

Title: Teacher Appraisal – Kirklees LA
Model Policy

Function: Information

Status: Strongly recommended

Audience: Governors, Headteachers, Teachers
and LAs

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This Model Policy was produced by the Kirklees School Teacher Appraisal Working Party consisting of: LA officers from Learning and HR services; head teachers representing primary, middle, high and special schools; union representatives from NEU, NUT, NAHT and the NASUWT

Introduction

Appraisal arrangements are set out in the Education (School Teachers' Appraisal) (England) Regulations 2012 (the Appraisal Regulations).

The Appraisal Regulations set out the principles that apply to teachers in all maintained schools and centrally employed (or unattached) teachers employed by a local authority, in each case where they are employed for one term or more. It is also good practice for academies to follow the appraisal regulations although they are not legally required to do so.

Schools and local authorities must stay within the legal framework set out in the Appraisal Regulations, must have an appraisal policy for teachers and all schools (including academies) must adhere to any other relevant legislation that affects all employers (for example legislation on equality, employment protection and data protection).

The model policy, which builds in best practice, should be used, along with the school's Classroom Observation protocol.

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.

Capability procedures are separate from appraisal and apply only to teachers and head teachers about whose performance there are serious concerns. The existing Local Authority capability procedures are set out in the '*Code of Practice for Competency of Teachers*'.

Model policy for appraising teacher performance

1. The Governing Body of _____ School / Academy adopted this policy on _____ following consultation with the recognised teaching unions.

It will be reviewed in (insert date or number of years)

Purpose

2. This policy sets out the framework for a clear and consistent assessment of the overall performance of teachers 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.

Application of the policy

3. This policy applies to the head teacher and to all qualified teachers employed at the school except those on contracts of less than one term and those undergoing induction (i.e. ECTs) or teachers on capability procedures.

4. 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. Appraisals should not be a standalone process. They should link in with regular supervision allowing for continuous open discussions around performance and development needs.

THE APPRAISAL PERIOD

5. In normal circumstances the appraisal period will run **for 12 months**, normally from _____ to _____

6. 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.

7. Where a teacher starts their employment at the school part-way through a cycle the head teacher or, in the case where the employee is the head teacher, the Governing Board, 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.

8. Where a teacher transfers to a new post within the school part-way through a cycle, the head teacher or, in the case where the employee is the head teacher, the Governing Board shall determine whether the cycle shall begin again and whether to change the appraiser.

9. Where a teacher is returning from maternity/adoption leave assuming there were no competency issues prior to the leave then the cycle will resume upon their return to work.

Appointing Appraisers

Teachers

10. The choice of appraiser is for the head teacher. Where teachers have an objection to the head teacher's choice, their concerns will be carefully considered and, where possible, an alternative appraiser will be offered. All appraisers appointed by the head teacher will be qualified teachers and will have current or recent teaching experience. It is also advised that those appraising staff have or are working towards leadership / coaching skills and are equipped at managing the performance of staff.

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

12. If the head teacher appoints an appraiser who is not the teacher's line manager, the appraiser to whom she/he delegates those duties will have an appropriate position in the staffing structure, together with the necessary background knowledge, skills and training to undertake the role. It is also important that they have a thorough understanding of that person's role and responsibilities for the appraisal process to be fit for purpose.

13. Where a teacher is experiencing difficulties and the head teacher is not the appraiser, the head teacher may undertake the role of appraiser.

Pay Progression

14. 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 School Teachers' Pay and Conditions Document (STPCD) and the relevant teacher standards.

15. The Governing Board 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. The Governing Board will ensure that teachers are notified of decisions on pay progression usually by 31st October for teachers.

Setting objectives

16. Objectives will be set before, or as soon as practicable after the start of each appraisal period. The objectives set will be SMART (Specific, Measurable, Achievable, Realistic and Time-bound) and will be appropriate to the appraisee's role and level of experience. Objectives can be set in relation to robust assessment data; however, these will not be used in isolation and a range of other factors will also be considered when making decisions about pay progression. In setting the objectives, reviewers will have regard to what can reasonably be expected in the context of roles, responsibilities and experience, consistent with the school's strategy for achieving a work/life balance for all staff. Appraisees may at any point append their comments alongside their objectives.

17. The appraiser and appraisee will seek to agree the objectives. Objectives may be revised if circumstances change. The school should operate a system of moderation to

ensure that all appraisers are working to the same standards. Targets will be moderated across the school to ensure that they are consistent between teachers with similar experience and levels of responsibility. Should any of the objectives not be agreed the right of appeal to the Governing Board Appeals Committee exists, the final decision on allocation of objectives rests with the Governing Board Appeals Committee.

18. The agreed objectives will contain: a description of the success criteria and outline evidence which will be used by the appraiser and appraisee.

19. No teacher or headteacher should be given more than three objectives, other than in exceptional circumstances. Setting more than three objectives, or, for example, using sub-targets may lead to teachers experiencing unreasonable workload and pressure, making the objectives more difficult to achieve – see [Reducing teacher workload](#).

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

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

22. Before, or as soon as practicable after, the start of each appraisal period, each teacher will be informed of the standards against which that teacher's performance in that appraisal period will be assessed. Teachers will be assessed against the appropriate set of standards contained in the document [Teachers' Standards](#), published in July 2011. The head teacher or Governing Board (as appropriate) will need to consider whether certain teachers should be assessed against other sets of standards published by the Secretary of State or other body that are relevant to them. For QTLS holders, that may include the overarching professional standards for teachers in the lifelong learning sector, held by the Learning and Skills Improvement Service.

Reviewing performance

Observation

23. The effective and efficient operation of the appraisal process requires lesson observation to be a confidential process of constructive engagement within an atmosphere of support and co-operation.

24. Accordingly, observations will be carried out in a supportive fashion, with professionalism, integrity and courtesy. They will be evaluated objectively and reported accurately and fairly and will take account of particular circumstances which may affect performance on the day.

25. At least five working days' notice of the date and time of the observation will be given and verbal feedback provided by at least the end of the next school day and written feedback within five working days', unless circumstances make this unreasonable.

26. Classroom observation will be carried out by qualified and suitably trained teachers.

27. For the purpose of appraisal, teachers' performance will be observed on an appropriate and reasonable number of occasions and will, as far as possible, be agreed by the appraiser with the appraisee, based on the individual circumstances of the teacher and the overall needs of the school. The number and duration of appraisal observations will be in accordance with the school's observation protocol with a recommended maximum of 3 per year.

28. Unplanned observations will not be used for appraisal purposes.

29. In the interests of professional development, feedback about lesson observations should be developmental.

30. This school will use the findings of each observation, including appraisal observations, for other management requirements (for example subject area reviews), thereby seeking to minimise the total number of occasions on which teachers are observed.

31. Teachers (including the head teacher) whose posts have responsibilities outside the classroom should also expect to have their performance of those responsibilities observed and assessed.

Development and Support

32. 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, through peer observation for example. Professional development will be linked to school improvement priorities and to the on-going professional development needs and priorities of individual teachers.

33. The school's CPD programme will be informed by the training and development needs identified as part of the appraisal process and from regular supervision of staff performance throughout the year. The Governing Board will ensure in the budget planning that, as far as possible, resources are made available in the school budget for appropriate training, and support agreed for appraisees, maintaining access on an equitable basis.

34. An account of the training and development needs of teachers, including the instances where it did not prove possible to provide any agreed CPD, will form a part of the head teacher's annual report to the Governing Body about the operation of the appraisal process in the school.

35. With regard to the provision of CPD in the case of competing demands on the school budget, a decision on relative priority will be taken with regard to the extent to which:

(a) the training and support will help the school to achieve its priorities; and

(b) the CPD identified is essential for an appraisee to meet their objectives.

36. Due and proper account will be taken in a review meeting of where it has not been possible for teachers to fully meet their performance criteria because the support recorded in the planning statement has not been provided.

Annual Assessment

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

38. 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.

Appraisal Review and Feedback

39. Teachers will receive constructive feedback on their performance throughout the year provided in regular supervision meetings.

40. At the end of the cycle a review meeting will take place to discuss the content of the report and any further action required and to inform objective setting for the next cycle.

41. The teacher will receive as soon as practicable following the end of each appraisal period – and can comment on - the written appraisal report. 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 against the relevant standards;
- an assessment of the teacher'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 (**N.B. – pay recommendations need to be made by 31 December for head teachers and by 31 October for other teachers**);
- a space for the teacher's own comments.
- (schools / academies to say what else, if anything, their appraisal reports will include).

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

Teachers Experiencing Difficulties

43. Problems with performance should be highlighted through supervision and prior to the annual appraisal discussions. It is always better to deal with concerns as they arise and not wait until you are verging on competency, when it is often too late. There should be no surprises in the appraisal discussion!

44. Good coaching questions would help you identify blockages and work with the employee to improve performance. What do they feel is going well? What do they feel is not going well? What would they like to improve? How could they improve? What are the barriers to improving/ developing? Work with the employee in resolving performance concerns rather

than imposing and instructing on improvements. The emphasis should be on working **with** the teacher, not doing to them! Open, honest and regular conversations based on trust between the appraiser and teacher are crucial in this process if we are to prevent formal capability.

45. Are there other factors affecting a teacher's performance? Such as health and wellbeing? personal life? relationships at school? Consider whether other supportive measures are required such as coaching, mentoring, restorative practice, Employee Healthcare; and put these measures in place sooner rather than later, without waiting for the formal annual assessment. Where an informal (competency) meeting is held to address competency issues via an informal development plan, this is part of the Appraisal process.

46. If despite supportive measures, the difficulties experienced by the teacher are such that, if not rectified, they could lead to formal capability procedures, the appraisal process will be suspended and the issues will be addressed through the locally agreed policy '*Competence of Teachers*'.

Appeals

47. Appraisees have a right of appeal against any of the entries in the written appraisal report. Details of the appeals process are available from the head teacher or from the school Governing Board. Where the head teacher has not been recommended for pay progression they will be informed by the appropriate governor. The head teacher will notify any teacher who has not been recommended for pay progression of the date when the Governing Board meets to consider pay recommendations, following which the teacher (or head teacher where it is the head who has not been recommended for pay progression) may exercise the right of appeal, assisted by a companion who may be a colleague, a trade union official or a trade union representative.

General Principles Underlying this Policy

Confidentiality

48. The appraisal processes will be treated with confidentiality. Only the appraiser's line manager or, where they had more than one, each of their line managers will be provided with access to the appraisee's plan recorded in their statements. This will be done upon request and only where this is necessary to enable the line manager to discharge their line management responsibilities. Appraisees will be consulted on requests for access to statements in the context of this policy.

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

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

Consistency of Treatment and Fairness

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

Definitions

52. Unless indicated otherwise, all references to "teacher" include the head teacher.

Delegation

53. Normal rules apply in respect of the delegation of functions by Governing Boards, head teachers and local authorities.

Grievances

54. Where a member of staff raises a grievance during the appraisal process, the appraisal process may be temporarily suspended in order to deal with the grievance.

55. Where the grievance and appraisal are related it may be appropriate to deal with both issues concurrently.

Monitoring and Evaluation

56. The Governing Board and head teacher will monitor the operation and effectiveness of the school's appraisal arrangements.

57. Ofsted also require evidence of effective performance management

58. The head teacher will provide the Governing Board with a written report on the operation of the school's appraisal policy annually. The report will not identify any individual by name. The report will include an assessment of the impact of this policy on:

- Race
- Sex
- Sexual Orientation
- Disability
- Religion and Beliefs
- Age
- Part-time Status
- Maternity and Pregnancy
- Gender reassignment

59. The head teacher will report on whether there have been any appeals or representations on an individual or collective basis on the grounds of alleged discrimination.

Retention

60. The Governing Board and head teacher will ensure that all written appraisal records are retained in a secure place for six years and then destroyed.

THE WORKING PARTY AGREED THAT THE PRINCIPLES SET OUT BY THE JOINT TRADE UNIONS (ASCL, NAHT, NEU, NASUWT and NUT) FORM THE UNDERLYING PRINCIPLES OF THE KIRKLEES MODEL POLICY

- 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 schools/academies 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 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 to be 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 after the period of support sufficient progress has not been made, then the school 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 (schools must have 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