

Please note that subsequent to the approval of this policy, the name of the organisation changed to The Partnership Trust. All references to The Bath and Mendip Partnership Trust should be read as The Partnership Trust

## Teacher Appraisal Policy

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| <b>Review Due:</b>    | <b>September 2020</b>     |
| <b>Last Review</b>    | September 2019            |
| <b>Applicable to:</b> | All Trust Schools         |
| <b>Approved by :</b>  | Trust Board December 2019 |
| <b>Reviewed By:</b>   | SD                        |

The Board of Trustees of the Bath and Mendip Partnership Trust have agreed this policy. This policy applies to all schools within The Bath and Mendip Partnership Trust.

### 1. Preamble –

- a. This policy aims to:
  - Set out the arrangements for appraising teachers, including the process and the responsibilities of individuals
  - Ensure consistency and fairness across the school
  - Create a process where teachers’ professional development is supported and encouraged, in the context of the school’s latest Ofsted report, our school improvement plan and the Teachers’ Standards
  - Ensure teachers have the skills and knowledge they need to fulfil and excel in their role and provide an excellent education to our pupils
- b. The policy applies to all teaching staff employed by the school for one term or more except those undergoing induction and those undergoing capability procedures.

### 2. Introduction

- a. The Education (School Teachers’ Appraisal) (England) Regulations 2012, made under the Education Act 2002, came into force on 1 September 2012 and replace The Education (School Teacher Performance Management) (England) Regulations 2006; the new regulations can be found at [www.legislation.gov.uk/ukxi/2012/115/pdfs/ukxi\\_20120115\\_en.pdf](http://www.legislation.gov.uk/ukxi/2012/115/pdfs/ukxi_20120115_en.pdf)
- b. As a Multi Academy Trust these regulations do not apply and although The Bath and Mendip Partnership Trust may choose to have its own policy and procedures the Trustees have decided to adopt the regulations which apply to maintained schools.

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

### **3. Guiding principles**

- d. In its oversight of the appraisal system, the Trust and school's local governing body (LGB) is committed to ensuring consistency of treatment and fairness and to stay within the prevailing legal framework applicable to all employers; for example, the Equality Act 2010, the Employment Rights Act 1996, the Part-Time Workers Regulations 2000, the Fixed Term Employees Regulations 2002 and the Data Protection Act 1998.
- e. The latest School Teachers' Pay and Conditions Document (STPCD), Teachers standards and National Standards of Excellence for Headteachers during the appraisal period.
- f. The Headteacher will moderate all planning statements to check that the agreed plans are consistently weighted between employees who have similar levels of responsibility and that the plans comply with the school's appraisal policy.
- g. The appraisal process and the supporting documentation will be treated with strict confidentiality at all times. Only those who need access to such information will be granted access to enable them to discharge their responsibilities as directed by the school/Trust. Appraisal information will be anonymised when the information is reported to the Local Governing Body and Trust Board. Appraisal records will be kept securely in the appraisee's personnel file.
- h. The LGB will monitor the operation of the appraisal system and review it through:
  - Receipt of an 'Annual Appraisal Statement' provided by the Headteacher

### **4. Definitions**

In this policy, the following definitions apply:

- Headteacher refers to Headteacher, Executive Headteacher, Principal and Executive Principal.
- Teachers refers to classroom teachers, middle and senior leaders.

### **5. Purpose**

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

## **6. The Appraisal**

- a. The CEO (or member of the Executive Team as delegated by the CEO) must appraise the performance of a Headteacher. In turn, the Headteacher of a school is responsible for ensuring the review of the performance of every other teacher.
- b. Appraisal meetings should be held during normal working hours and should be scheduled for at least one hour or longer if necessary.
- c. The purpose of the appraisal meeting is to review the employee's current job, their performance and their future 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 to agree and set a number (typically 3) of objectives (there is no minimum or maximum number of objectives however).

## **7. The Appraisal Period**

- a. The appraisal period will be for 12 months and will begin on 1 September; it must be completed by 31 October for teachers and by 31 December for Headteachers. Mid-year review meetings may also be held if agreed and considered necessary. This could be by the request of the appraisee or following concerns from the management.
- b. Where a teacher starts their employment or transfers to a new post within the school part way through a performance management cycle, the Headteacher, or in the case where the employee is the Headteacher, the CEO, shall determine appraisal arrangements for the remainder of the appraisal period, with a view to bringing their cycle into line with the cycle for other teachers and staff as soon as possible.
- c. Where a teacher is employed on a fixed term contract for a period less than 12 months, the length of the appraisal period will be determined by the duration of the contract.

## **8. The Appraisers**

- a. All appraisers, should be provided with appropriate training.
- b. For the CEO and CEoO
  - i. The Trust Board may appoint an external adviser for the purposes of providing it with advice and support in relation to the appraisal of the CEO/CEoO. The qualifications and experience required of an external adviser are not set by regulation. It is for the Trust Board to decide who they wish to use as an external adviser, ideally with the agreement of the CEO. The Trust Board will be the appraiser for the CEO and CEoO, and will discharge this particular responsibility on its behalf, to the Chair of the Board and one other independent Trustee. CEOs and CEoOs can raise an objection to the Chair of Trustees, in

writing and with good reason, outlining why an appointed Trustee should be excluded from the appraisal process.

- ii. Any external adviser is not responsible for determining a recommendation to the Pay Committee on whether an increment should be paid to the CEO/CEdO, following the review; this is a matter for the Trust Board pay committee alone. However, Trustees can ask for advice and should take account of any advice offered.
- c. For the Headteacher
- i. The CEO as line manager will be the appraiser for the Headteacher. The CEO may delegate this responsibility to a member of the Executive Team.
  - ii. The appraiser will engage with the Chair of the LGB to ensure that the views and observations of the LGB are incorporated into the process and to determine a salary recommendation to the LGB Pay Committee.
  - iii. The Headteacher/ Principal can raise an objection to the CEO in writing and with good reason, outlining why a member of the Trust Executive Team should be excluded from the process. Where objections are rejected by the CEO, the Headteacher should be advised in writing.
- d. For all other teachers
- i. The Headteacher is responsible for the appraisal of all other teachers but may delegate this responsibility to others who will normally have line management responsibility for those they appraise.
  - ii. Teachers should be able to object to the appointment of an appraiser, on professional grounds, in writing to the Headteacher who will consider this and make a decision. Where the objections are rejected by the Headteacher, the teacher should be advised in writing.

## **9. Objective setting**

- a. The setting and agreement of objectives is 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 be a helpful context to the process of setting and agreeing objectives. Other useful 'reference documents' may include the School Improvement/Development Plan, the School's Business Plan, the Ofsted School Inspection Report and the Teachers' Standards.

- b. In addition, it may be prudent to allow for some flexibility in the setting and agreement of objectives to enable objectives to be set and agreed around issues that are emerging for the school and that require some dedicated attention that is best articulated as one or as a set of objectives. On the grounds that emerging issues are unlikely to be known at the outset of an appraisal period, objectives may need to be adjusted throughout the appraisal period so that they remain relevant to the performance of the individual and to the priorities of the school. This is considered to be perfectly standard practice; 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.
- c. Objectives should be CSMART
  - C = Challenging
  - S = Specific
  - M = Measurabl
  - A = Achievable
  - R = Relevant
  - T = Timed
- d. 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.
- e. The Trust Board must, before, or as soon as practicable after, the start of each appraisal period, in relation to the CEO/CEdO, inform the CEO/CEdO of the standards against which their performance will be assessed and set objectives for the CEO/CEdO for the appraisal period.
- f. The CEO must, before, or as soon as practicable after, the start of each appraisal period, in relation to a Headteacher, inform the Headteacher of the standards against which their performance will be assessed and set objectives for the Headteacher for the appraisal period.
- g. The Headteacher 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. Headteacher may delegate this responsibility to the line manager cohort.
- h. The objectives must be set such that they will contribute to the improvement of a school's educational provision and performance and appraisers will therefore be expected to align individual objectives with the school's priorities.
- i. Every effort should be made to achieve agreement on the Headteacher's objectives; only in the last resort, should targets be imposed on the Headteacher. Similarly, all appraisers and

appraisees should look to agree objectives; where agreement cannot be reached, the appraiser will make the final determination.

- j. Objectives should focus on the priorities for the school or individual for the duration of the appraisal cycle. Normally, staff should expect to have no more than (typically) 3 objectives but there is no actual minimum or maximum number.
- k. Objectives will be set out in a planning statement, along with details of any training and support which have been agreed. The planning statement should also specify the evidence that will be collected to support the review of performance including details of the arrangements for task or classroom observation, where relevant.
- l. Objectives may be revised if circumstances change.

## **10. Teachers' Standards**

- a. 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. Assessment against the Teachers' (or other) Standards will start from the premise that all teachers are routinely meeting the teachers' standards.
- b. 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 Headteacher determine as being applicable.
- c. In order to meet the Teachers' Standards, a teacher will need to demonstrate that their practice is consistent with the definitions set out in Part 1 (Teaching) and Part 2 (Personal & Professional Conduct).
- d. Applying the Teachers' Standards

Teachers make the education of their pupils their first concern and are accountable for achieving the highest possible standards in their work and their conduct. Teachers act with honesty and integrity, have strong subject knowledge and are self-critical. They forge positive professional relationships with those around them and work with parents in the best interests of their pupils.

- e. 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 will 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.

f. Headteachers

Teachers' Standards may be applied to Headteachers as well as to all other teachers. However, on the grounds that only a proportion of Headteachers spend part of their scheduled week teaching, reference should be made by the appraiser to the National Standards of Excellence for Headteachers.

## 11. Gathering the evidence

- a. As part of the overall appraisal process, it will be critically important for all members of staff who are subject to the school's staff appraisal policy to be clear about the evidence that will be required by their appraiser to enable the appraiser to assess their performance and make a substantiated and evidence-based pay recommendation to the 'decision maker'.
- b. Judgements relating to performance should be supported by evidence, agreed at the beginning of the performance cycle. Evidence should show and demonstrate a contribution towards:
  - an increasing positive impact in pupil progress;
  - an increasing impact on wider outcomes for pupils;
  - improvement in specific elements of practice, e.g. lesson planning;
  - an increasing contribution to the work at the school;
  - an increasing impact on the effectiveness of staff.
- c. The evidence gathered by a member of staff will largely be determined by the nature and scope of the agreed objectives and / or the Teachers' Standards. Examples of evidence may include:
  - classroom observations
  - task observations
  - reviews of assessment results
  - reviews of lesson planning records
  - internal tracking
  - moderation within and across schools
  - pupils' voice
  - parents' voice
  - Headteachers' walkabouts
  - evidence supporting progress against Teachers' Standards
- d. Any classroom or task observations will be carried out in accordance with the schools 'classroom and task observation protocol'. Classroom observation for appraisal purposes will be carried out

by qualified teachers. At least 5 working days' notice of the date and time of the observation will be given and verbal feedback provided by the end of the next school day in a suitable private environment. Written feedback will be provided within 5 working days. The appraisee has the right to append written comments to the feedback document.

- e. For appraisal purposes, the Trust and School are committed to ensuring that classroom and task observation is developmental and supportive and that those involved in the process will:
  - carry out the role with professionalism, integrity and courtesy;
  - evaluate objectively;
  - report accurately and fairly; and
  - respect the confidentiality of the information gained.
- f. The arrangements for classroom / task observation will be in agreement with the appraisee and appraiser.
- g. Where evidence emerges about the appraisee's performance, which gives rise to concern during the cycle, additional observations may be arranged during the cycle.
- h. Despite the fact that there is no longer a limit on the number of observations which can be undertaken for appraisal purposes, within this Trust the total period for classroom observation arranged for any teacher for appraisal purposes will not normally exceed three hours per appraisal 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 rare cases the reviewee may choose to benefit from exceeding three hours of lesson observations when they are supportive and developmental in nature.
- i. A Headteacher may determine that it is necessary to collect additional evidence to help inform the evaluation of teaching standards and school improvement strategies. This additional evidence may include walkabouts, task observation, reviews of assessment results and lesson planning records. It may not be practicable to provide advance notice of these additional monitoring activities.
- j. As part of their overall inspection framework, Ofsted wishes to see evidence in schools that the appraisal procedure is used effectively and enables school improvement; if appraisal evidence is not available, this is likely to impact negatively on the Ofsted Inspection Grade for Leadership and Management. It is therefore prudent for schools to generate and retain as much reasonable 'appraisal system' evidence as practicably possible.

## **12. Reviewing Performance and the Annual Assessment**

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

- b. In determining an appraisal, the appraiser must assess the performance in the appraisal period, apply the relevant 'Standards', assess performance against the agreed objectives and assess the professional development needs and identify any action that should be taken and, finally, include a recommendation relating to pay.
- c. It will be for individual schools to establish their own arrangements for determining the overall evaluation and rating of individual performance. Many schools may wish to continue to use their existing arrangements for evaluating and rating individual performance, applying the Teachers' Standards where appropriate. In their School Inspection Handbook, Ofsted also provide some useful 'grade descriptors' that schools may find helpful in determining the overall assessment of teachers' performance.
- d. A written appraisal report must be provided at the conclusion of the appraisal process – by 31<sup>st</sup> October for teachers and support staff and by 31<sup>st</sup> December for CEO/CEdO/Headteachers; the report must record the overall performance assessment and pay recommendation.
- e. Good progress towards the achievement of a challenging objective, even if the performance criteria have not been met in full, may be assessed favourably. If agreement cannot be reached, especially on the outcomes of an appraisal meeting, the teacher may appeal to the Headteacher or in the event that the appraisal was carried out by the Headteacher, the CEO; the Headteacher may appeal to the chair of the Trust Board, whose decisions will be final.
- f. 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 Headteacher with the approval of the LGB.
- g. The final version of the appraisal documentation will be placed on the employee's file The sharing of such information is governed by the data protection principles under the Data Protection Act 2018
- h. The appraiser will ensure that all written appraisal records are retained on the appraisee's personnel file.

### **13. Continuing Professional Development**

- a. The school's CPD programme will be informed by the training and development needs identified through the appraisal procedure. The LGB will ensure in the budget planning, that, as far as possible, appropriate resources will be made available for any agreed training, support and continuing professional development.
- b. Support to meet individual or collective development needs should be provided within the context of the school's improvement plan.

#### **14. Conflict of Interest**

In any circumstances where an individual believes that their participation in any part of the appraisal process amounts or may amount to a 'conflict of interest' they should declare this to their appraiser and / or absent themselves from any part of the appraisal process where they believe that a 'conflict of interest' would or is likely to prevail.

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

- a. The LGB must consider annually whether or not to increase the salary of teachers who have completed a year of employment since the previous annual pay determination and, if so, to what salary within the relevant pay ranges.
- b. All pay recommendations should be clearly attributable to the performance of an employee.
- c. The relevant body must decide how pay progression will be determined, subject to the following:
  - i. The decision, whether or not to award pay progression, must be related to a teacher's performance.
  - ii. A pay recommendation must be made in writing as part of a teacher's annual appraisal report.
  - iii. Where a teacher is not subject to either the 2012 or the 2011 regulations, the relevant body must determine through what process the teacher's performance will be assessed and a pay recommendation made for the purposes of making its decision on pay.
  - iv. Continued good performance, as defined by an individual school's pay policy, should give a classroom or an unqualified teacher an expectation of progression to the top of their respective pay ranges.
  - v. A decision may be made not to award pay progression, whether or not the teacher is subject to capability proceedings.
- d. The relevant body must set out clearly in the school's pay policy how pay progression will be determined. The Headteacher 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).
- e. 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 STPCD and the relevant teacher standards.

- f. 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 competent in all elements of the Teachers' Standards. Teaching quality over time should meet expectations.
- g. If the overall appraisal evidence shows that a teacher has demonstrated exceptional performance, the governing body will consider awarding enhanced pay progression, up to a maximum of two reference points (teaching quality over time exceeds normal expectations).
- h. The Trust will consult with staff and union representatives on the establishment of appraisal and pay policies and will ensure that appraisers have the knowledge and skills to apply procedures fairly.
- i. 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.

#### **16. Applications to be paid on the Upper Pay Range**

- a. Any qualified teacher can apply to be paid on the Upper Pay Range. All applications should include the results of appraisals; where such information is not 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 over a 3-year period before the date of the application.
- b. To be assessed successfully, a teacher will be required to meet the criteria set out in the School Teachers' Pay and Conditions Document (STPCD):
  - The teacher is 'highly competent' in all the elements of the Teachers' Standards;
  - The teacher's achievements and contribution to the school is 'substantial' and 'sustained'.
- c. **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. Teaching should be a minimum of 'good', as defined by Ofsted.
- d. **Substantial** The teacher's achievements and contribution to the school are significant, not just in raising standards of teaching and learning in their own classroom but also in making a significant wider contribution to school improvement which impacts on pupil progress and the effectiveness of staff and colleagues.

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

## 17. Teaching Staff experiencing difficulties

- a. If long-term sickness absence appears to have been triggered by the commencement of monitoring or a formal capability procedure, the case will be dealt with in accordance with the school's absence policy and will be referred to the occupational health service who will assess the member of staff's health and fitness for continued employment and whether continuing with monitoring or formal procedures is deemed to be appropriate.
- b. If the appraiser identifies through the appraisal process or through other sources of information, parental complaints for example, that the difficulties experienced by a teacher are such that, if not rectified could lead to the capability procedure, the appraiser will, as part of the appraisal process, meet the member of staff to:
  - i. give clear written feedback to the teacher about the nature and seriousness of the concerns;
  - ii. give the teacher the opportunity to comment on and discuss the concerns;
  - iii. 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 remind the teacher 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;
  - iv. agree and establish, in consultation with the teacher, an action plan with support that will help to remedy specific concerns;
  - v. make clear, how progress will be monitored and when it will be reviewed;
  - vi. explain the implications and process if no, or insufficient, improvement is made.
- c. 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.
- d. If sufficient progress is made, the teacher should be informed of this at a formal meeting and the appraisal process will continue as normal.
- e. 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. In these cases refer to the Trust Capability Policy.

## 18. Monitoring Arrangements

The LGB will monitor and review the effectiveness of the appraisal arrangements for all teachers (with the exception of Headteachers). The Headteacher will monitor objectives and assessments for any teacher appraisals to ensure consistency.

**19. Links with other Policies**

This policy should be read in conjunction with the Trust Capability Policy and Trust Pay Policy