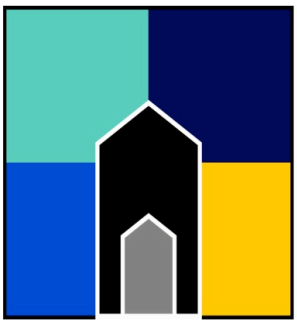
An Daras
Multi Academy Trust



An Daras Multi Academy Trust

Performance Management Policy

The An Daras Multi Academy Trust (ADMAT) Company

An Exempt Charity Limited by Guarantee

Company Number/08156955

Status: **Approved**	
Recommended	
Statutory	Yes
Adopted v1.0	**May 2012**
Reviewed	**1 Nov 2017**
Next Review	**Nov 2018**
Advisory Committee	RSS
Linked Documents and Policies	Teacher Standards Latest STPCD CSIT Capability Appendices

An Daras Multi Academy Trust

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1. Introduction

Revised appraisal arrangements come 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 which is 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, Academies and Local Authorities must have a performance management policy for teachers and a policy covering all staff which deals with lack of capability. This model policy applies to teachers, including head teachers, and to all support staff employed at the school. 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 performance management and capability policies.

These policies are recommended for adoption to all schools & academies in Cornwall. Should schools or Academies choose to develop different arrangements to those outlined in this document; they will need to re-open trade union negotiations on an individual basis.

The policies are in two distinct and separate sections.

The Performance Management policy should be used as a reference point by schools and others as they review their policies to reflect the Appraisal Regulations. With effect from 1 September 2012, the Procedures outlined in this document supersede the previous performance management model policy and guidance (which had been designed to support the 2006 Regulations).

Performance management is a process to assist all staff in the development of their professional skills; it provides a scheme to feedback on a person's performance, aids with career aspirations, including training and development opportunities. The procedure is a mechanism to support the person and should be used as a positive and helpful process.

The Performance management process as outlined is also designed to facilitate the School's achievement of its aims and objectives as set out in its School Improvement

Plan. It enshrines the principles of monitoring, assessment and continuous improvement in educational standards delivered by the School.

The **Policy for Managing Capability** replaces the previous School Capability Procedure. It sets out the formal capability procedure and reflects the ACAS Code of Practice on disciplinary and grievance procedures. Consequently this section should only be used in very limited and specific circumstances. Briefly, reference to moving a person into the Capability process should happen only after the Performance management scheme has been exhausted, including having explored the supportive measures agreed with the employee during the course of the performance management process, and where performance concerns remain after this process.

On 1 September 2012, this new policy documents replace the statutory guidance "Capability Procedures for Teachers" that was issued in July 2000. Capability procedures only apply where there are serious concerns in respect of a member of staff's performance that the performance management process has been unable to address.

2. Policy for the Performance Management of all members of staff performance

The Governance Bodies of An Daras Multi Academy Trust agreed and adopted these policies in October 2014

It will review it in a maximum of 3 years.

Purpose

This policy sets out the framework for a clear and consistent assessment of the overall performance of all members of staff, including the CEO/Executive Head teacher and Heads of School, and for supporting their development within the context of the academy's plan for improving educational provision and performance, and the standards expected of all staff. It also sets out the arrangements that will apply to staff that fall below the levels of competence that are expected of them.

Application of the Policy

Performance management must be applied to the CEO, Executive Head teachers, Heads of School and to all teachers employed by the academy schools, except those on contracts of less than one term, those undergoing induction *(i.e. NQTs)* and those who are subject to the formal Capability Policy. In addition the policies may be applied to all other staff contracted to work at the academy schools and in such circumstances, the policies become "Whole School Performance Management Policy". Governance Bodies have the option of adopting these policy documents on a 'whole school' basis or otherwise. Where this policy is only applied to teaching staff, Governance Bodies should ensure alternative arrangements are in place for other staff groups.

3. Performance Management & Appraisal

Performance management in this academy will be a supportive and developmental process designed to ensure that all teachers/staff have the skills and support they need to carry out their role effectively. It will help to ensure that teachers/staff are able to continue to improve their professional practice and to develop in their respective roles.

The Performance Management Period

The appraisal period will normally run for twelve months from 1st September to 31st August.

Staff 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 the employee's 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.

Appointing Appraisers

The performance of the CEO/Executive Head teacher will be managed by a nominated sub group of the Board of Directors, supported by a suitably skilled and/or experienced external adviser who has been appointed by the Board of Directors for that purpose.

In this academy the task of managing the performance of the CEO/Executive Head teacher, including the setting of objectives, will be delegated to a sub-group consisting of two/three members of the Board of Directors.

The CEO/Executive Head teacher will manage the Performance Management of the Heads of School. The CEO/Executive Head teacher will decide who will manage the performance of the other teachers. However, it is recommended that the CEO/Executive Head teacher should delegate the responsibility to undertake the process of some groups of staff to an alternative senior manager in order to:-

a) Ensure managers' involvement in the appraisal of staff they supervise;

b) Ensure management support for the individual being appraised with regard to the development needs and targets agreed; and

c) Help protect the CEO/Executive Head teacher's own workload and therefore their own work/life balance.

d) All qualified teachers should be appraised by staff who hold QTS;

e) All appraisers should receive appropriate training and support.

f) Individuals have the right to appeal against the appointment of the appraiser if they feel they will be disadvantaged or if the person has a conflicting interest, the appeal should be in writing to the Chair of Directors, their decision is final.

The CEO/Executive Head teacher should oversee and maintain responsibility for the whole process to ensure consistency of approach and that targets & objectives reflect the academy's overall Improvement Plan.

Setting Objectives

The CEO/Executive Head teacher's objectives will be set by the Governance Body (the Board of Directors) after consultation with the CEO/Executive Head teacher and external adviser.

Objectives for each member of staff will be set before or as soon as practicable after, the start of each appraisal period**.** The objectives set for each person will be Specific, Measurable, Achievable, Realistic and Time-bound (SMART) and will be appropriate to the teacher's role and level of experience. The appraiser and member of staff 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.

The objectives set for each person will, if achieved, contribute to the academy's plans for improving educational provision and performance and improving the education of pupils at the academy**.** This will be ensured through a process of linking objectives to the Academy Improvement Plan and recognising the teacher core professional standards in performance management (*for example – quality assuring all objectives against the academy improvement plan - see CSIT Capability Procedure Outline Protocols, Appendix 2*). The link to the Academy Improvement Plan and commitment to the teacher core professional standards should be established and documented in the Academy's appraisal and training and development records.

It is recommended that there should normally be up to three objectives only.

Before, or as soon as practicable after, the start of each performance management period, each person will be informed of the standards against which that person's performance in that period will be assessed**.** All teachers should be assessed against the set of standards contained in the document called "Teachers' Standards" published in July 2011 (The Teachers' Standards contained in this document replace the existing standards for Qualified Teacher Status (QTS) and the Core professional standards, previously published by the Training and Development Agency for Schools (TDA) – these are available via https://www.education.gov.uk/publications/standard/publicationDetail/Page1/DFE-00066-2011). The CEO/Executive Head teacher or governance 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 their role. These new standards have yet to be defined and consulted upon.

New Core Teachers' Standards for Sept 2012 are;

- Set high expectations which aspire, motivate and challenge pupils,
- Promote good progress and outcomes by pupils,
- Demonstrate good subject and curriculum knowledge,
- Plan and teach well structured lessons,
- Adapt teaching to respond to the strengths and needs of all pupils,
- Make accurate and productive use of assessment,
- Manage behaviour effectively to ensure a good and safe learning environment and
- Fulfil wider professional responsibilities.

All teachers will be assessed against the new Core Teachers' Standards; in addition, a teacher is expected to demonstrate consistently high standards of personal and professional conduct.

Post threshold teachers in addition to Core standards teachers are expected to continue to meet the standards; broaden and deepen their professional attributes, knowledge, understanding and skills; make a distinctive contribution to raising standards across the school; act as role models for teaching and learning and provide regular coaching and mentoring to less experienced teachers (STPCD 2011 S3 para 59).

All teachers, including the Executive Head teacher and Heads of School, will be expected to meet all of the Core Teachers' Standards. Objectives/targets for all teachers will be set by reference to the appropriate standards and the Academy Improvement Plan. All teachers are expected to demonstrate consistently high standards of personal and professional conduct.

It should be noted that both the appraiser and appraisee can request a review of the objectives if circumstances within the academy significantly change.

Reviewing Performance

Observation of Teaching Practice

An Daras Academy believes that observation of classroom teaching practice and other responsibilities is important both as a way of assessing teachers' (and, in some circumstances, other relevant support staff e.g. HLTA's) performance in order to identify any particular strengths and areas for development they may have and of gaining useful information which can inform academy improvement more generally.

All observation will be carried out in a supportive fashion. It is recommended that each teacher should be observed at least once a term at times notified in advance to the teacher. However, depending upon individual circumstances additional observations may be arranged and in such cases the teacher again should be told in advance.

Classroom observation will be carried out by those with QTS. In addition to formal observation, the CEO/Executive Head teacher, Heads of School 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 (*schools may wish to be more specific about "drop in" observations)*.

(See CSIT guidance on lesson observations as provided in the CSIT Capability Procedure Outline Protocols document, Appendix 2).

Employees (including the CEO/Executive Head teacher, Heads of School and SENDCo's) who have duties and responsibilities outside the classroom should also expect to have their performance in respect of those duties and responsibilities observed and assessed.

Development and Support

Performance management is a supportive process which will be used to inform continuing professional development by encouraging all staff to indentify training and/or development opportunities. The academy wishes to engender a culture in which all staff take responsibility for improving their skills through appropriate professional development. Professional development will be linked to Academy Improvement Plan

priorities and to the ongoing professional development needs and priorities of individuals.

Feedback

Staff will receive constructive feedback on their performance regularly throughout the year. In the case of lesson observations, feedback will be provided as soon as practicable after an 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. However, where there are concerns about any aspects of the member of staff's performance, the responsible manager will meet the member of staff as part of the performance management process to discuss the concerns with a view to arranging a period of intensive support for the member of staff to facilitate the required improvements. Staff should be advised to seek the support and assistance from their own trade union representative. The manager responsible for managing performance will undertake the following actions in such circumstances:

- Give clear feedback to the member of staff about the nature and seriousness of the concerns;

- Verbal feedback should normally take place within 24 hrs of the lesson observation and should be done within the normal school day, but not in PPA time. In addition written feed back should be provided with 5 academy working days;

- Give the member of staff 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. 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.

The agreed strategies for performance improvement will be written into an Improvement Plan for the member of staff.

When progress is reviewed, if the responsible manager is satisfied that the member of staff has made, or is making, sufficient improvement, the performance management process will continue as normal, with any remaining issues continuing to be addressed through this process.

Annual Assessment

Each member of staff's performance will be formally assessed in respect of each performance management period. In assessing the performance of the CEO/Executive head teacher, the Governance Body (Board of Directors) must consult the external adviser.

Performance and development priorities will be reviewed and addressed on a regular basis throughout the performance management year in interim meetings which will take place bi-annually, or more frequently if necessary. At the end of the performance management year, an annual performance assessment will take place, which marks the end point to the annual performance management process. Normally the annual review will take place before the end of December for teachers on the Senior Leadership team and before the end of October for all other staff. Inevitably there may be exceptions to this but it is best practice to review the previous year's work and to set objectives for the New Year as close to the beginning of the New Year as possible.

The member of staff will receive, as soon as is practicable following the end of the performance management period a draft performance management report. The employee will have the opportunity to comment on the content of the report prior to its finalisation as the performance record. The report will include:

- details of the objectives for the period in question;
- an assessment of the employee's performance in their role and responsibilities against their objectives and the relevant standards;
- an assessment of the person's training and development needs and identification of any action that should be taken to address them;
- A recommendation on pay where that is relevant.

Upper Pay Spine progression
The STPCD 2011 states;

"*Progression on UPS should be based on two successful performance management reviews…*
To ensure that achievement and contribution have been substantial and sustained that performance management review will need to assess that the teacher has:

- *continued to meet post-threshold standards; and*
- *grown professionally by developing their expertise post threshold"*

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

4. Transition to Capability

If the manager responsible for performance management (Executive Head teacher, Heads of School, Senior teacher or line manager as appropriate) is not satisfied with progress, despite there having been a reasonable degree of additional support and guidance provided to the employee throughout the performance management process, or if separate concerns have been identified outside of the Performance Management cycle, the employee will be notified verbally and in writing that the performance management process will no longer apply and that their performance will be managed under the Capability Procedure (see Appendix 1).

It is important that the manager responsible for performance management has taken all appropriate steps and measures to assist the person to address their performance; these measures should have been discussed with the person and should be recorded in the performance management records as being offered and undertaken.

Moving to the formal Capability Procedure is a serious step and both parties should be aware of the potential consequences.

App 1

Mr A Anybody
Any Street
Any Town

Your ref:
My ref:
Ext:
Date:

STRICTLY PERSONAL AND CONFIDENTIAL

Dear Mr Anybody

Performance Review

I write to confirm our discussions and the outcomes of our meeting held on (insert date).

At our meeting we discussed the following performance issues:-

(insert details)

We discussed the concerns and reviewed your progress over recent months but as I felt that insufficient progress had been made I have decided to move to the School's/Academies Capability Procedure, as such this letter constitutes notification that the Capability Procedure is being formally invoked.

A copy of the procedure to be followed and a second copy for your workplace colleague or trade union representative is enclosed.

Yours sincerely

Headteacher/Principal (Deputy)

Appendix 2

CSIT Capability Procedures Outline Protocol
Tim Osborne, Senior Manager School Improvement
Cornwall School Improvement Team
January 2010 ver1.2

Introduction

- This protocol should be read in tandem with "Categorisation of Cornish Primary Schools"

- The protocol outlines the approach used by CSIT in support of schools when capability procedures have been deemed necessary

Aims

- To provide advice and support to schools and individual staff involved in capability with the intention of securing sustained improvement in the quality of provision where a school has identified areas of concern

- To ensure that the capability process is open, fair and transparent and that it follows, at all times, due process as defined within Education Personnel agreed policies and procedures

- To ensure that individuals concerned are given the required support to make improvements, via an action plan which has been agreed at the start of the process

- To validate the accuracy of the judgements of schools when an individual is placed on capability

Procedures

- Responsibility for CSIT involvement has been delegated to an individual Senior Manager, School Improvement (SMSI). Other CSIT officers may be asked to become involved in monitoring of teaching dependent upon circumstance

- Advice and support is given to a school when requested to ensure that due process is followed, particularly in the drafting of an action plan which must clearly outline:-

    - **Timescales** (e.g. When an individual will be given support; the frequency of monitoring; how long an action plan will last)

    - **Measurable success criteria** (i.e. what individuals are being asked to make improvements in and how they will be measured)

    - **Roles and responsibilities** (e.g. – Who will monitor; who will act as a mentor)

- **Support, further training and guidance** (i.e. clearly defining what support an individual will receive to enable them to make the necessary improvements)

- **Action Plans** are drafted on the basis of a notional "3:2:1" ratio – whereby, over an agreed period of time, an individual can expect a balance of :-
  - 3 inputs of support or training provided by the school, or commissioned by the school from an outside provider, together with on-going mentoring provide by the school, or, where that is not possible, by a professional association
  - 2 sessions of monitoring carried out by the school
  - 1 monitoring visit by CSIT toward the end of the action plan period. This monitoring has a dual purpose:-
    - Firstly to ensure that the individual concerned has had the support and guidance as agreed within the action plan.
    - Secondly to ensure that the judgements made by the school are accurate, have followed the agreed procedures and provide a fair measure of the progress (or otherwise) of the individual concerned
- The action plan must be agreed by all parties at the commencement of the process
- CSIT monitoring follows a set format in four distinct stages:-
    - **A full lesson observation**, or an agreed period of time which may cover two part lessons, which concentrates on the extent to which key areas for improvement as outlined in the action plan have been met. Planning and children's work will also be scrutinised during this process.
    - **A full, verbal feedback** to the individual concerned in the presence of the headteacher or acting headteacher. Sometimes, with the agreement of all parties, the appointed mentor and/or a representative from a professional association will also be present at this stage. This arrangement is designed to ensure that all parties hear the key points of the feedback which will note strengths, improvements and action that is required, so that further support can be provided as appropriate

- **A written report** which summarises the key points of the discussion held with the individual concerned will be sent within 10 working days. A copy of the written report is also provided for the headteacher.

- **Scrutiny of the evidence**, collated by the school, of the work that it has carried out to deliver the action plan, particularly the support and monitoring, to ensure that the individual concerned has been treated fairly and equitably will also take place.

- Whenever necessary, dialogue is maintained with professional associations.

Examples of the pro forma used are attached for information

- The first example is used to record salient features of the lesson observation. This is used to aid the process of verbal feedback to the individual concerned and is also used to record any relevant points that might emerge from the verbal feedback.

- The second example is a copy of the final written feedback which is sent to the individual concerned and the headteacher.