



# St. Luke's CEVA Primary

## Canning Town

### Staff appraisal policy

Adopted: **December 2018**

Review date: **December 2020**

This policy applies to the headteacher, all teachers and support staff employed by the school, except those on contracts of less than one term, NQTs and those subject to capability procedures as described in Part B below.

### Teacher/Staff Appraisal

*St. Luke's* is committed to enabling staff to work to the high standard expected of them with the aim of delivering outstanding educational provision. This policy complies with current legislation, including the Education (School Teachers' Appraisal) (England) Regulations 2012 (the Appraisal Regulations), and is a key part of our school's effort to ensure that effective performance management and staff appraisal are carried out. Other relevant policies that may link to this policy include the school's **staff discipline, conduct and grievance policy**. All of these are available from the school office and on the website.

### The appraisal period

The appraisal period will run for 12 months from 1<sup>st</sup> each year

### Roles and Responsibilities

#### Governing body

The governing body is responsible for creating this policy, reviewing it and ensuring that it is operating effectively. In developing the policy the governing body has taken into consideration teachers' views.

The governing body is also responsible for appraising the performance of the headteacher, with the support of a skilled/experienced external adviser it has appointed to do this.

#### **Governors responsible for HT appraisal;**

**Margaret Wright - Chair of Governors**

**Ellen Kemp & Sarah Aggrey-Daniels – Foundation Gov's**

**School Improvement Partner/ HT Mentor**

#### Headteacher

The Headteacher will decide who appraises all other teachers. Staff will be notified before or as soon as practicable after the start of each appraisal period who their appraiser will be.

It is the Headteacher's responsibility to ensure that all staff, particularly those appraising others, have appropriate training and support to understand and use the policy.

## **The Appraisal Procedure**

The school will manage appraisal so that the process is clear to both appraiser and appraisee – throughout the cycle through an ongoing dialogue and meetings both will have a shared understanding of the objectives set, the criteria to be used to assess performance and progress towards meeting them.

### **Setting objectives**

Objectives will be set before or as soon as practicable after the beginning of the appraisal period. The objectives will be SMART (specific, measurable, achievable, relevant and time-bound). The objectives set for each teacher will, if achieved, contribute to the school's plans for improving educational provision and performance and improving outcome for students.

The HT's objectives will be set by the governing body following consultation with the external adviser.

Teachers and staff objectives will be agreed by the appraiser and teacher. Where it is not possible for them to agree, the appraiser will decide the objectives. There will be a moderation exercise for objectives where the HT ensures that overall they are appropriate and consistent.

Objectives may be revised if circumstances change during the appraisal period.

The appraiser will provide the relevant standards against which the teacher's performance in that appraisal period will be assessed, which in this school are set out in the Teachers' Standards.

### **Reviewing performance**

#### ***Observation***

Classroom observation is an important part of continuing professional development for all teaching staff, and a good way to assess performance, highlight strengths that can be celebrated and expertise that can be shared, and pinpoint weaknesses that can be eliminated with support. This is key to whole-school improvement.

In this school, performance will be observed regularly but the amount and type of classroom observation will depend on the individual circumstances of the employee and the overall needs of the school. Classroom observation will be carried out in a supportive way and by those with QTS and may involve SLT, peers or outside consultants

Teachers who hold responsibilities outside of the classroom, such as in extra-curricular activities, should also expect to be observed.

#### ***Evidence***

During the appraisal period, teachers have a responsibility for gathering evidence of their progress throughout the year in order for them to identify any particular strengths or areas for further development, The appraiser will then record the discussion on this evidence in the appraisal report.

#### ***Development and support***

As a tool for development, the school will use appraisal to inform decisions about continuing professional development that improves performance. Agreed training and professional development will seek to develop individual good professional practice, and will also relate to whole-school improvement linked to the school's improvement priorities.

### ***Feedback***

Managers and members of the senior leadership team are expected to give regular and timely feedback – this should be on the same day as any observation and based on observation and other relevant evidence. They will highlight strengths as well as weaknesses and consider what could usefully be shared with other staff. Feedback should be given, where possible, face to face.

### **Where there are concerns about a teacher's performance**

The appraiser will arrange a face-to-face meeting with the appraisee to:

- give feedback that clearly explains concerns, their nature and seriousness
- give the appraisee the opportunity to comment on and discuss the concerns
- find out if there are any issues (both in or outside of work) that are affecting their performance that the appraiser can assist with or provide extra support
- make clear how the appraisee will be supported (e.g. coaching, mentoring, training, structured observations, observing others in a similar role) to address the concerns
- set a date to review progress using targets that are reasonable and practical, related to the seriousness of the concerns and which allow sufficient time for improvement
- make sure the appraisee understands the implications, including the use of the capability procedure, if insufficient or no progress is made during the review period.

This meeting can take place at any time during the appraisal period. It is intended to be supportive, and to give the appraisee the opportunity to improve. The appraiser will provide the appraisee with notes from the meeting so that the appraisee is clear about the improvements that need to be made, the support that will be provided and the timescales. The review period should be no longer than 6 weeks.

At the end of the review period, if the appraiser is satisfied that the appraisee has made or is making sufficient progress, the appraisal process will continue as normal and any remaining issues will be addressed as part of the appraisal process. The review period may be extended for a further limited period. If there is no improvement, or insufficient improvement, the capability process at Section B of this policy will be followed.

### **The appraisal report and annual assessment**

There will also be a mid-year review to help the staff member maintain sufficient progress.

An annual assessment is the end point to the annual appraisal cycle and will formally assess a teacher's performance, once feedback has been given and by the end ***of October of the following academic year***. Each teacher will receive a copy of their formal appraisal report. This will be a summary of performance during the year and set out development needs for the next year. In particular, the report will outline:

Details of the appraisal period objectives:

- the assessment of staff performance in relation to these objectives and any relevant standards
- an assessment of the appraisee's development needs and any action required to address them
- a recommendation on pay in accordance with the Pay Policy.\*

Appraisal reports will be kept and will inform planning for the next appraisal period.

### **Transition into capability**

Performance management is an ongoing process. If the appraiser is not satisfied with progress, despite support being provided, the employee will be notified in writing that the appraisal process will no longer apply and that their performance will be managed under the capability procedure, and they will be invited to a formal capability meeting.

## **Capability Procedure**

This procedure applies to teachers and headteachers and all staff about whose performance there are serious concerns that the appraisal process has been unable to address. The procedure is intended to provide a framework to support them to improve.

The procedure has been designed to comply with current legislation and the ACAS Code of Practice on Disciplinary and Grievance Procedures.

See the opening paragraph of the policy for details of its scope.

In cases of misconduct, procedures outlined in the school's **staff discipline, conduct and grievance policy** will be followed.

### **Formal capability meeting**

The purpose of the meeting is to establish the facts.

The chair of governors will conduct the meeting where concerns relate to the HT.

The HT will conduct meetings where concerns are about a teacher.

### **Possible outcomes**

The chair of the meeting may decide that:

- there are insufficient grounds to use the capability procedure rather than appraisal
- further investigation is required or more time to consider additional information
- the process should continue.

### **Notice**

The teacher/Headteacher/staff member about whom there are concerns will be:

- given at least five working days' notice of the meeting
- informed by letter of the date, time and venue of the meeting, of their right to be accompanied by a colleague, trade union official or trade union representative certified by the trade union as being competent
- provided with copies of written evidence to be referred to at the meeting
- informed of any witnesses attending the meeting (if appropriate).

### **Capability meeting**

The person conducting the meeting will:

- identify the professional shortcomings that have led to this meeting
- listen to the response of the headteacher/teacher/staff member, including any new information they provide
- identify the action (including support) that has been taken to date and the outcomes
- state what the improved standard of performance needs to be for the capability procedure to end
- outline a timeframe for improvement and the ways in which performance will be supported, monitored and reviewed during this time
- give a formal warning (if very serious, a final written warning) that failure to improve performance within the timeframe could lead to dismissal.

Notes of this meeting, including arrangements for monitoring and review, will be taken and copies sent to the teacher/Headteacher?staff member, subject to the procedure with a letter confirming the warning that has been issued. Appraisal and capability procedures are confidential.

**The teacher/headteacher can appeal against the warning within 5 working days. This should be stated in the letter and notes.**

## **Monitoring and review following the capability meeting**

The monitoring period should last between 6-10 weeks – exact time designated by the lead appraiser.

If they have been issued with a final written warning at their capability meeting, they will be invited to a decision meeting instead (see section ii decision meeting.).

### **i. Formal review meeting**

The arrangements for notice are the same as those outlined above for the formal capability meeting.

**If the person conducting the meeting is satisfied that there has been sufficient improvement**, the capability procedures will end here and the appraisal process will resume. This will be confirmed in writing.

**Or they may:**

- **extend the review period** if they think that the member of staff is making some improvement and are confident that more is likely
- **issue a final written warning** if there has been no or insufficient improvement.

Notes of this meeting will be taken and a copy sent to the headteacher/teacher/staff member about whom there are performance concerns with a letter confirming that a warning has been issued.

Where there is a final written warning, the headteacher/teacher/staff member will be informed:

- that failure to achieve an acceptable standard of performance within the set timeframe may result in dismissal
- of arrangements for monitoring and review
- of the time limits to appeal against the warning.

They will be invited to a decision meeting at the end of the review period.

### **ii. Decision meeting**

The arrangements for notice are the same as those outlined above for the formal capability meeting.

**If the person conducting the meeting is satisfied that there has been sufficient improvement**, the capability procedures will end here and the appraisal process will resume.

**If performance is still unsatisfactory**, a further limited extension of the review period may be considered, or a decision or recommendation will be made to the governing body to dismiss the teacher/Headteacher/staff member or require them to cease working at the school.

**Refer to** DfE's document *Teacher appraisal and capability: A model policy for schools*, available at [www.gov.uk/government/publications/teacher-appraisal-and-capability-model-policy](http://www.gov.uk/government/publications/teacher-appraisal-and-capability-model-policy)

### **Decision to dismiss**

The decision to dismiss should be taken by the HT in conjunction with the chair of the governing body – in the case of the HT this should be done by the chair of the governing body in conjunction with the director of education for Newham.

## **Dismissal**

Once the decision to dismiss has been made, the teacher/Headteacher/staff member will be dismissed with notice as outlined in their contract of employment.

Once the decision has been made, the local authority as the employer will, within 14 days, dismiss the teacher/Headteacher/staff member or if they work at more than one school, require them to cease working at this school.

## **Appeals**

A member of staff can appeal against the decision in writing to the Chair of Governors, setting out the grounds for appeal within **2 working days** of being notified of the warning/dismissal. They may wish to appeal on the grounds that they think the action being taken against them was unjust or that the process of review was flawed. **All appeals will be taken to the appeals panel of the governing body.**

### **The Appeals Panel**

The appeal will be dealt with impartially, and wherever possible by a panel of **a minimum of 3** governors who have not had any former knowledge or involvement in the case that is being dealt with at that time.

The arrangements for notice are the same as those outlined above for the formal capability meeting.

Notes will be taken at the meeting and provided to the teacher/Headteacher/staff member making the appeal.

**Note:** The DfE's model policy for schools *Teacher appraisal and capability*, available at [www.gov.uk/government/publications/teacher-appraisal-and-capability-model-policy](http://www.gov.uk/government/publications/teacher-appraisal-and-capability-model-policy) provides a list (pp.14–15) of underpinning principles you may find helpful.

### **Appeals Procedure**

The appeals panel may:

- uphold/dismiss all or part of the appeal
- decide on action to be taken to resolve the situation
- evaluate the evidence and recommend changes to the school's systems or procedures as a preventative step against similar problems arising in the future.

The employee will be informed in writing of the results of the appeal hearing within 5 days. The panel's decision is final and there is no further right of appeal.

***St. Luke's will review relevant systems regularly to ensure that they work fairly, effectively and in line with its legal responsibilities.***

## **Sickness**

If at any stage long term sickness absence appears to have been triggered by the commencement of this procedure, the case will be dealt with in accordance with the school's sickness absence policy.

The employee will be referred immediately to the occupational health service to assess their health and fitness for continued employment and the appropriateness or otherwise of continuing with monitoring or formal procedures. In some cases, it may be appropriate for monitoring and/or formal procedures to continue during a period of sickness absence.

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**Signed by**

\_\_\_\_\_ **Chair of governors**      **Date: Dec 2018**

\_\_\_\_\_ **Headteacher**      **Date: Dec 2018**

**This policy will be reviewed bi-annually**