

# Policy C7 Appraisal Policy for Teachers (specified academies)

This policy specifically applies to the following academies only:

Churchwood Primary Academy  
Dudley Infant Academy  
Hollington Primary Academy  
Robsack Wood Primary Academy  
Silverdale Primary Academy  
The Baird Primary Academy  
The Hastings Academy  
The St Leonards Academy  
West St Leonards Primary Academy

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## 1. Purpose

- 1.1. The purpose of this policy is to set out the Trust's framework for a clear and consistent assessment of the overall performance of teachers, including Principals<sup>1</sup>, and for supporting their development within the context of the Trust's and each academy's plan for improving educational provision and performance, and the standards expected of teachers.
- 1.2. This policy should be read in conjunction with the separate Capability Policy and Procedure which sets out the procedure to be followed where there are serious concerns about a member of staff's performance that the appraisal process has been unable to address.

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<sup>1</sup> For ease of reference, Academy Principals and Executive Principals are referred to as 'Principals' throughout this document

## **2. Introduction**

- 2.1. The 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 replaced the Education (School Teacher Performance Management) (England) Regulations 2006 (the 2006 Regulations).
- 2.2. The Appraisal Regulations set out the principles that apply to teachers in all maintained schools and academies, 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 and academies more freedom to design arrangements to suit their own individual circumstances. They provide the minimum national framework within which schools and academies should operate and say nothing, or very little, on many subjects on which the 2006 Regulations made detailed provision. If they wish, schools and academies may include in their own policies details that are no longer covered by the Appraisal Regulations.
- 2.3. Schools / academies 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).
- 2.4. Schools / academies and local authorities must have an appraisal policy for teachers and a policy covering all staff, which deals with lack of capability. This policy is based on the DfE model policy which applies only to teachers (including Principals).
- 2.5. It is good practice for schools / academies to consult staff on their appraisal and capability policies. The Trust's policies are based on East Sussex County Council model policies: trade unions have taken part in the consultation process and have contributed to both the model appraisal and capability policies.
- 2.6. This policy reflects the 2012 Appraisal Regulations and replaces the Model Performance Management Policy & Classroom Observation Protocol which was introduced to support the 2006 Regulations. This version of the policy has been updated in 2015 to reflect recent changes to teachers' pay as set out in the STPCD.

## **3. Application of the policy**

- 3.1. This policy applies to the Principals and all teachers employed by the Trust except those on contracts of less than one term, those undergoing induction (i.e. NQTs) and those who are subject to the Trust's Capability Procedure.

## **4. Appraisal**

- 4.1. Appraisal in this Trust 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.

## **5. The appraisal period**

- 5.1. The appraisal period will run for twelve months from 1<sup>st</sup> September to 31 August.
- 5.2. 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.
- 5.3. There is flexibility to have a longer or shorter appraisal period when teachers begin or end employment with the Trust.

## **6. Appointing appraisers**

- 6.1. Academy principals will be appraised by the Trust's Board of Trustees. The Board will appoint a Trust Officer to undertake performance management of Principals on its behalf. The Chair of the Academy Local Board may be invited to contribute to this process.
- 6.2. Principals will decide who appraises other teachers within their academy.

## **7. Setting objectives**

- 7.1. Principals' objectives will be agreed by the Trust's Executive Team.
- 7.2. 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 Specific, Measurable, Achievable, Realistic and Time-bound (SMART) and will be appropriate to the teacher's role and level of experience (not normally more than 3 for classroom teachers). In setting objectives, the appraiser will consider what can reasonably be expected in the context of that roles responsibilities and experience, and will be consistent with the academy's strategy for achieving a work/life balance for all staff. The appraiser will take into account the effects of any individual's disability when setting objectives. 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.
- 7.3. The objectives set for each teacher will, if achieved, contribute to the Trust's plans for improving each academy's educational provision and performance, and improving the education of pupils at the academies. If a teacher's line manager(s) is not his/her assessor, the line manager can see the teacher's objectives.
- 7.4. 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 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 Principals 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.
- 7.5. For teachers who are qualified teachers by virtue of holding QTLS status, it is for the Principals 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, any other professional standards relevant to their performance or any combination of those three.

## **8. Reviewing performance**

### **8.1. Observation**

- 8.1.1. The Trust 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 the Trust's improvement more generally. All observation will be carried out in a supportive fashion.
- 8.1.2. 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 Trust. Classroom observation will be carried out by teachers with QTS. In addition to formal observation, Principals or other senior 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.

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

## 8.2. ***Development and support***

8.2.1. Appraisal is a supportive process which will be used to inform continuing professional development. The Trust 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 Academy improvement priorities and to the ongoing professional development needs and priorities of individual teachers.

## 8.3. ***Feedback***

8.3.1. 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 acknowledge good and outstanding performance, and highlight particular areas of strength as well as any areas that need attention.

8.3.2. If at any point during the usual appraisal cycle concerns arise about any aspect of a 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 (e.g. coaching, mentoring, structured observations) 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, which will not usually be less than 6 weeks, although this period may be shorter if there are serious concerns
- explain the implications and process if no, or insufficient improvement is made.

8.3.3. A written summary of the meeting should be sent to the teacher following the meeting covering all the above points.

8.3.4. Line Managers should contact the Principal / Vice Principal for advice when a teacher's performance is of cause for concern. Where concern is being raised in accordance with paragraph 8.3.2 above in relation to a teacher who is a trade union representative, it is also advisable to consult the HR department to raise the matter with a senior trade union representative or full time official.

8.3.5. 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.

## 9. **Transition to the Capability Procedure**

9.1. If the appraiser is not satisfied with progress in the focused support period agreed, the teacher will be notified in writing that the appraisal system will no longer apply and that their performance will now be managed under the Trust's Capability Procedure. The teacher will then be invited to a formal capability meeting.

## 10. **Annual assessment**

10.1. Each teacher's performance will be formally assessed in respect of each appraisal period.

10.2. 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.

10.3. The teacher will receive as soon as practicable following the end of each appraisal period, and have

the opportunity to give written comment on, a written appraisal report. Teachers will receive their written appraisal reports by 31 December. 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.

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

## **11. Pay progression linked to performance**

11.1. The Trust will consider annually whether to increase the salary of any classroom teachers who have completed a year of employment since the previous annual pay determination and, if so, to what salary within the pay range.

11.2. The Trust will consider every two years whether to increase the salary of any teachers paid on the Upper Pay Range. The Trust will consider within two years (maximum) whether to increase the salary of any member of staff on the Leadership Pay Range (excluding Principals, whose salary is considered annually). Teachers will need to have completed at least a year of employment since the previous pay determination and, if so, to what salary within the relevant pay range.

11.3. The decision whether to award pay progression, will be related to a teacher's performance. A pay recommendation will be made in writing as part of a teacher's annual appraisal report. Continued good performance, as defined by the Trust's pay policy, should give a qualified or unqualified teacher an expectation of progression to the top of their respective pay range. A decision may be made not to award pay progression, whether or not the teacher is subject to capability proceedings; however teachers must be informed in writing about concerns regarding their standards of performance in the course of the annual appraisal cycle.

11.4. The Trust's pay policy will clearly set out how pay progression will be determined. The Principals and the HR Director will be responsible for ensuring that appropriate arrangements are put in place to support the links between performance and pay, and that rates of pay progression are affordable and comply with prevailing legislation (e.g. Equal Pay).

11.5. Where teachers are eligible for pay progression, the recommendation made by the Principals will be based on an assessment of performance against agreed performance objectives. The decision made by the Trust Executive Team (in relation to all teachers apart from Principals) or the Remuneration & HR Committee of the Board of Trustees (in relation to Principals) will be based on the statutory criteria and guidance set out in the STPCD and the relevant teacher standards.

11.6. 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 have demonstrated that they are fully competent in all elements of the Teaching Standards. Teaching should be at least 'good' as defined by OFSTED.

11.7. If the overall appraisal evidence shows that a teacher has demonstrated outstanding performance, the Trust may consider giving an additional, discretionary payment in addition to a performance related pay award. Teachers will need to have met or exceeded all objectives and have demonstrated that the Teaching Standards are fully embedded in all aspects of their performance. Teaching should be 'outstanding', as defined by Ofsted.

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

## 12. Policy status and review

<b>Written by:</b>	HR Director / Director of Policy and Governance
<b>Owner:</b>	HR Director
<b>Status:</b>	V1 = Approved V2 = Approved V3 = Approved (subject to Trades Union review)
<b>Approval date:</b>	V1 = 19/11/12 (Resources Committee) V2 = 17/12/13 (Resources Committee) V3 = 21/10/15 (Resources Committee) Merger editorial changes 1 September 2017
<b>Review Date:</b>	By 2020/21

## Appendix 1 - A Joint Statement of Principles on Teacher Appraisal and Capability from the ASCL, ATL, NAHT and NUT

- Appraisal is a thorough yet supportive and developmental process which assists teachers in improving their performance by concentrating on key objectives, and must include open and honest discussions between the appraiser and the appraisee;
- The above unions believe that the Trust should have separate appraisal and capability policies in order to facilitate the discussions needed to ensure the effectiveness of the appraisal process in managing performance. Capability procedures would not normally commence until it is clear that it is necessary, following on from the appraisal process;
- All appraisers should be appropriately trained in appraisal procedures. All appraisers who conduct observations of teaching should have QTS;
- Objectives should be set following consultation with teachers and should be clearly defined with appraisers and appraisees clear about what success will look like and how progress will be measured;
- Observation for appraisal should be planned with sufficient notice given and a clear focus linked to agreed objectives;
- Feedback should be given swiftly after any observation;
- Observation should be kept to the minimum needed to determine that objectives are met and in accordance with local agreements;
- Implication of insufficient progress should be clearly explained to the teacher;
- Where concerns are raised the teacher will receive appropriate support as part of the appraisal process. The support offered will be agreed in advance and may include classroom observation alongside other support, for example additional training and visits to other classes. The length of any period of support will be subject to locally agreed protocols;
- If sufficient progress has not been made after the period of support, then the Trust may consider moving to capability. A clear distinction must be made when the teacher moves from the supportive appraisal process to capability;
- The DfE capability model should not be used for capability concerns arising as a result of ill-health (the Trust has a separate policy for this);
- Care will be taken to ensure that appraisal and capability procedures are used in such a way as to avoid discrimination, with monitoring for equality purposes.

## Appendix 2 - Classroom Observation Protocol

### 1. For appraisal purposes

- 1.1. The Board of Trustees is committed to ensuring that classroom observation is developmental and supportive and that those involved in the process will:
  - give clear feedback to the teacher about the nature and seriousness of the concerns;
  - give the teacher the opportunity to comment on and discuss the concerns;
  - agree any support (e.g. coaching, mentoring, structured observations), 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, although the actual time will depend on the individual circumstances. The amount of time is up to the Academy but should reflect the seriousness of the concerns);
  - explain the implications and process if no, or insufficient improvement is made.
- 1.2. Although the national limit of 3 hours of classroom observation during an annual performance review cycle has been removed from 1 September 2012, the Board of Trustees is committed to ensuring that the amount of observation (and time between observations irrespective of their purpose) for each teacher should be appropriate, reasonable.
- 1.3. In accordance with these principles, the arrangements for classroom observation and/or task observation will be included in the appraisal planning statement. In this sense, it is advisable for the Principal to consult with staff/union representatives over the pattern and planned approach for observation. The statement will:
  - include the number of observations, which will not normally exceed three observations over the course of the annual appraisal cycle;
  - specify its primary purpose;
  - specify any particular aspects of the teacher's performance which will be assessed;
  - specify the duration of the observation, which will not normally exceed three hours (not including feedback) in total over the course of the annual cycle; and
  - specify when during the appraisal cycle the observations will take place and who is likely to conduct the observations.
- 1.4. Where concerns emerge about a teacher's performance during the cycle, additional classroom observations may be arranged.
- 1.5. In keeping with the Board of Trustees' commitment that classroom observation should be both supportive and developmental, every effort will be made for an observation to be made at the agreed time and for reasonable notice to be given.
- 1.6. Classroom observations of teachers will only be undertaken by persons with QTS who have had adequate preparation and the appropriate professional skills to undertake observation and to provide constructive oral and written feedback and support.
- 1.7. 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.
- 1.8. Written feedback will normally be provided within five working days of the observation taking place. If issues emerged from an observation that were not part of the focus of the observation as recorded in the planning and review statement these should also be covered in the written feedback and the appropriate action taken.
- 1.9. 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.



## **2. For on-going monitoring purposes**

- 2.1. Principals have a duty to evaluate the standards of teaching and learning and to ensure that proper standards of professional performance are established and maintained throughout the academy. Principals and other senior leaders have a right to drop in to classrooms to inform their monitoring of the quality of learning throughout the academy.
- 2.2. Learning walks and other short visits such as drop ins may take place in order to collect evidence about teaching and learning, evidence of progress and areas for academy staff development. Drop ins will be undertaken by the Principal supported by the Senior Leadership Team.
- 2.3. While information gathered during the appraisal process may be used, as appropriate for a variety of purposes including informing academy self-evaluation and academy improvement strategies, a Principal may determine that it is necessary to collect such evidence as their professional judgment dictates and this may include additional classroom observations.
- 2.4. Monitoring may take a form that is not accurately described as lesson observation, which is usually of teaching and learning. Instead for example, it may have a focus on the standards of attainment by the children, the impact of programmes of study on learning or pupil behaviour. The monitoring might, for example, involve: work scrutiny, analysis of assessment results or an examination of lesson planning records. It may also be 'light touch' and relatively informal.
- 2.5. Reasonable notice will be given of additional observations but depending on the particular circumstances, it may not be practicable to provide advance notice of the monitoring activities that are carried out for purposes other than appraisal.
- 2.6. The number and duration of monitoring activities will be for the Principals to determine as appropriate