

Performance Management
(Appraisal) Policy
Policy No. E16

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THE EVOLVE TRUST PERFORMANCE MANAGEMENT (APPRAISAL) POLICY

INTRODUCTION

Revised appraisal arrangements come into force with effect from 1 September 2012. They are set out in the Education (School Teachers' Appraisal) (England) Regulations 2012 (the Appraisal Regulations.)

The Trustees will review this policy by 1st September of each year in consultation with the Governing Bodies.

PURPOSE

This policy sets out the framework for a clear and consistent assessment of the overall performance of teachers, including the Headteacher/CEO, and for supporting their development within the context of the Trust/Academy's Transition to Transformation document for improving educational provision and performance, and the standards expected of teachers. It also sets out the arrangements that will apply when teachers fall below the levels of competence that are expected of them.

Where teachers are eligible for pay progression, the assessment of performance throughout the cycle against the success criteria specified in the statement will be the basis on which the recommendation is made by the reviewer.

This policy should be read in conjunction with the Trust's pay policy which provides details of the arrangements relating to teacher's pay in accordance with the School Teachers' Pay and Conditions Document and NJC scales.

In addition all staff (teaching and support) are expected to participate in effect appraisal in order to support their career progression, even though there is no legal framework for support staff.

APPLICATION OF THE POLICY

The policy applies to the CEO, Headteacher, all teachers and support staff employed by the Trust except those on contracts of less than one term, those undergoing induction (i.e. NQTs) and those who are the subject of capability procedures, or whose work causes serious concerns.

LINKS TO ACADEMY IMPROVEMENT, ACADEMY SELF EVALUATION AND ACADEMY DEVELOPMENT PLANNING

To comply with the requirement to show how the arrangements for performance management link with those for academy improvement, academy self-evaluation and academy development planning and to minimise workload and bureaucracy the performance management process will be the main source of information as appropriate for academy self-evaluation and the wider academy improvement process to avoid duplication.

Similarly, the Transition to Transformation document and the academy's self-evaluation form are key documents for the performance management process along with the Staff Development Policy. In the case of CEO, Business Leader and Services Leader KPI's related to the Trust apply.

All reviewers are expected to explore the alignment of reviewees' objectives with the academy's priorities and plans. The objectives should also reflect reviewees' professional aspirations.

CONSISTENCY OF TREATMENT AND FAIRNESS

The Performance Management in this Trust will be a supportive and developmental process designed to ensure that all teachers and support staff have the skills and support they need to carry

out their role effectively. It will help to ensure that teachers and support staff are able to continue to improve their professional practice and to develop as teachers and support staff. The Evolve Trust and Governing Body are committed to ensuring consistency of treatment and fairness in the operation of performance management.

The Board of Trustees recognises its legal responsibilities to staff under the Equality Act 2010 and this policy will ensure equality and fairness regardless of race, sex (gender), sexual orientation, religion or belief, gender re-assessment, pregnancy and maternity, marriage and civil partnership, disability or age. All appraisal decisions will be taken in accordance with relevant equalities legislation, the Employment Relations Act 1999, the Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2002. In doing so the Trust and Pay Committee will ensure that appraisal processes and decisions, linked to pay are open, transparent and fair.

To ensure this the following provisions are made in relation to moderation, quality assurance and objective setting.

The Performance Management Period

The performance management period will run for twelve months from **1st September to 31st August** each year for teachers and **1st April to 31st March** for support staff.

Teachers who are employed on a fixed term contract of less than one academic 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.

Impact of Absence During the Appraisal Cycle

Where employees have been absent for long periods e.g. due to maternity leave or disability related sickness absence, appropriate consideration and reasonable adjustments will be made towards the meeting of criteria for pay progression. The governing body will take into account the particular circumstances of the case and the exact adjustments will be made on a case-by-case basis. Where other sickness absence occurs during the appraisal cycle the Headteacher/CEO will assess the extent to which the teacher/staff member has demonstrated that the criteria for pay progression have been met at the annual appraisal review.

Appointed Performance Management Reviewers

The CEO will be performance managed by the Trust Board, supported by a suitably skilled and/or experienced external adviser who has been appointed by the Trust for that purpose.

The task of Performance Managing the CEO, including the setting of objectives, will be delegated to a sub-group consisting of up to three members of the Trust. The CEO will appraise Headteachers in member academies and act as advisor to the Local Governing Body representatives (2 governors).

The Headteachers in member academies will decide who will review the performance management of other teachers/student based support staff and both the Business Leader and Service Leader determine performance reviewers of other support staff.

OBJECTIVE SETTING

The CEO's objectives will be set by the Trust representatives after consultation with the external adviser and the Headteacher by 2 LGB Governors and CEO.

Objectives for each teacher/support staff will be set before or as soon as practicable after, the start of each performance management period. The objectives set for each teacher/support staff member, will be Specific, Measurable, Achievable, Realistic and Time-bound and will be appropriate to the teacher's/staff's role and level of experience. The reviewer and reviewee will

seek to agree the objectives but, if that is not possible, the reviewer will determine the objectives. Objectives may be revised if circumstances change.

The objectives set for each teacher/support member will, if achieved, contribute to the Academies plans for improving the academy's educational provision and performance and improving the education of students at The Evolve Trust. This will be ensured by quality assuring all objectives against the Transition to Transformation document and Staff Development Policy.

Before, or as soon as practicable after, the start of each performance management period, each teacher will be informed of the standards against which that teacher's performance in that performance management period will be assessed. With the exception of those who are qualified teachers by virtue of holding and maintaining Qualified Teacher Learning and Skills (QTLS) status, all teachers must be assessed against the set of standards contained in the document called "Teachers' Standards" updated 2013. The CEO will need to consider whether certain teachers should also be assessed against other sets of standards published by the Secretary of State that are relevant to them.

For teachers who are qualified teachers by virtue of holding QTLS status, it is for the CEO and Headteachers in member academies to decide which standards are most appropriate. Such teachers may be assessed against the Teachers' Standards, against any other sets of standards issued by the Secretary of State, against any other professional standards relevant to their performance or any combination of those three.

For support staff, targets with clear success criteria will be determined in line with job descriptions.

REVIEWING PERFORMANCE

Monitoring

The Evolve Trust believes that observation of practice and other responsibilities is important both as a way of assessing teachers' and support staffs' performance in order to identify any particular strengths and areas for development they may have and of gaining useful information which can inform Academy improvement more generally. All observation will be carried out in a supportive fashion.

In The Evolve Trust teachers' performance will be regularly observed but the amount and type of classroom observation will depend on the individual circumstances of the teacher and the overall needs of the Academy. Classroom observation will be carried out by those with QTS. In addition to formal observation, the CEO/Headteacher or other leaders with responsibility for teaching standards may "drop in" in order to evaluate the standards of teaching and to check that high standards of professional performance are established and maintained. The length and frequency of "learning walks" (drop-ins) will vary depending on specific circumstances.

Teachers and leaders who have responsibilities outside the classroom should also expect to have their performance of those responsibilities observed and assessed. A range of appropriate monitoring tools will be used e.g. audits, pupil pursuits, work scrutiny and tracking data.

Support staff will have their work scrutinised in line with role.

Development and support

Performance Management is a supportive process which will be used to inform continuing professional development. The Evolve Trust wishes to encourage a culture in which all teachers take responsibility for improving their teaching through appropriate professional development. Professional development will be linked to academy improvement priorities and to the ongoing professional development needs and priorities of individual staff.

Feedback

Teachers/support staff will receive constructive feedback on their performance throughout the year and as soon as practicable after an observation has taken place or other evidence has come to light.

Feedback will highlight particular areas of strength as well as any areas that need attention. Where there are concerns about any aspects of the teacher's/support staff's performance the reviewer, CEO, Headteachers or a member of the senior leadership team will meet the teacher/staff member formally to:

- give clear feedback to the teacher/support staff member about the nature and seriousness of the concerns;
- give the teacher/support staff member the opportunity to comment and discuss the concerns;
- agree any support (e.g. coaching, mentoring, structured observations), that will be provided to help address those specific concerns;
- make clear how, and by when, the reviewer will review progress (it may be appropriate to revise objectives, and it will be necessary to allow sufficient time for improvement. The amount of time is up to the Trust but should reflect the seriousness of the concerns);
- explain the implications and process if no – or insufficient – improvement is made.

When progress is reviewed, if the reviewer and/or Headteacher is satisfied that the teacher has made, or is making, sufficient improvement, the performance management process will continue as normal, with any remaining issues continuing to be addressed through that process.

Transition to capability

If the reviewer and/or Headteacher is not satisfied with progress, the teacher/support staff will be notified in writing that the performance management system will no longer apply and that their performance will be managed under the capability procedure, and will be invited to a formal capability meeting. The capability procedures will be conducted as in the Managing Capability Policy.

Annual assessment

Each teacher's/support staff's performance will be formally assessed in respect of each performance management period. In assessing the performance of the CEO, the Trust must consult the external adviser.

This assessment is the end point to the annual performance management process, but performance and development priorities will be reviewed and addressed on a regular basis throughout the year in interim meetings which will take place (eg once a term).

The teacher/support staff will receive as soon as practicable following the end of each performance management period – and have the opportunity to comment in writing on - a written performance management report. In the member academy, teachers will receive their written performance management reports by 31st October (31st December for the CEO). The performance management report will include:

- details of the teacher's objectives for the performance management period in question;
- an assessment of the teacher's performance of their role and responsibilities against their objectives and the relevant standards;
- an assessment of the teacher's professional development needs and identification of any action that should be taken to address them;

- a recommendation on pay where that is relevant (NB – pay recommendations need to be made by 31st December for CEO and by 31st October for other teachers);

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

Support staff will receive the same entitlement to feedback, support and review.

Quality Assurance of Appraisal Statements

The Trust is committed to ensuring consistency of treatment and fairness in the operation of the Appraisal Policy for all staff. The Academies operate a system of moderation to ensure that all appraisers are working to the same standards. Objectives will be moderated across the Academy to ensure that they are consistent between teachers with similar experience and levels of responsibility and the same applies to support staff. The following provisions have therefore been put in place in relation to moderation, quality assurance and objective setting in the appraisal process.

CEO targets will be set in presence of external advisor by up to 3 Trustees and shared with the Board to ensure sufficiently challenging.

APPEALS

At specified points in the performance management process teachers and Headteachers have a right of appeal against any of the entries in their planning and review statements. Where a reviewee wishes to appeal on the basis of more than one entry this would constitute one appeal hearing. Details of the appeals process are covered in the academy's pay policy.

Support staff have the same right of appeal.

TRAINING AND SUPPORT

The Trust's CPD programme will be informed by the training and development needs specified in the training annex of the reviewees' planning and review statements.

The governing body will ensure in the budget planning that, as far as possible, appropriate resources are made available in the Trust's budget for any training and support agreed for reviewees.

An account of the training and development needs of teachers in general, including the instances where it did not prove possible to provide any agreed CPD, will form a part of the annual report to the local governing body about the operation of the performance management in the Trust.

With regard to the provision of CPD in the case of competing demands on the Trust budget, a decision on relative priority will be taken with regard to the extent to which: (a) the CPD identified is essential for a reviewee to meet their objectives; and (b) the extent to which the training and support will help the Trust to achieve its priorities. The Trust's priorities will have precedence.

MANAGING CAPABILITY

We understand that managing and improving performance not only helps the employee but also the pupils and ultimately the academy community as a whole. It is recognised however, that there are occasions when an employee's performance is identified as below an acceptable standard and when normal day-to-day management support has not resulted in satisfactory improvement the Managing Capability Policy would be used to assist this improvement. This procedure will only become 'active' once the normal management processes of discussing performance and providing encouragement, guidance, support and feedback have been provided. This includes any required

performance management/supervision and appraisal reviews. As such, it is strongly recommended that this procedure is read in conjunction with the Performance Management Policy.

Where it becomes necessary to activate this procedure it has been designed to provide the employee with the opportunity to understand how and why their performance does not meet the needs of the school and its children and young people, and to provide a framework to encourage the employee to improve their performance.

For further information please see the Managing Capability Policy.

RETENTION OF STATEMENTS

Performance management planning and review statements will be retained for a minimum period of 6 years and treated in the strictest of confidentiality at all times. Access is restricted to CEO/Headteachers/Line Manager to team, direct line manager and appraiser.

REVIEW OF THE POLICY

The Board of Trustees will review the performance management policy every academic year which will be ratified at a full trust board meeting.

The Trust will take account of the Headteachers/CEO's report in its review of the performance management policy. The policy will be revised as required to introduce any changes in regulation and statutory guidance to ensure that it is always up to date.

The Trust will seek to agree any revisions to the policy with the recognised trade unions to ensure teachers are fully conversant with the performance management arrangements, all new teachers who join the Academy will be briefed on them as part of their introduction to the Academy.

ACCESS TO DOCUMENTATION

Copies of the Transition to Transformation document and SEF can be obtained from Headteachers.

TRANSITION TO CAPABILITY

There is no automatic transition to the Managing Capability Policy. However, where performance concerns emerge, the nature and seriousness of those concerns should be discussed as soon as possible with the teacher/support member. Every effort should be made to resolve performance concerns within the appraisal process through the provision of targeted additional support agreed in discussion with the teacher/support member and regular feedback and review. Where concerns are such that the teacher/support member is not performing to an appropriate level, the Headteacher or other identified senior leader will be included in these discussions. If the performance concerns are not resolved through a minimum of two cycles of support and feedback, consideration should be given to the application of the capability procedure with the CEO who will advise the Headteacher.

Where the appraiser considers that there is insufficient evidence of progress against the objectives based on the evidence available at an interim review meeting and from the additional support cycles, the appraisee will be notified in writing that the appraisal process will no longer apply and that their performance will be managed under the capability procedure.



Equality Act 2010 (Amendment) Order 2012 Impact Assessment

Name of Policy:	Staff Performance Management Policy
Date Analysis Undertaken:	August 2017

General Duty	Current Provision	Task to be completed / Undertaken	Support needed / Date for action / Lead
Eliminate unlawful discrimination, victimisation and harassment and other prohibited conduct.	Policy in place was TUPE'd over to the academy. This was ratified by Trustees and appropriate Trade Unions.	Ensure changes agreed by Trustees for sign off.	Keep abreast of statutory requirements regarding Teaching standards and performance management. Ongoing MD
Advance equality of opportunity between people who share a protected characteristic and those who do not	N/A: Policy is Neutral impact against protected characteristics.	N/A: Policy is Neutral impact against protected characteristics.	Keep abreast of statutory requirements regarding Teaching standards and performance management. Ongoing MD
Foster good relations between people who share a protected characteristic and those who do not	N/A: Policy is Neutral impact against protected characteristics.	N/A: Policy is Neutral impact against protected characteristics.	Keep abreast of statutory requirements regarding Teaching standards and performance management. MD

Template for self-assessment and action planning: Equality Act 2010 (Amendment) Order 2012

Protected Characteristic	Positive Impact	Negative Impact	Neutral Impact	Engagement undertaken	Evidence and action taken/Outcome
Race			x		
Religion or Belief			x		
Gender / Gender Reassignment			x		
Sexual Orientation			x		
Disability			x		
Age			x		
Other (please specify)			x		
Summary:					

Undertaken by: (PRINT NAME)	Maxine Day				
Signature	M Day				
Date:	August 2017				
QA: (PRINT NAME)		QA Signature:			