct)</p>	<p>1 point on the Main Professional Scale (if not at the top). See below for UPS teachers or those wishing to apply And Annual national uplift And One/Two days additional paid annual holiday</p>
<p>Level 3 Good Performance</p>	<p>At least 6 points across the three objectives And Meets TS8 And Meets the ‘Part 2’ element of the Teachers’ Standards (Personal and Professional Conduct)</p>	<p>1 point on the Main Scale (if not at the top). See below for UPS teachers or those wishing to apply And Annual national uplift</p>
<p>Level 2 Performance Requires Improvement</p>	<p>At least 4 points across the three objectives And Meets TS8 And Meets the ‘Part 2’ element of the Teachers’ Standards (Personal and Professional Conduct)</p>	<p>Annual national uplift only</p>
<p>Level 1 Performance is unsatisfactory. Urgent support strategy and time-limited targets. Formal procedures under the capability policy may follow*</p>	<p>Failure to meet any of the Level 2 requirements</p>	<p>Annual national uplift only</p>

Performance and Pay Progression – Head Teachers/Heads of School

Where a head teacher/head of school at least meets his/her objectives, the directors, in consultation with the local governing body will consider the award of an additional point on the leadership scale. This is subject to the identified pay range not being exceeded. In exceptional circumstances the directors may review the range, subject to guidance from the School Teachers’ Pay and Conditions Document (STPCD).

Performance and Pay Progression – Deputy Headteachers

Where a deputy headteacher at least meets his/her objectives, he/she will be awarded an additional point on the leadership scale, subject to identified pay range not being exceeded. In exceptional circumstances the local governing body may review the range, subject to guidance from the School Teachers' Pay and Conditions Document (STPCD).

Upper Pay Scale (UPS)

A teacher wishing to apply for transfer to the Upper Pay Scale must have achieved a Level 4 judgement within the previous two cycles with at least a level 3 in the other.

A teacher wishing to apply for transition from either UPS 1 to UPS 2, or UPS 2 to UPS 3 must have achieved a Level 4 judgement within the previous two cycles with at least a level 3 in the other.