



Appraising Teacher Performance Policy

Author	Model Policy (Shane Baker)	Date: October 2023
Approved by:	Full Governing Board	Date:
Last reviewed on:	4 th November 2023	
Next review due by:	October 2024	

CHANGES

- June 2012: New policy
- June 2013: Revision to policy
- August 2014: Revision to policy (STPCD 2014)
- August 2015: Policy checked in line with STPCD 2015; minor revisions; page numbers inserted in contents page, reference to STPCD 15 and link inserted for DfE guidance document
- September 2016: Policy checked in line with STPCD 2016
- September 2017: Policy checked in line with STPCD 2017
- September 2018: Policy checked in line with STPCD 2018
- September 2019: Policy checked in line with STPCD 2019 and incorporation of minor revision to the date's sentence of the appraisal period and setting objectives, in line with the 'Making Data Work' report, as referred to in the schools' model pay policy
- September 2020: Policy checked in line with STPCD 2020 and minor revision to include Scope of policy on page 2
- September 2021: Policy checked in line with STPCD 2021 and minor revision to change reference from NQT to ECT
- September 2022: Checked in line with STPCD 2022
- September 2023: Checked in line with STPCD 2023

Contacts

If you have any questions regarding this policy please contact the school's HR Provider.

Scope

This model policy has been written for Local Authority community schools and nurseries and voluntary controlled schools.

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1 INTRODUCTION

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

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

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

Schools and local authorities must have an appraisal policy for teachers and a policy, covering all staff, which deals with lack of capability. This model policy applies only to teachers, including headteachers, but schools might wish to adapt it for use with all staff. It has been written in the context of schools, but the same principles apply to unattached teachers. It is good practice for schools to consult staff on their appraisal policy. This model policy has been provided as an optional resource for schools and others to which they can refer as they wish as they review and develop their own policies.

On 1 September 2012 it supersedes the previous performance management model policy and guidance, which had been designed to support the 2006 Regulations.

Appraisal outcomes will form the basis of subsequent pay decisions in line with the School Teachers' Pay and Conditions Document 2017.

In the model policy:

Text in bold indicates statutory requirements contained in the Appraisal Regulations or the School Staffing Regulations.

2 MODEL POLICY FOR APPRAISING TEACHER PERFORMANCE

2.1 Purpose

This policy sets out the framework for a clear and consistent assessment of the overall performance of teachers, including the headteacher, and for supporting their development within the context of the school's plan for improving educational provision and performance, and the standards expected of teachers.

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.

2.2 Application of the policy

The policy covers appraisal, applies to the headteacher and to all teachers employed by the school or local authority, except those on contracts of less than one term and those undergoing induction (*i.e. Early Career teachers: ECTs*)

3 APPRAISAL

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

3.1 The appraisal period

The appraisal period will run for twelve months from October to October.

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.**

There is flexibility to have a longer or shorter appraisal period when teachers begin or end employment with a school or local authority or when unattached teachers change post within the same authority.

Where a teacher starts their employment part-way through a cycle, the headteacher or, in the case where the employee is the headteacher, the governing body shall determine the length of the first cycle for that teacher, with a view to bringing his/her cycle into line with the cycle for other teachers as soon as possible. Where a teacher transfers to a new post within the school part-way through a cycle, the headteacher or, in the case where the employee is the headteacher, the governing body shall determine whether the cycle shall begin again and whether to change the appraiser.

3.2 Appointing appraisers

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

In this school the task of appraising the headteacher, including the setting of objectives, will be delegated to a sub-group consisting of three members of the Governing Body.

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

The headteacher will decide appropriately trained and experienced staff who will appraise other teachers. The headteacher and nominated senior leaders will monitor the performance management process and objectives for equality and fairness.

Each appraiser will be responsible for no more than five teachers in each cycle.

Where a teacher is of the opinion that the person to whom the headteacher has delegated the appraiser's duties is unsuitable for professional reasons he/she may submit a written request to the headteacher for that appraiser to be replaced, stating the those reasons.

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

If the headteacher appoints an appraiser who is not the teacher's line manager then 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.

3.3 Setting objectives

The head teacher's objectives will be set by the Governing Body in consultation with the external adviser normally within a three-part meeting consisting of the external adviser meeting with the headteacher, the

external adviser meeting with the responsible governors and lastly the formal review meeting with all parties.

Objectives for each teacher will be set before or as soon as practicable after, the start of each appraisal period. The objectives set for each teacher will be linked to the relevant standards, will be Specific, Measurable, Achievable, Realistic and Time-bound and will be appropriate to the teacher's role and level of experience. Objectives and performance management discussions will not be based on teacher generated data and predictions, or solely on the assessment data for a single group of pupils. Objectives can be set in relation to robust assessment data, however, these will not be used in isolation and other factors will also be considered when making decisions about pay progression. The appraiser and teacher will seek to agree the objectives but, if that is not possible, the appraiser will determine the objectives. Objectives may be revised if circumstances change.

Under normal circumstances both headteachers and teachers will have a maximum of 3 objectives.

The objectives set for each teacher, including the head teacher will, if achieved, contribute to the school's plans for improving the school's educational provision and performance and improving the education of pupils at that school. This will be ensured by the school's self-evaluation process and equality duties.

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

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. With the exception of those who are qualified teachers by virtue of holding and maintaining Qualified Teacher Learning and Skills (QTLS) status, all teachers must be assessed against the set of standards contained in the document called "Teachers' Standards" published in July 2011. The headteacher or governing body (as appropriate) will need to consider whether certain teachers should also be assessed against other sets of standards published by the Secretary of State that are relevant to them.

For teachers who are qualified teachers by virtue of holding QTLS status, it is for the governing body or headteacher to decide which standards are most appropriate. Such teachers may be assessed against the Teachers' Standards, against any other sets of standards issued by the Secretary of State, against any other professional standards relevant to their performance or any combination of those three.

3.4 Pay Progression

Where teachers are eligible for pay progression, the recommendation made by the appraiser will be based on the assessment of their performance against the agreed objectives. The decision made by the relevant decision-making body will be based on the statutory criteria and guidance set out in the STPCD¹ and the relevant teacher standards.

The Governing Body should determine what provision should be made in the school's budget for discretionary pay awards and progression.

A decision may be made not to award progression whether or not the teacher is subject to capability proceedings. There is a clear expectation in STPCD 2015 that good performance should lead to pay progression. In circumstances where a teacher does not receive pay progression, an important part of feedback will be to explain the evidence which was taken into account to support the decision and how any development issues can be addressed.

The Governing Body has agreed the pay policy of the school and has considered the implications of the appraisal policy with respect to the arrangements relating to teachers' pay in accordance with the STPCD.

¹ School Teachers' Pay and Conditions Document

The Governing Body will ensure that decisions on pay progression are made by 31 December for headteachers and by 31 October for other teachers.

3.5 The Equality Act 2010 – Pay Progression

Appraisers and the decision makers should assess whether there are any implications for people with particular protected characteristics, i.e. age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation. In particular equality should be considered in relation to:

- **Objective setting** – the nature and weighting of performance objectives agreed during a teacher’s appraisal should be non-discriminatory providing teachers with an equal opportunity to access pay progression. Any implications for the training of appraisers should be identified and resolved and for the moderation of the appraisal arrangement
- **Pay progression criteria** – the nature and degree of challenge of pay progression criteria should be considered to avoid indirect discrimination
- **Recommendations and decisions on teachers’ pay progression** – the outcomes should be recorded/reported taking account of the profile/characteristics of those who are granted pay progression and those who do not receive pay progression
- **The nature and scale of pay progression of teachers** – where teachers receive accelerated pay progression (e.g. more than one increment), the governing body should look at the profile/characteristics of the teachers concerned compared with other teachers not in receipt of accelerated progression

Further details can be found in Dfe guidance ‘Implementing your school’s approach to pay’ for maintained schools and local authorities (September 2019) at the link below:

<https://www.gov.uk/government/publications/reviewing-and-revising-school-teachers-pay>

Reviewing performance

3.6 Appraisal Observation

This school believes that observation of classroom practice and other responsibilities is important both as a way of assessing teachers’ performance in order to identify any particular strengths and areas for development they may have and of gaining useful information which can inform school improvement more generally. All observation will be carried out in a supportive fashion and will include feedback in accordance with school practice.

In this school teachers’ performance will be regularly observed but the amount and type of classroom observation will depend on the individual circumstances of the teacher and the overall needs of the school. Classroom observation will be carried out by those with QTS/QTLS. In addition to formal observation, headteachers or other leaders with responsibility for teaching standards may “drop in” in order to evaluate the standards of teaching and to check that high standards of professional performance are established and maintained. The length and frequency of “drop in” observations will vary depending on specific circumstances.

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

Detailed arrangements for the observation of classroom and leadership practice are set out in the attached Appendix 1.

3.7 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 teachers take responsibility for improving their teaching

through appropriate professional development. Professional development will be linked to school improvement priorities and to the on-going professional development needs and priorities of individual teachers.

At the end of the cycle, assessment of performance against an objective will be on the basis of the performance criteria set at the beginning of the cycle. Good progress towards the achievement of a challenging objective, even if the performance criteria have not been met in full, will be assessed favourably. There must be evidence of having grown professionally.

3.8 Feedback

Teachers will receive constructive feedback on their performance throughout the year and as soon as practicable after observation has taken place or other evidence has come to light. Feedback will highlight particular areas of strength as well as any areas that need attention. Where there are concerns about any aspects of the teacher's performance the appraiser will meet the teacher formally to:

- give clear feedback to the teacher about the nature and seriousness of the concerns;
- give the teacher the opportunity to comment and discuss the concerns;
- agree any support to restore professional effectiveness, that will be provided to help address those specific concerns;
- make clear how, and by when, the appraiser will review progress (it may be appropriate to revise objectives, and it will be necessary to allow sufficient time for improvement. The amount of time is up to the school but should reflect the seriousness of the concerns);
- explain the implications and process if no – or insufficient – improvement is made.
- to discuss a programme of support and how this would be put into place.

When progress is reviewed, if the appraiser is satisfied that the teacher has made, or is making, sufficient improvement, the appraisal process will continue as normal, with any remaining issues continuing to be addressed through that process.

Detailed arrangements for informal support are set out in the attached appendix 2.

3.9 Annual assessment

Each teacher's performance will be formally assessed in respect of each appraisal period. In assessing the performance of the headteacher, the Governing Body must consult the external adviser.

This assessment is the end point to the annual appraisal process, but performance and development priorities will be reviewed and addressed on a regular basis throughout the year in interim meetings which will take place *once a year*.

The teacher will receive as soon as practicable following the end of each appraisal period – and have the opportunity to comment in writing on - a written appraisal report. In this school, teachers will receive their written appraisal reports by 31 October (31 December for the head teacher). **The appraisal report will include:**

- details of the teacher's objectives for the appraisal period in question;
- **an assessment of the teacher's performance of their role and responsibilities against their objectives and the relevant standards;**
- **an assessment of the teacher's professional development needs and identification of any action that should be taken to address them;**
- **a recommendation on pay where that is relevant** (NB – pay recommendations need to be made by 31 December for head teachers and by 31 October for other teachers);
- any other relevant comments that reflect the teacher's professional contribution to school life.

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

3.10 Transition to capability

If the appraiser is not satisfied with progress, the teacher will be notified in writing that the appraisal system will no longer apply and that their performance will be managed under the capability procedure, and will be invited to a formal capability meeting.

3.11 Confidentiality

Access to the written appraisal report will normally be limited to the appraisee, the appraiser, the headteacher and / or nominated member of the senior leadership team.

3.12 Equality and consistency

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

3.13 Retention of statements

The Governing Body and headteacher will ensure that all written appraisal records are retained on personal files in a secure place.

Appendix 1 – CLASSROOM OBSERVATION PROTOCOL

The Governing Body is committed to ensuring that classroom observation is developmental and supportive and that those involved in the process will:

- carry out the role with professionalism, integrity and courtesy;
- evaluate objectively;
- report accurately and fairly; and
- respect the confidentiality of the information gained.

The total period for classroom observation arranged for any teacher, not in capability, with regard to Appraisal will not exceed three hours per cycle having regard to the individual circumstances of the teacher. There is no requirement to use all of the three hours. The amount of observation for each teacher should reflect and be proportionate to the needs of the individual.

In this school 'proportionate to need' will be determined by:

The arrangements for classroom observation will be included in the plan, in the planning and review statement and will include the amount of observation, specify its primary purpose, any particular aspects of the teacher's performance which will be assessed, the duration of the observation, when during the appraisal cycle the observation will take place and who will conduct the observation.

Where evidence emerges about the reviewee's teaching performance which gives rise to concern during the cycle classroom observations may be arranged in addition to those recorded at the beginning of the cycle subject to a revision meeting being held in accordance with the Regulations.

Information gathered during the observation will be used, as appropriate, for a variety of purposes including informing school self-evaluation and school development strategies in accordance with the school's commitment to streamlining data collection and minimising bureaucracy and workload burdens on staff.

In keeping with the commitment to supportive and developmental classroom observation those being observed will be notified in advance.

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

Oral feedback will be given as soon as possible after the observation and no later than the end of the following working day. It will be given during directed time in a suitable, private environment.

Written feedback will be provided within five working days of the observations taking place. If issues emerged from an observation that were not part of the focus of the observation as recorded in the planning and review statement these should also be covered in the written feedback and the appropriate action taken in accordance with the regulations and guidance.

The written record of feedback also includes the date on which the observation took place, the lesson observed and the length of the observation. **The teacher has the right to append written comments on the feedback document.** No written notes in addition to the written feedback will be kept.

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

Clearly the appraisal arrangements are integral to fulfilling this duty and the headteacher may consider the classroom observations they make for appraisal are sufficient and that drop-in will not be needed.

In this school: drop-ins which inform the Appraisal of a teacher will only be undertaken by the headteacher.

Drop-ins will only inform the appraisal process where evidence arises which merits the revision of the appraisal planning statement, in accordance with the provisions of the regulations.

Appendix 2 – INFORMAL SUPPORT PROTOCOL

Informal capability, or rather informal support, is a term commonly used to describe the period during which a member of staff is supported to fully perform their duties and to address issues of underperformance on an informal basis. Any issues of underperformance and the support needed to remedy them should be dealt with at the formal annual assessment forming part of a staff member's appraisal.

If the issues causing concern cannot wait until the formal annual assessment, an informal meeting should be arranged, at which the individual may wish to be accompanied by a colleague or trade union rep. The informal meeting should be considered a part of the appraisal process.

Concerns about performance should in all cases initially be addressed through support provided within the appraisal process, before consideration is given to use of this capability procedure. The use of this capability procedure must be distinguished and kept entirely separate from initial support provided under the appraisal procedure. It should only be used after such informal support has been provided. The appraisal process will be suspended when the capability procedure is invoked.

This procedure sets out the steps to be followed when the headteacher believes that an employee is failing consistently to perform their duties to a professionally acceptable standard. The primary objective is to ensure maximum support through guidance, counselling and training in order that the employee's performance improves, and the problem is resolved.

Concerns about performance should in all cases initially be addressed through support provided within the appraisal process, before consideration is given to use of this capability procedure. The use of this capability procedure must be distinguished and kept entirely separate from initial support provided under the appraisal procedure. It should only be used after such informal support has been provided. The appraisal process will be suspended when the capability procedure is invoked.

This procedure should not be used in cases of alleged misconduct or lack of capability due to persistent ill health, which should be dealt with separately through the disciplinary procedure and absence management procedure respectively. It is not applicable to newly qualified teachers for whom separate induction procedures should apply.

At every step of this procedure, including at all meetings, the employee has the right to be accompanied by a representative of an independent trade union or a work colleague.

INFORMAL SUPPORT PLAN REVIEW AND INFORMAL CAPABILITY MEETING

When an employee's performance at work is giving rise to concern and the support, learning and development offered through the appraisal/performance management processes has not resulted in the required improvements, a informal support meeting will be arranged to determine whether it is appropriate to invoke the formal capability procedure.

Before the informal support meeting takes place, any concerns relating to an employee's lack of skill, aptitude or ability must be brought to the attention of the Headteacher. The Headteacher will then review the evidence and will determine whether it is appropriate to meet with the employee to undertake a informal support meeting. Where they have not already done so, employees are encouraged to discuss this with their Trade Union Representative (as appropriate).

Where it is deemed appropriate, the Headteacher will meet with the employee to undertake a informal support meeting, the purpose of which is to allow a two-way, professional and respectful discussion to take place and will cover a number of issues such as:

- Current and previous performance
- Suitability and impact of support provided to date
- Any mitigation and/or external causes brought to the employer's attention
- Employees are encouraged to disclose information that may be affecting their performance, and any sensitive, personal information will be managed discreetly, respectfully and confidentially, on a need to know basis.

As a result of this meeting, a number of outcomes may be possible such as:

- The formal Capability Policy and Procedure being invoked
- An informal support plan being devised and issued
- The informal support plan being extended
- The informal support plan being re-designed
- Counselling, support and/or modifications