

# TEACHER APPRAISAL AND PAY

## 1. INTRODUCTION

- 1.1. This guidance should be read alongside the Education (School Teacher Appraisal) Regulations 2012 which specify how the revised appraisal arrangements must operate. Nothing within these guidelines can override the statutory provisions. The Regulations do not cover school support staff but the principles with regard to appraisal for school support staff are similar and schools should ensure support staff are appraised on a yearly basis.
- 1.2. The intention of the revised appraisal guidelines is to develop a culture where teachers and head teachers feel confident and empowered to participate fully in appraisal; the acknowledgement of teachers' and head teachers' professional responsibility to be engaged in effective, sustained and relevant professional development throughout their careers and to contribute to the professional development of others; and the creation of a contractual entitlement for teachers to effective, sustained and relevant professional development as part of a wider review of teachers professional duties. It is for schools to ensure that the individual arrangements for appraisal are managed effectively, transparently, fairly and are applied consistently.
- 1.3. Appraisal is the process for assessing the overall performance of a teacher or head teacher, in the context of the individual's job description and the provisions of the School Teachers' Pay and Conditions Document (the Document) and making plans for the individual's future development in the context of the school's improvement plan. Professional standards provide the backdrop to discussions about performance and future development. The standards define the professional attributes, knowledge, understanding and skills for teachers at each career stage. All teachers must be assessed against the set of standards contained in the document "Teachers Standards" published by the DfE in July 2011 or any subsequent statutory changes to the "Teaching Standards".
- 1.4. The information and data that schools collect through appraisal should be capable of being used in a number of different ways, for example, for school self evaluation and school improvement and development planning. Schools should use the data collected through appraisal to inform other processes. This will have the effect of helping to minimise workload.
- 1.5. An appraisal policy for teaching staff is attached to this guidance. The capability policy for school based staff is at (Insert chapter , Insert Section 2) of the Personnel Handbook.

## 2. ROLES AND RESPONSIBILITIES

- 2.1. Governors, head teachers and teachers all have key roles to play and responsibilities to discharge in the appraisal process. The main roles and responsibilities for each group are summarised at:-
  - Governors – Annex 1
  - Head teachers – Annex 2
  - Teachers – Annex 3

### **3. THE APPRAISAL POLICY**

- 3.1. Governing bodies should establish pay and appraisal policies which:-
- Set out the basis on which teachers' pay will be determined.
  - Describe how the appraisal arrangements will work
  - A classroom observation protocol; and
  - State the procedures for dealing with appeals.
- 3.2. Governing bodies should consult staff **and** seek to agree the pay and appraisal policies and any revisions to them with recognised trade unions. Policies should be reviewed each year or when other changes occur to the Document and/or the accompanying statutory guidance. This should ensure fair and equitable treatment for all teachers and minimise the prospect of disputes and challenges to pay decisions. If, after due consultation, consensus is not fully achieved the governing body has the final say. Central Bedfordshire Council has recommended model appraisal policies for teachers which has been provided to all Headteachers and Governing Bodies and placed in the appropriate Chapter of the Schools Personnel Management Handbook.
- 3.3. The appraisal policy, in line with all human resource policies, must comply with the requirements of discrimination legislation. The appraisal policy should, therefore, make clear its compliance with that legislation and how the policy will address issues of equal opportunities. Appraisers will need to consider their actions within the review process and whether any action might be deemed to be either directly or indirectly discriminatory under the provision of the relevant legal frameworks.
- 3.4. The appraisal policy should also set out the timing of the performance review cycle. It is good practice for schools to have a calendar of events and directed time activities for the academic year. The calendar should make clear the timelines for performance management. This calendar should be made available to all teachers and provide for equality of access.

### **4. APPRAISERS OF HEAD TEACHERS**

- 4.1. The governing body should appoint two or three members of the governing body as appraisers for the head teacher and ensure they receive appropriate preparation for their role. The governing body should seek to secure a balanced representation of appraisers taking account of factors such as gender, ethnicity and age. The governing body should seek to appoint appraisers who have the knowledge and experience to carry out this role and who together reflect the profile of the governing body. Persons appointed as appraisers should not have any personal or pecuniary interest. Governors who are members of the school staff cannot be appointed as appraisers for the head teacher.
- 4.2. Governing bodies are required to take external advice on the appraisal of head teachers. The governing body must appoint a suitably skilled and experienced external adviser to support the appraisal of the head teacher. The external adviser should be able to give high quality advice to governing bodies about:-
- The progress of the head teacher with regard to achievement of previous appraisal objectives set by the governing body;

- Suitable objectives for governors to agree with the head teacher for the next review cycle; and
  - how the school's appraisal systems are contributing to raising attainment, achievement and pupils wider wellbeing.
- 4.3. There is no longer a time limit on how long an individual can act as an external adviser for an individual school and where schools need to appoint an external adviser the governing body should adopt a process of selection that is open, transparent, relevant and appropriate.
5. **APPRAISERS**
- 5.1. The head teacher may be the reviewer for other teachers, including members of the leadership group, Excellent Teachers and Advanced Skills Teachers or may delegate this role in its entirety.
- 5.2. The line manager should be the best placed employee to undertake the reviewer functions. This is consistent with a distributive approach to school leadership and the recognition of these responsibilities through the revised staffing structures considered by governing bodies in the Autumn of 2005. This will be consistent with need to have regard to teachers' worklife balance. Schools may want to consider whether to dedicate all or part of one of the five teacher training days for a whole school briefing on the revised arrangements in accordance with the schools appraisal policy. It may be necessary for schools to consider their responsibility structures in the light of the demands made on those appointed as appraisers.
- 5.3. If, in exceptional circumstances and for professional reasons, the appraisee wishes to request a change of appraiser where this role has been delegated they may ask the head teacher to appoint an alternative appraiser of comparable or higher status in the staffing structure than the original appraiser. Any such request from an appraisee should be made in writing and state the reason for requesting a change. A head teacher requesting alternative appraisers should send a written request to the chair of governors who will consider whether to accept the request. Where an appraisee's request for change is not accepted the reasons for this should be explained in writing and appended to the planning and review statement together with the appraisee's request.
- 5.4. Head teachers should provide the governing body with a written report every year on the operation of the school's appraisal policy, the effectiveness of the school's appraisal procedures and teachers' training and development needs. As part of this annual monitoring and reporting process governing bodies should examine the equal opportunities implications at each stage of the process.

## 6. THE APPRAISAL PROCESS

- 6.1. The description of the process that follows begins with the planning process. Planning and reviewing performance would normally take place in a single meeting and the outcomes of the meeting in relation to planning for the next cycle and the outcome of the review of the previous cycle would be recorded in a single planning and review statement.
- 6.2. The appraiser and appraisee should schedule planning and review meetings as far in advance as possible. The appraiser and appraisee should confirm that the scheduled meeting is taking place as planned at least five working days in advance. If the review meeting cannot take place as planned a new date and time should be scheduled with at least five working days notice.
- 6.3. The appraiser and appraisee should ensure they set aside sufficient directed time for the meeting. An hour should be sufficient in most cases. **Lunch breaks and PPA time must not be used for this purpose.** Some schools may wish to consider whether one or more of the teacher days could be scheduled at appropriate points in the cycle for planning and review meetings.

## 7. PREPARING FOR THE PLANNING AND REVIEW MEETING

- 7.1. The planning and review meeting should be a professional dialogue between the appraiser and the appraisee. Appraisees should play an active part in the meeting making sure they put forward their views about their performance and future development. At Annex 4 there are issues which the appraisee may wish to consider in thinking about the last appraisal cycle and in preparing for the next cycle. The points are for reflection and there is no requirement for appraisees to provide a written input on their reflections as part of the appraisal process.
- 7.2. Similarly appraisers will want to be well prepared for the planning and review meeting and may find it helpful to visit the checklist at Annex 5 where issues arising from the last cycle and items to consider in preparing for the next cycle are set out.
- 7.3. Where the appraisee works for more than one line manager, the appraiser should consult other line managers in advance of the planning and review meeting about the issues to be explored in the next cycle.

## 8. PLANNING THE NEXT CYCLE

- 8.1. **The appraiser should start from the assumption that the appraisee is meeting the requirements of the job description, the relevant duties and the relevant professional standards.** There is no need for every aspect of the appraisee's responsibilities to be covered in the plans. The plans should focus on priorities and areas where specific action is required.
- 8.2. The plans agreed should be realistic and manageable and enable the appraisee to achieve a satisfactory work/life balance. The plan should cover:-
  - The appraisee's objectives
  - The arrangements for observing the appraisee's performance in the classroom;

- Any other evidence which will be taken into account in assessing the appraisee's performance;
- The performance criteria against which the appraisee's performance in each of the areas listed above will be assessed;
- The support that will be provided to help the appraisee to meet the performance criteria;
- Timescales for the achievement of objectives and within which support will be provided where these differ from the length of the review cycle; and
- The appraisee's training and development needs and the actions that will be taken to address them.

## 9. OBJECTIVES

- 9.1. Appraisers are responsible for ensuring rigor when objectives are set. Objectives should focus on priorities. They should be time bound, challenging but achievable and reflect the need for a satisfactory work/life balance. An appraisee's objectives should reflect any relevant team, year or whole school objectives, taking account of the appraisee's job description, and they should also reflect the experience and aspirations of the appraisee.
- 9.2. Some objectives may be achievable within the performance management cycle. Others may require a longer time span in which case the record of objectives should show the milestones towards that objective and how these will be reviewed.

## 10. CLASSROOM OBSERVATION

- 10.1. All classroom observation should be undertaken in accordance with the regulations and the school's protocol for the conduct of classroom observation and the school's appraisal policy. Classroom observation should not be undertaken for its own sake. There should always be a clear rationale and focus for any classroom observation. **The classroom observation agreed in the planning and review statement should be proportionate, multipurpose and should provide monitoring information for a range of other necessary purposes such as school self evaluation or a school improvement programme as well as appraisal.**
- 10.2. Classroom observation is likely to include observation undertaken by the appraiser but it may include observation undertaken by others who have appropriate professional expertise. Head teachers should ensure that all those who act as observers have adequate preparation and the appropriate skills to undertake observation and to provide constructive oral and written feedback and support.
- 10.3. A release time may not always be needed but if it is, sufficient timetabled release times should be provided to enable the observer to give adequate time to the task and so that verbal feedback can be given as soon as possible. Ideally verbal feedback should be given immediately and in any case no later than the end of the next school day. Where appropriate, feedback should include an assessment of the quality of the lesson observed. PPA time must not be used for these purposes.

- 10.4. The essence is that classroom observation and the appraisal cycle should contribute to a teacher's professional development and therefore should be conducted in a manner that equates to a professional dialogue. It would be good practice to ensure:-
- The amount of observation, with a clear focus agreed between the teacher and the reviewer, is recorded in the planning and review statement.
  - Classroom observation is undertaken by persons who have qualified teacher status.
  - Written feedback is provided within five working days.
- 10.5. Teachers should be given adequate notice (at least five working days) of a proposed lesson observation. Feedback should take place within 24 hours of the lesson observation and take the form of professional dialogue where the observer gives due weight to the teacher's knowledge, insight and judgement. The focus of the feedback should be on what the teacher needs to do to improve teaching and learning. If feedback is focussed and constructive it is likely to be a powerful tool for continuous professional development.
- 10.6. Classroom observation should be supportive and developmental. There should be a short written record of the observation, feedback and any subsequent follow up work. The observation record should be sufficient to meet the needs of the individual and the school (ie summarising the focus, what was learnt from the observation, the feedback given and any subsequent actions or other follow up). The observation record should not represent an unnecessary burden. The record of the observation should be made available to the appraisee within five working days of the observation. The appraisee should make any comments they have on the record of the observation.
- 10.7. Classroom observation in the context of appraisal is not a "mini inspection" opportunity. Schools in which the classroom observation is carried out in accordance with the appraisal arrangements and in which the appraisee is fully involved as a partner in agreeing the planning statement, will meet the expectations of external monitoring in a way that supports the teacher through a rigorous and meaningful system of development. Feedback from properly planned and focussed classroom observation that is undertaken as part of the appraisal process should enable head teachers to understand the standards of teaching and learning in their schools.
- 10.8. Classroom observation may provide evidence of how a appraisee is making progress in relation to agreed objectives but it also enables the appraiser to assess a appraisee's teaching performance more generally and thereby informs an assessment of the overall performance of the appraisee. If concerns arise during the review cycle or the appraisee's circumstances change there is scope, following appropriate discussion, to revisit the amount of classroom observation agreed at the beginning of the cycle. In such circumstances additional classroom observation, may be agreed. This should be recorded in a written addition to the review statement. Teachers should have the opportunity to engage in classroom observation with other professional colleagues, by agreement, in order to review and develop their practice. Developmental peer observations are voluntary and initiated by teachers and are not part of the appraisal arrangements.

- 10.9. A head teacher has a duty to evaluate the standards of teaching and learning and to ensure that proper standards of professional performance are established and maintained. Heads have a right to drop in to inform their monitoring of the quality of learning. In large schools they may delegate drop in to appropriate members of the leadership group. The appraisal arrangements are integral to fulfilling this duty and head teachers may consider the classroom observations they have agreed for appraisal are sufficient and that drop in will not be needed.
- 10.10. The other evidence which will be taken into account will normally be in the form of data or written feedback from specific individuals. Those providing evidence should always have direct professional knowledge of the appraisee's work. The other key evidence may relate to any areas of the appraisee's work which are not to be reflected directly in the appraisee's objectives or classroom observation and help the reviewer to make a judgement about the overall performance of the appraisee. For example, evidence about the outcomes of the appraisee's engagement and professional development, including the feedback on the contribution they have made to the development of others, might be considered in this context.

## **11. USE OF PUPIL PERFORMANCE DATA**

- 11.1. The performance criteria should indicate what success would look like at the end of the cycle if a particular objective is met. The performance criteria should provide clarity about the basis on which the appraiser will assess the overall performance of the appraisee based on progress towards the achievement of objectives, classroom observation and other evidence. These matters should be determined taking into account the appraisee's job description, the relevant professional standards, what can reasonably be expected of the appraisee and, where the appraisee is eligible, the relevant pay progression criteria in the School Teachers' Pay and Conditions Document
- 11.2. It is the responsibility of appraisers to ensure that performance criteria are applied appropriately in terms of equal opportunities considerations. Appraisers will need to consider the nature and scope of the performance criteria, their relevance and appropriateness, the circumstances of the school and the needs of the individual and whether or not the performance criteria might be deemed to be either directly or indirectly discriminatory under the provisions of the relevant legal framework. The objective and intelligent use of pupil performance data is likely to be an element in the criteria which will help to determine whether a particular objective has been met. Teachers will recall that standard 6 of the standards for teachers published in July 2011 (also replicated in the Teachers' Standards 2012) states:-
- Make accurate and productive use of assessment
  - Know and understand how to assess the relevant subject and curriculum areas, including statutory assessment requirements
  - Make use of formative and summative assessment to secure pupils' progress
  - Use relevant data to monitor progress, set targets and plan subsequent lessons
  - Give pupils regular feedback, both orally and through accurate marking and encourage pupils to respond to the feedback.

- 11.3. This requires that progress towards an objective, one element of which might be judged against pupil performance data, should be measured on the basis of all the evidence available and not on one element. The fact that a pupil or group of pupils have achieved or not achieved the pupil performance target will be one element of the available evidence but it is unlikely to be the whole picture and appraisers should be basing their judgement on overall performance. Accordingly, the data must be interpreted appropriately and used to support the management decision arrived at. It might be, for example, that there are mitigating factors if the pupil performance data has not matched the target figures. This needs to be taken into account when the appraiser arrives at their overall performance assessment.

## **12. PERFORMANCE CRITERIA**

- 12.1. The performance criteria should indicate what success would look like at the end of the cycle. The performance criteria should provide clarity about the basis on which the appraiser will assess the overall performance of the appraisee based on progress towards the achievements of objectives, classroom observation and the other evidence. These matters should be determined taking into account the appraisee's job description, the relevant professional standards, what can reasonably be expected of the appraisee and where the appraisee is eligible the relevant pay progression criteria in the Document. It is the responsibility of the appraiser to ensure that performance criteria are applied appropriately in terms of equal opportunity considerations. Appraisers will need to consider the nature and scope of the performance criteria, their relevance and appropriateness, the circumstances of the school, the needs of the individual and whether or not the performance criteria might be deemed to be either directly or indirectly discriminatory under the provisions of the legal frameworks.

## **13. SUPPORT, TRAINING AND DEVELOPMENT**

- 13.1. Appraisal is a developmental process and a key part of the planning discussion should be about the support that the appraisee may need to meet the performance criteria, the appraisee training and development needs and how those needs will be met. Support may take a number of forms, for example, time coaching and mentoring, additional assistance in the classroom, equipment or ICT facilities. In considering training and development, going on courses is one possible option but both parties should recognise that a wide range of activities constitute professional development.

## **14. RECORDING PLANS**

- 14.1. The planning and review statement provides the record of agreed plans and should cover all the points set out in paragraph 8 above. A model planning and review statement is provided at Annex 6 to this guidance. At the end of the planning and review meeting the appraiser should summarise the points that have been covered and are to be included in the statement.



- 14.2. The appraiser should, within five working days of the meeting, produce a draft statement and provide the appraisee with a copy. The appraisee and appraiser should seek to agree the statement. The appraisee may request changes to the draft statement and make written comments on it. The statement should record all the required evidence of the plans and to be a fair summary of what took place at the meeting. The appraisee should, therefore, only be able to secure changes when the statement does not convey this fairly or where the wording is capable of wrong interpretation. The appraisee should, within 10 working days of the meeting, ensure a final statement is prepared and signed by both parties. The appraisee may add final comments before signing. Where the appraiser is not the head teacher the appraiser gives the appraisee a copy of the final statement and passes the original to the head teacher for retention or, if the appraisee is the head teacher, to the chair of governors. The 5 and 10 day periods referred to above can be extended if either party does not work or is absent from work during those school days following receipt of the draft performance review and planning statement.

**15. MODERATION OF PLANS – SCOPE FOR THE HEAD TEACHER TO CHANGE PLANNING AND REVIEW STATEMENTS**

- 15.1. The head teacher should ensure that the procedures and processes are applied fairly and consistently across the school and with regard to equal opportunities considerations. Head teachers will set up procedures for monitoring and moderating the plans of the cycle agreed in planning and review statements. As part of this the head teacher may review planning and review statements, within 10 days of their completion, and where necessary instruct the appraiser to prepare a new statement prior to it being finalised and retained. Head teachers are under no obligation to review planning statements and it is for them to decide whether they wish to do so. They may wish to moderate a sample of statements rather than all statements from the school.
- 15.2. A head teacher may change the statement on the grounds that the statement was not consistent with those for other teachers with similar experience and/or who had similar levels of responsibility; or that the statement was not in line with the school's performance management policy or school improvement plan.
- 15.3. If a head teacher is concerned about a statement following discussion with the appraiser and appraisee a revised statement may be prepared. The appraiser and appraisee should produce a revised statement within 10 days of being instructed by the head teacher to do so. The appraisee can also add any comments at this stage.

**16. ACTION DURING THE PERFORMANCE MANAGEMENT CYCLE**

- 16.1. During the cycle the appraisee should:-
- Receive written feedback on classroom observation.
  - Receive written evidence from any persons or any data as determined at the planning meeting at the beginning of the cycle.
  - Receive feedback on their progress from the appraiser and the opportunity to discuss this.

- Be advised at the time they arise of any concerns and have the opportunity to discuss these with the appraiser.
  - Advise the appraiser of any concerns they have at the time they arise about progress, the provision of support or training.
- 16.2. All evidence gathered during the cycle must be shared with the appraisee as it is collected so that there should be no surprises at the end of the cycle.
- 16.3. The appraisee is responsible for making sure that during the performance management cycle they make the appraiser aware of things they consider have been helpful and impacted positively on their personal performance. Similarly, appraisees should make their appraiser aware as soon as possible if they have any concerns about the professional development and other support they are receiving and of any changes in circumstances that might bear on their performance.
- 16.4. There is no requirement in the regulations to schedule formal meetings to review performance during the performance management cycle but both the appraiser and appraisee should maintain a professional dialogue throughout the year. If, in addition to that, either party thinks it would be helpful to meet to discuss matters concerning performance in general or any aspect of their agreed statement during the review cycle they can request a meeting. Where such a meeting is requested it should take place within a reasonable time of the request first being made.

## **17. MID CYCLE CHANGES**

- 17.1. There may be occasions where objective reasons make it necessary to review what has been agreed in the review statement during the appraisal cycle for example:-
- Where the appraisee's post and/or responsibilities have changed.
  - If there have been difficulties in accessing agreed support.
  - Where the appraisee has been on maternity or long term sickness absence.
  - Where there are concerns about the appraisee's performance. (See paragraphs 17.4 to 17.7 below)
  - Where reasonable adjustments required under the provisions of the Disability Discrimination Act need to be made.
- 17.2. Where it is necessary to review the planning statement, either party can request a meeting. Any proposed changes to the objectives, arrangements for classroom observation evidence and arrangements for its collection, performance criteria or support available to the appraisee in the review statement should be recorded as a written addition to the statement. The appraiser and appraisee should sign to say that the changes are an accurate reflection of what was agreed or determined by the appraiser. At the same time as signing the addition the appraisee can add any comments in writing.
- 17.3. Where a teacher has changed post and/or responsibilities in the school part way through a cycle, the head teacher (or the governing body as appropriate) will decide whether the cycle should begin again and whether to appoint a new appraiser. Changes to the statement should not be triggered simply because there has been a change of head teacher, line manager or appraiser although changes to statements may arise as a result of such personnel changes.

- 17.4. Where there are concerns about any aspects of the teacher's performance the appraiser will meet with the teacher to:-
- Give clear feedback about the nature and seriousness of the concerns;
  - Give the teacher an opportunity to comment and discuss the concerns;
  - Agree any support (such as mentoring or structured obstructions) that will be provided to help address the concerns;
  - Make clear how, and by when, the appraiser will review progress;
  - Explain the implications and process if insufficient improvement is made.
- 17.5. The teacher should be given written notice of the meeting five days in advance. The purpose of the meeting will be to establish:-
- That the employee is aware of the standards required
  - That the standards are reasonable
  - Whether the context in which the employee works has altered significantly;
  - That the volume of work is reasonable
  - Whether the poor performance is a training issue
  - That the resources and equipment available are appropriate
  - The support that will be provided
  - The timescale for the process.
- 17.6. A record must be kept of the agreed targets, support to be provided and the timescale for improvement. A copy of this must be given to the appraisee.
- 17.7. At the end of the agreed timescale a meeting will be held to review performance. There are several possible outcomes
- Performance has improved satisfactorily and targets have been met in which case no further action is required. This will be confirmed in writing and the appraisal process will resume.
  - Progress has been made but the review period will be extended to enable the appraisee to meet all targets;
  - Progress is unsatisfactory and the matter moves to the formal capability procedure. This will be confirmed in writing.

## **18. ASSESSING PERFORMANCE AT THE END OF THE CYCLE**

- 18.1. The appraiser should assemble information about the appraisee's performance as detailed on the planning and review statement. All the evidence must be shared between the appraiser and the appraisee before the review meeting to ensure an informed discussion.
- 18.2. At the review meeting the appraiser and appraisee should
  - Seek to achieve a shared understanding of the progress made towards meeting the performance criteria; and
  - If appropriate, explore any issues that might have impeded the appraisee's performance.
- 18.3. The appraiser and appraisee should seek to agree an assessment of the overall performance of the appraisee against the performance criteria agreed at the beginning of the cycle. This should include, where the appraisee is eligible, making a recommendation on pay progression taking into account the pay progression criteria. If the appraiser and appraisee cannot agree the appraiser's view will be recorded. The outcomes of the review meeting and a recommendation about pay progression should be recorded on the planning and review statement. The appraisee may add comments to the statement.

## **19. MAKING A PAY RECOMMENDATION**

- 19.1. The 2012 regulations indicate that there is no change to the arrangements for pay progression. Annual increments continue to apply as set out in the Document for classroom teachers on the main scale. Therefore, appraisers do not need to make a recommendation to support an annual increment. The only exception to this is where the appraiser, in accordance with the schools pay policy, is considering a discretionary additional point for a teacher on the main pay spine as provided for in the Document.
- 19.2. Appraisers will need to make recommendations where the appraisee is on:-
  - The pay scale for post threshold teachers
  - The pay spine for members of the leadership group
  - The pay spine for advanced skills teachers
  - Double increments on the main pay scale.
- 19.3. Appraisers pay recommendations are passed to the head teacher as part of the planning and review statement and the head teacher passes the pay recommendation onto the appropriate committee of the governing body.
- 19.4. At Annex 7 there is a fuller commentary on performance pay progression.

## **20. APPEAL**

- 20.1. Governing bodies are required by law to establish procedures for dealing with any grievance teachers may have at work and an appraiser can use these procedures to appeal against any entry on their planning and review statement including any changes made to the statement during the cycle. Where an appraiser wishes to appeal on the basis of more than one entry this would constitute one appeal hearing. Any appeal should be deferred until after the moderation process is complete where the head teacher has indicated an intention to moderate the statements. Disagreements should be capable of being resolved by discussion between the appraiser and appraiser on an informal basis without recourse to the grievance procedures. Where the disagreement relates to pay then the normal pay appeal procedures should be followed.

## **21. CONFIDENTIALITY**

- 21.1. The appraisal process, and in particular the statements generated under it should be treated with confidentiality. The regulations specify who must be given access to an appraiser's statement and who may be given access and for what purposes. A checklist is provided at Annex 8. No one else should be given access to an appraiser's statement and the school should put their own arrangements in place to ensure this. Appraisers must be informed as to who has been granted access to their statement and for what purpose.
- 21.2. Review statements for teachers should be retained by the head teacher (or where the head teacher is the appraiser, the chair of governors) in a secure place on the school premises.

## **22. PERFORMANCE MANAGEMENT FOR HEAD TEACHERS AND OTHERS**

- 22.1. Specific issues for groups of teachers at the Annexes 9-13 there are specific commentaries with regard to:-
- Head teachers
  - Teachers who join or transfer from another school during the cycle
  - Unattached teachers
  - Part time teachers
  - Teachers who are absent, teachers employed at more than one school and teachers on fixed term contracts.

## **ROLES AND RESPONSIBILITIES**

### **GOVERNING BODIES**

- Establish the school's appraisal policy, monitor the operation and outcomes of the appraisal arrangements and review the policy and its operation each year.
- Appoint two/three governors to review the head teacher's performance on an annual basis.
- Appoint an external adviser to advise appointed governors on the head teacher's performance.
- Make decisions about pay and career progression based on pay recommendations made by appraisers.
- Retain a copy of the head teacher's planning and review statement (normally the chair of governors).
- Where the head teacher makes such a request, to action requests for evidence from the appraisal process to be transferred if the head teacher transfers mid cycle.
- Ensure the content of the head teacher's planning and review statement is drafted having regard to the need to be able to achieve a satisfactory work/life balance.
- Undertake action in relation to appeals in line with the school procedures.

## **ROLES AND RESPONSIBILITIES**

### **THE HEAD TEACHER**

- Report annually to the governing body on appraisal arrangements and on training and development needs.
- Play an active role in their own appraisal and professional development including taking action as agreed at review meetings.
- Act as appraisers and, where appropriate, delegate the role of appraiser in its entirety.
- Retain copies of all review and planning statements and provide others with access to statements where appropriate.
- Take account of review outcomes in school improvement planning and ensure the school produces and resources an effective plan for the professional development of its workforce.
- Establish a protocol for classroom observation for inclusion in the appraisal policy.
- Action any request from a teacher for evidence from appraisal to be transferred if the teacher moves school mid cycle.
- Evaluate standards of teaching and learning and ensure proper standards of professional practice are established and maintained.
- Ensure that the teacher's planning and review statement is drafted having regard to the need for a satisfactory work/life balance.

## **ROLES AND RESPONSIBILITIES**

### **TEACHERS**

- Play an active role in their own appraisal and professional development including taking action as agreed at review meetings.
- Where the role of appraiser has been delegated to them in accordance with the regulations act as a appraiser for other teachers.
- Contribute to the annual planning and assessment of other teachers where appropriate.



**PLANNING FOR THE REVIEW MEETING - APPRAISEES**

- Reflect on their achievement in the last appraisal cycle including against the performance criteria recorded in the planning and review statement.
- Ensure they have copies of any relevant documentation and evidence and written feedback on classroom observations.
- Identify any issues that have affected their performance, positively or negatively.
- Consider any issues about the planned support they need or have received.
- Assess the impact of the engagement in professional development both on their own and as appropriate their support for the professional development of others recognising that it can take time for benefits to be realised fully and reflected in improved classroom practice.
- Reflect on how far they have met the agreed performance criteria.
- Consider what they would like to achieve in the next appraisal cycle taking account as appropriate of departmental, faculty, year group or whole school improvement plans.
- Consider as a backdrop to the discussion the standards published in July 2011 (or any subsequent statutory changes to the Teaching Standards) and where the appraisee is eligible for pay progression the relevant criteria for pay progression set out within the Document. Identify what professional development might help them to develop their practice further.
- Consider their professional aspirations.

**PREPARATION FOR THE PLANNING AND REVIEW MEETINGS – APPRAISERS**

- Check the planning element of the planning and review statement and that all the elements have been addressed.
- Check that all documents to which they will refer at the meeting have been shared with the appraisee to assist their preparation.
- Consider the improvement objectives of the school and the relevant key stage or curriculum areas and how these may be relevant to planning for the next cycle with the appraisee. For example the school may have agreed a shared team, year, faculty or whole school objective covering all teachers including the head teacher.
- Ensure they are familiar with the teacher standards published in July 2011(or any subsequent statutory changes to the Teaching Standards) and the relevant criteria for pay progression set out within the Document.
- Ensure they have consulted with the relevant third parties and with direct professional knowledge of the appraisee about possible objectives for the next review cycle, performance criteria, evidence, arrangements for collecting it and the support to be provided to the teacher.
- The planning and review meeting is an important occasion and should be treated as such. The appraiser will wish to ensure that both parties can devote quality time to the meeting by scheduling it well in advance and providing confirmation of the meeting five days in advance.
- The meeting should take place in a setting where there will be no interruptions and a full professional dialogue can take place.
- The planning and review meeting is a confidential occasion and this should be clearly established at the outset.
- An hour should be sufficient time for the planning and review meeting.

## **THE USE AND RETENTION OF STATEMENTS**

- The head teacher or, where appropriate, the governing body shall retain an appraisee's statement for a minimum period of six years from the date on which the cycle the which it relates ends.
- Where the appraisee is a teacher other than the head teacher the governing body shall have regard to the results of the review recorded in the statement when exercising any discretion in relation to pay.
- The governing body shall be provided with access to the appraisee's statement for the purposes of exercising discretion in relation to pay.
- Where the appraisee is the head teacher the governing body shall have regard to the results of the review recorded in the statement when exercising any discretion in relation to pay.
- The reviewee's line manager shall be provided with access to the appraisee's plan recorded in the statement where this is necessary to enable the appraiser to discharge line management responsibilities.
- Where an appraisee pursues a grievance in relation to the contents of the statement the head teacher (or where appropriate the governing body) shall provide anyone hearing that appeal with access to the statement.
- Where an appraisee transfers from one school to another school part way through the cycle the head teacher (or governing body as appropriate) shall transfer the appraisee's statement for the cycle together with any evidence gathered concerning his performance to the head teacher or governing body of the new school upon receipt of a written request from the appraisee.
- Where an appraisee employed as an unattached teacher becomes employed as a teacher by an authority in a school or by a governing body of a school part way through the cycle the authority shall transfer the appraisee's statement for that cycle together with any evidence gathered concerning the performance during the cycle to the head teacher (or the governing body as appropriate) upon receipt of a written request from the appraisee.

## PERFORMANCE PAY PROGRESSION

1. The advice set out in this document concentrates on the position of teachers eligible to receive performance pay progression in accordance with the School Teachers' Pay and Conditions Document. In developing a policy with regard to performance pay progression the governors will wish to have regard to the principles of objectivity, fairness and openness.
2. The statutory guidance supporting the School Teachers Pay and Conditions Document (the Document) requires reviews for teachers other than head teachers to be conducted by 31 October and for head teacher by 31 December. In these circumstances awards must be backdated to 1 September. The following categories of teaching staff should be considered at the same time as part of the whole school approach to salaries as recommended in the Personnel Handbook:-
  - The head teacher
  - Other members of staff on the leadership group pay spine
  - Advanced skills teachers
  - Post threshold teachers (on the upper pay spine)
  - Accelerated increments for teachers on the classroom teachers pay spine.
3. The national criteria as contained with the Document should form the initial basis of performance pay progression and can be summarised as follows:-
  - **Head teacher** – sustained high quality of performance with particular regard to leadership, management and pupil progress at the school
  - **Other members of the leadership group** – sustained high quality of performance taking account of their contribution to school leadership and management and pupil progress
  - **Advanced skills teachers** – sustained high quality of performance in teaching and a contribution to the standards of teaching at the AST's own school or (as appropriate) other schools where the AST carries out outreach work
  - **Upper pay spine** – achievement of the post threshold teacher which demonstrates that the contribution to the school has been substantial and sustained
  - **Classroom teachers** – sustained high quality in teaching and contribution to pupil progress.
4. The upper pay spine – in considering performance pay progression on the upper pay spine governors should note that the only statutory criteria are set out at paragraph 19.4 of the Document. The criteria/standards relevant to threshold assessment are as follows:-
  - Knowledge and understanding
  - Teaching and assessment

- Pupil progress
  - Wider professional effectiveness
  - Professional characteristics
5. It is the view of the teachers' professional associations that only the criteria at paragraph 19 of the Document should be taken into account when making decisions with regard to performance pay progression for teachers on the upper pay spine.
  6. The guidance published by successive governments has consistently stressed that there must be a review of performance of the teacher before any movement on the upper pay spine can be considered (paragraph 19 of the Document makes this clear). Other than in exceptional circumstances the governing body shall not award additional scale points to a post threshold teacher until the second annual salary determination after the teacher moved onto the upper pay spine or the teacher's pay was last increased on the upper pay spine.
  7. Teachers should not be asked to apply for a pay review since this is a statutory duty upon governing bodies. There is no requirement on teachers to produce extra evidence but teachers may wish to submit other evidence that they consider to be relevant through the appraisal system. It must be made clear that this is optional.
  8. In considering performance pay progression appraisers will wish to consider the following matters:-
    - Has the teacher maintained the threshold standards?
    - Has the teacher addressed any areas of further development identified either during the threshold assessment or as a result of appraisal?
    - Has the teacher achieved or made good progress towards the targets set under the Education (School Teacher Appraisal) (England) Regulations 2012?
  9. These questions and answers expand on the interpretation of the criterion 'the achievements of the post threshold teacher and his/her contribution to the school having been substantial and sustained'. It must be stressed that effective management throughout the appraisal cycle will be required. In this context a successful performance review as prescribed by the appraisal regulations involves an appraisal process of performance objectives, classroom observation and other evidence. Issues emerging in response to the questions set out in paragraph 8 above should not come as a surprise to the teacher at the end of the cycle. The need for clear milestones marking progress towards objectives and regular reviews throughout the year will help to avoid disagreements and misunderstanding at the end of the period. In respect of further development, for example, appropriate support, help and guidance will need to be available to ensure teachers have a realistic chance of matching the target.
  10. Accordingly, pay reviews should be based primarily on the questions set out in paragraph 8 above which includes the targets emerging from appraisal and factors relating to substantial and sustained achievement against the threshold criteria, including further professional development.

11. The teachers' professional associations view the threshold standards as 'substantial' in the context of the Document and, therefore, where a teacher continues to work at a level consistent with the threshold standards this would meet the definition of 'sustained' in the context of the Document. Central Bedfordshire Council fully recognises the position of the teachers professional associations in this matter and takes the view that pay reviews for post threshold teachers must be based on paragraph 19 of the Document and it is the advice of the Central Bedfordshire Council, therefore, that the three questions in paragraph 8 above should be considered in this context alongside the statutory guidance.
12. The governing body is advised to ensure that the head teacher informs those eligible that a review of their performance is being undertaken in accordance with the criteria at paragraph 19 of the Document. When considering progress towards targets agreed as part of appraisal the appraiser will refer to the criteria at paragraph 8 above. The teacher may choose to draw to the attention of the appraiser other achievements or contributions not covered by the review. The teacher may choose to draw to the attention of the appraiser to further information (perhaps collected as part of the professional development portfolio) and provide any further evidence of achievement. This is optional.
13. Performance pay progression must not be linked to the length of service nor must it be deemed to be automatic. The appraiser must consider the performance of the teacher against the appropriate standards and consider whether the level of performance has been sustained. The recommendations on pay emerging from appraisal must be placed before the Pay Committee of the Governors. It should be noted that all the teachers' professional associations have advised that teachers who meet the criteria set out in the Document should be recommended to receive a pay award. There should be no expectation on the part of the governors that the recommendations will be in rank order. The school will need to ensure that appropriate mechanisms exist to feed back decisions to the staff concerned.
14. Any policy adopted by the governing body must comply with all appropriate equal opportunities legislation and must not discriminate on the grounds of race, sex or disability. Deliberations will, therefore, need to take into account disability adjustments where applicable and a shorter timescale where a teacher has, for example, been on maternity leave or long term sickness.
15. Appeals should be considered as part of the policy adopted by the governors with regard to salary appeals in accordance with the arrangements set out in Chapter ....., Section ..... of the Personnel Handbook. Any policy adopted by the governors in respect of performance pay progression should be subject to annual review as part of the whole school pay policy review.
16. **This document has been subject to consultation with the teachers' professional associations and concentrates on the position of post threshold teachers on the upper pay spine but the principles can be applied to other teachers eligible for performance pay progress progression as set out at paragraph 3 above.**

**MODEL PLANNING AND REVIEW STATEMENT**

Appraisee's Name..... Appraiser's Name .....

- Assessment of performance for the appraisal cycle just ended and recommendations for pay progression.
- Objectives for next appraisal cycle including any relevant whole school/year/team/faculty objectives
- Extent, pattern and focus of planned classroom observation
- Other evidence
- Support
- Timescale for completion

Signed .....

Appraisee

Signed .....

Appraiser

Any further comments from the appraisee

**CONFIDENTIAL**

**TRAINING AND DEVELOPMENT**

- A copy of this paper should be sent to whoever in the school is responsible for planning the training and development of teachers.
- Training and development needs.
- Action to be taken.

Signed .....

Appraisee

Appraisee comments

Signed .....

Appraiser



## **VARIATION FOR HEAD TEACHERS**

- Appraisal provides the framework for the assessment of head teachers' performance in the context of their job descriptions and the backdrop of the relevant professional standards. The procedure and process will mirror as far as possible the process for teachers. The key difference in the appraisal process for head teachers arises as a result of the role of the governing body in the process and the fact that the governing body takes advice from an external adviser on head teacher appraisal.
- Where a meeting is requested mid year it should be undertaken wherever possible by the same governors and external adviser as undertook the initial review. This does not preclude informal discussion on the progress during the year between the head teacher and the chair of governors and/or the governors appointed to act as appraisers.
- Before providing preliminary advice to the governor appraisers, the external adviser and the head teacher will discuss the latter's performance. The external adviser will attend the head teacher's performance review meeting and offer to prepare the first draft of the performance review statement.
- The chair of the governing body may review the head teacher's review statement and seek revisions to the statement. In providing the governor-appraisers with external advice on the head teachers' performance management the external adviser is acting for the governing body and should not pass these papers to the local authority.

**VARIATION – TEACHERS WHO JOIN OR TRANSFER TO  
ANOTHER SCHOOL DURING THE REVIEW CYCLE**

- Where a appraisee joins the school part way through the cycle the teacher may ask the current head teacher in writing to forward their statement and, where it is available, any evidence to the head teacher of the new school.
- Upon receipt of the statement the appraisee's new appraiser will meet with the appraisee to discuss the statement and evidence and where necessary revise the statement by way of a written addition to the statement. The appraiser will need to take account of any changes in the appraisee's circumstances that may have occurred such as a change from full time to part time working. The appraiser will need to discuss and seek to agree with the appraisee transferring into the school, how the information in the statement and any evidence will be handled at the end of year performance review. Where there is a difference of view the appraiser has the final say. If the appraisee transferring in is a head teacher then the chair of governors would need to take equivalent action as appropriate.

## VARIATIONS – UNATTACHED TEACHERS

- An unattached teacher is either not attached to a particular school or is employed otherwise than at a school or is a teacher at a pupil referral unit as set out in the regulations. As far as possible the appraisal process for unattached teachers should be the same as for school based staff.
- The local authority nominates an appraiser for unattached teachers. Depending on the nature of the teacher's job description the appraiser will need to consider whether to consult those who manage or receive support from the teacher externally ahead of the performance review to inform the discussion with the appraisee about how they contribute to the process to ensure the totality of the teacher's performance is assessed effectively in the review.
- In addition if the appraiser is not a teacher the local authority will need to ensure that in meeting the requirements of the monitoring and review process they have sought input from a person with relevant professional expertise and appropriate experience. For example, classroom observation should be undertaken by an observer with appropriate recent professional expertise and qualified teacher status.
- The local authority must have an appraisal and pay policy that reflects the arrangements for unattached teachers and their entitlement to appraisal. This should also indicate the extent to which the policies of the schools in which they work should be assumed to apply. For example, an unattached teacher may be expected to comply with the classroom observation protocols of the school in which they work. All other aspects of the process should be the same as for school based teachers.

**VARIATION – PART TIME TEACHERS**

- Appraisal arrangements should apply on the same basis as for full time staff including the length of the review period. The same degree of challenge in the process should also apply but the breadth and volume of each element of the process should be proportionate to and reflect the period of time worked. Classroom observation should be fair and proportionate and take into account the circumstances of individual part time teachers. The intention is to ensure that part-time staff have equivalent access to development support and feedback as their full time colleagues.

## VARIATION – OTHER MATTERS

Teachers who are absent for part of the appraisal cycle, teachers employed at more than one school and teachers on fixed term contracts.

- In assessing a teacher's overall performance the appraiser should take account of what it was reasonable for the teacher to achieve including against the objectives during the time they were not absent from school. It may be appropriate to revise the planning and review statement.
- Where a teacher is employed at more than one school the governing body of each school is responsible for ensuring that a named person acts as appraiser and the appraisal arrangements are put in place for the teacher for the time they spend at the school.
- The circumstances in which teachers are employed for short periods of time varies substantially and the actual period of employment may extend beyond that which was first anticipated. In applying appraisal arrangements every effort should be made to mirror as closely as possible all the arrangements for teachers permanently based at the school.
- Head teachers will wish to consider employment legislation which provides protection for staff on fixed term contracts against being treated detrimentally in comparison to permanent staff. This is particularly significant where a teacher may be approaching eligibility for threshold assessment or progression on the upper pay spine.
- The head teacher should also consider the definition of a year's employment within the Pay and Conditions Document. The employing school should ensure that any teacher who has, or is anticipated to fulfil a year's employment is considered for relevant pay progression in the same way as a permanent member of staff.
- The head teacher or nominated line manager will wish to discuss with each teacher employed on a fixed term contract at an early stage how to proceed in relation to appraisal with a view to establishing an agreed approach that is appropriate. Where a teacher working in a school is employed by an agency, to which the school pays a fee, there is no legislative requirement in relation to appraisal. If the teacher is likely to be in the post for a significant period of time the school may choose to include the teacher in its appraisal arrangements. Arrangements in relation to teachers employed by an agency should also be reviewed with the teacher if the duration of the employment is extended significantly.
- If a school considers full appraisal arrangements are not appropriate it may wish to make alternative arrangements for the teacher to receive feedback at the conclusion of their placement at the school, possibly providing a statement from the school relating to the teacher's work and performance. The school will need to ensure that if there are concerns they are raised as they occur to give the teacher an opportunity to respond. There should be no surprises as they leave. The purpose of providing feedback would be to seek to achieve and record a shared understanding of the progress made by the teacher towards meeting any agreed objectives and performance criteria and, where appropriate, provide an opportunity for the teacher briefly to record their views.

## PERFORMANCE MANAGEMENT AND PAY CHECKLIST

### Performance Management Policy

YES

NO

1. Has an Appraisal Policy been established which satisfies the Appraisal Regulations 2012?

☐
☐

*Action Proposed*

2. Does the head teacher report annually to the governing body on the operation and effectiveness of the Appraisal Policy and on the professional development needs of teachers?

☐
☐

*Action Proposed*

3. Have appraisers been identified for every teacher, including the head teacher?

☐
☐

*Action Proposed*

\_\_\_\_\_

\_\_\_\_\_

YES

NO

4. Have appraisers (including governor appraisers) received appropriate preparation for their roles (including the making of pay recommendations at the end of the appraisal cycle)?

☐☐

*Action Proposed*

5. Were planning meetings held for every teacher for the Appraisal Cycle by 31 October?

☐☐

*Action Proposed*

6. Will the planning meeting be held for the head teacher for the appraisal cycle, by 31 December?

☐☐

*Action Proposed*

**Pay Policy**

YES

NO

1. Has a pay policy been established?

☐☐*Action Proposed*

2. Is the pay policy up to date taking into account the revisions to the School Teachers' Pay and Conditions Document and including provisions that are consistent with the principles, practice and monitoring of equal opportunities, and the legislative requirements and duties which apply to schools and local authorities?

☐☐*Action Proposed*

3. Was a pay statement issued to every teacher by 31 October?

☐☐*Action Proposed*

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- |    |   | YES                      | NO                       |
|----|---|--------------------------|--------------------------|
| 4. | Was a pay statement be issued to the head teacher by 31 December? | <input type="checkbox"/> | <input type="checkbox"/> |

*Action Proposed*

- |    |  |                          |                          |
|----|--|--------------------------|--------------------------|
| 5. | Does the pay policy make clear how evidence from appraisal statements, taking into account performance objectives and other evidence agreed at the planning meetings, will inform pay decisions? | <input type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|

*Action Proposed*

- |    |  |                          |                          |
|----|--|--------------------------|--------------------------|
| 6. | Have all staff eligible for pay progression been informed of the decision whether or not they are to progress? | <input type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|

*Action Proposed*