



St James & Emmanuel Academy Trust

Teacher Appraisal Policy

October 2022



1. INTRODUCTION

- 1.1. Appraisal arrangements for teachers are set out in the Education (School Teachers' Appraisal) (England) Regulations 2012 ("the Appraisal Regulations"). The Appraisal Regulations apply to community, voluntary, foundation, community special or foundation special schools and maintained nursery schools. They do not apply to academies, free schools or independent schools but such schools are free to adopt this policy if they wish.
- 1.2 Under the Appraisal Regulations, schools must have an appraisal policy for **teachers**. Under the School Staffing (England) Regulations 2009 schools must also have a policy dealing with lack of capability and which covers **all staff**. This model policy deals with appraisal arrangements only. There is a separate policy which deals with lack of capability on the part of all staff in school.
- 1.3 The Appraisal Regulations set out principles that apply to appraisals of **teachers** in all maintained schools (whether employed by the Governing Body of that school or the Local Authority to work in that school) where they are employed for one term or more. They provide the minimum national framework within which schools must operate.
- 1.4 There are currently no national appraisal regulations which apply to **support staff** in schools and there is no national agreement on appraisals with support staff Trade Unions. Although support staff are not covered by the Appraisal Regulations, this policy has been drafted in such a way that it can be used by schools for **all staff**.

2. SCOPE

- 2.1 This policy combines statutory requirements and elements of guidance.
- 2.2 This policy applies to the Headteacher/Head of School and to all teachers and support staff employed within the St. James and Emmanuel Academy Trust with the exceptions of:
 - those on contracts of less than one term,
 - those undergoing induction (i.e. Newly Qualified Teachers (NQTs), and
 - those who are subject to capability procedures i.e. employees about whose performance there are serious concerns that the appraisal process has been unable to address.
- 2.3 This policy does not apply to agency employed supply staff, self-employed staff and external consultants.
- 2.4 Unless indicated otherwise, all references in this policy to "teacher" include a reference to the Headteacher/Head of School.

3. PRINCIPLES

- 3.1 The Trustees of St. James and Emmanuel Academy Trust are committed to ensuring consistency of treatment and fairness and agrees to abide by the statutory requirements set out in the Appraisal Regulations as well as all other relevant employment and equality legislation and guidance. This includes the Employment Rights Act 1996, the Equality Act 2010, the Part Time Workers Regulations 2000, the Fixed Term Employees Regulations 2002 and the Data Protection Act 2018.
- 3.2 The appraisal process and supporting documentation will be treated with strict confidentiality at all times and the Headteacher/Head of School (or CEO in the case of Headteacher/HoS documentation) will ensure access to documentation relevant to the appraisal process is only granted to those who need it to be able to carry out their responsibilities as directed.
- 3.3 The Trustees will ensure appraisers are suitably prepared for carrying out all elements of the appraisal process and will ensure training is made available if necessary.

4. PURPOSE

- 4.1 This policy sets out the framework for a clear and consistent assessment of the overall performance of teachers and support staff and for supporting their development within the context of the school's improvement plan. It also sets out how the school will improve outcomes for pupils by motivating staff to update their skills and improve their performance.
- 4.2 Appraisal is both a developmental and supportive process designed to ensure that staff are able to continually improve their professional practice. The appraisal process will set objectives and will provide support to ensure staff have the skills they need to carry out their role effectively and with reference to any relevant professional standards.
- 4.3 Appraisal is only one element of the performance management of a member of staff and the appraisal process should be seen in this context.
- 4.4 It is recommended that appraisers use the appraisal process to focus on and support staff wellbeing. Sufficient time within the process should be set aside to discuss work-life balance, health and general wellbeing. Consideration should also be given to completing a stress risk assessment within each appraisal period. The Trust is committed to ensuring appraisers are provided with training to ensure they have the range of competencies needed to support staff health and wellbeing. The school may seek advice in relation to how best to support staff well-being from One Education's HR and People service or its HR provider.

5. APPRAISAL PERIOD

- 5.1 The appraisal period in this school will run for **twelve months from September to August** in the majority of cases. Where possible, the appraisal itself should be completed by 31 October and by 31 December for Headteachers/HoS.
- 5.2 Staff who are employed on a fixed term contract of less than one year will have their performance managed in accordance with the principles underpinning this policy. The length of the period will be determined by the Headteacher taking into account the duration of their employment contract.
- 5.3 The Headteacher/HoS/CEO may decide on a longer or shorter appraisal period than twelve months when a member of staff takes up a post other than at the start of the academic year. This may be done with a view to bringing appraisal arrangements into line with the appraisal period applicable to all staff as soon as possible.
- 5.4 Where a member of staff ceases employment other than at the end of the appraisal period applying to them, the appraisal period ends with the last day of such employment.
- 5.5 For support staff who are new to the school the relevant probationary period assessments as detailed in the National Joint Council (NJC) Green book (National Agreement on Pay and Conditions of Service for Local Government Services) provide an appropriate basis for the setting of short-term objectives until the staff member can be brought into line with the school's normal appraisal cycle.

6. EQUALITY ACT

- 6.1 The Trust acknowledges its duties and obligations under the Equality Act 2010 including its duty under the Public Sector Equality Duty (S149 Equality Act). The Governing Body and the Headteacher will ensure that all those involved in the appraisal process are aware of the school's equality duties and that in the application of this policy, appraisers take a consistent approach with a view to avoiding unlawful discrimination in any form from occurring. The protected characteristics covered by the Equality Act 2010 are age, disability,

gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

- 6.2 In relation to the appraisal process, if a member of staff with a disability is placed at a substantial disadvantage compared to other members of staff who are not disabled, the school will take reasonable steps to try and avoid that disadvantage in line with its duty to make reasonable adjustments. This may entail modifying or changing certain aspects of the appraisal process and may involve for example the provision of auxiliary aids and services.
- 6.3 Where a member of staff with a disability has been absent from their duties on a long-term basis, this will not prevent them from being appraised. Reasonable adjustments may need to be made to the process however including adjustments to objectives and decisions about performance related pay. When making decisions, appraisers may need to consider evidence from previous years so that the member of staff is not subjected to a disadvantage because of their disability or subjected to unfavourable treatment connected to their disability which cannot be justified as a proportionate means of achieving a legitimate aim.
- 6.4 Where an employee has part time or fixed term status, this will be taken into account by the school. This may mean for example that a part time member of staff will not have the same number or weight of objectives as a full-time member of staff with comparable experience and responsibilities.
- 6.5 In relation to members of staff who are pregnant the school will consider conducting an appraisal before they go on maternity leave. In this case any assessment of performance will be based on the evidence to date in the relevant appraisal period. If there is very little to go on in the current appraisal period, account may also be taken of performance in previous appraisal cycles. Alternatively, the school may give the member of staff the opportunity to attend school during their maternity leave (on a KIT day) or to make written representations so that a reliable appraisal can take place and can be recorded in the usual way.
- 6.6 If there are any language issues affecting a member of staff during the appraisal process these will be reasonably addressed so that discussions and meetings can take place fairly.

7. APPRAISAL MEETINGS

- 7.1 Appraisal meetings will be arranged in accordance with the following principles: -
- Meetings will normally be scheduled with five school working days' notice;
 - For **teaching staff**, appraisal meetings will take place within the established directed time schedule;
 - For **support staff** appraisal meetings will take place at an appropriate time during the individual's normal working arrangements;
- 7.2 If the above arrangements prove to be impracticable, the appraiser will endeavour to agree alternative arrangements that are also acceptable to the appraisee.

8. APPRAISERS

- 8.1 The Headteacher/HoS will be appraised by the CEO, supported by a suitably skilled and/or experienced external adviser and a Trustee of the St. James and Emmanuel Trust. Where possible, the chair of the Local Governing Body will also be involved.
- 8.2 In this Trust the task of appraising the Headteacher/HoS, including the setting of objectives, will be delegated to a sub-group consisting of at least 2 Directors/Trustees (one of whom would normally be the Trust CEO) and an external advisor.
- 8.3 The Headteacher/HoS will decide who will appraise all other staff in school. Unless otherwise appropriate (as determined by the Headteacher/HoS), the appraiser for teachers will normally have Qualified Teacher Status (QTS) and all appraisers will have received appropriate training.

9 STANDARDS AND OBJECTIVES

- 9.1 Before, or as soon as practicable after the start of the appraisal period, the **Trustees** will inform the **Headteacher/HoS** of the standards against which their performance in that appraisal period will be assessed and will set objectives for the Headteacher in respect of that period. The Headteacher's/HoS's objectives will be set by the Trustees after consultation with the external adviser referred to above.
- 9.2 Before, or as soon as practicable after the start of each appraisal period, the **Headteacher/HoS or employee's line manager** (in cases where the Headteacher has delegated responsibility) will inform each **teacher or member of support staff** as appropriate of the standards against which their performance in that appraisal period will be assessed. The Headteacher/HoS (or line manager as appropriate) will also set objectives for the teacher or member of support staff in respect of that appraisal period.
- 9.3 All those involved in setting objectives must be mindful of the school's duties and obligations under the Equality Act 2010. Appraisers will therefore take into account the effects of an employee's disability when agreeing objectives and this may include making a reasonable adjustment to allow an individual slightly longer to complete a task than might otherwise be the case.
- 9.4 Objectives set will be **Challenging, Specific, Measurable, Achievable, Realistic and Time-bound (CSMART)** and will be appropriate to the role and level of experience of the member of staff and will reflect priorities for an individual for the cycle. Appraisal objectives will normally become more challenging as an employee progresses.
- 9.5 The number of objectives set will be reasonable. The number of objectives set for teachers would not normally exceed three but may do so in circumstances determined by the Headteacher/HoS. There is no set minimum and no maximum. Depending on their role, support staff may have a number of smaller objectives. For whole school or team objectives especially, they will reflect the school's current priorities.
- 9.6 The objectives set for each teacher and member of support staff will, if achieved, contribute to the school's plans for improving educational provision and performance and also for improving the education of pupils at the school. For support staff, objectives may also relate to the school's effective deployment and use of resources, administration and organisation.
- 9.7 Although appraisal is an assessment of overall performance, objectives cannot cover the full range of roles and responsibilities. Objectives will therefore focus on the priorities for an individual for the cycle. The appraiser will seek to agree objectives with the appraisee but if that is not possible, the Headteacher/HoS will determine the objectives and any objections will be noted.
- 9.8 Objectives may be revised if circumstances change. On occasions during a review cycle, usually as a result of unplanned circumstances, it may be considered that an objective set at the start of the process is no longer appropriate or requires some adjustment.
- 9.9 All teachers will be assessed against the set of standards contained in the document entitled *"Teachers' Standards (guidance for school leaders, school staff and governing bodies)"* published in July 2011 and last updated June 2013. A teacher will need to demonstrate that their practice is consistent with the definitions set out in Part One (teaching) and Part Two (personal and professional conduct). Consideration will also be given to the guidance contained in *"the Standards for Teachers' Professional Development"* (July 2016).
- 9.10 The Headteacher/HoS will be assessed against the Headteacher Standards 2020 [Headteachers' standards 2020 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/headteacher-standards-2020)
- 9.11 The Headteacher/HoS or Trustees (as appropriate) will consider whether teachers should also be assessed against other sets of standards relating to teachers' performance that may be published by the Secretary of

State from time to time and which are relevant to them.

- 9.12 Although non-statutory, the Professional Standards for Teachings Assistants published in June 2016 will be considered when appraising the performance of relevant support staff.

10. REVIEWS OF PERFORMANCE

- 10.1 The Trust believes that observation of key responsibilities is important both to assess performance and to identify any particular strengths and areas for development a member of staff may have and for gaining useful information which can inform school improvement more generally.
- 10.2 All observations will be carried out to support a culture of continuous improvement and will be a developmental activity.
- 10.3 For classroom-based support staff the number of observations will vary depending on the developmental objectives of individuals. The principle of 'proportionate to need' and reasonableness will apply and will normally be decided through discussion with the employee concerned.
- 10.4 Members of support staff who are not based in the classroom will also be involved in a work review/observation process in a format appropriate to their role. The number of observations will vary depending on the developmental objectives of individual employees and the principle of 'proportionate to need' and reasonableness will apply.
- 10.5 Teachers' performance will, for the purposes of appraisal, be observed on an appropriate and reasonable number of occasions which will as far as possible, be agreed by the appraiser and appraisee based on the individual circumstances of the teacher and the overall needs of the school. Where possible, 5 school working days' notice of the date and time of the observation will be given and verbal feedback will be provided to the teacher by the end of the next working day with written feedback being given within 5 school working days unless circumstances make this impossible.
- 10.6 Headteachers/HoS or other senior leaders with responsibility for learning and teaching standards may also "drop in" or undertake other observations (such as learning walks and book scrutiny) to evaluate the standards of teaching and learning and to ensure that high standards of professional performance are established and maintained. The length and frequency of a "drop in" or other observation and the notice to be given will vary depending on the specific circumstances.
- 10.7 Classroom observations of teachers will only be carried out by those who have the appropriate professional skills to undertake observation and to provide constructive oral and written feedback and support in the context of professional dialogue between colleagues. Observations of teachers will be carried out in accordance with the school's observation protocol attached to this policy at **Appendix 1**.
- 10.8 Teachers (including the Headteacher/HoS) who have responsibilities outside the classroom should also expect to have their performance of those responsibilities observed and assessed.

11. DEVELOPMENT AND SUPPORT

- 11.1 The school's continuing professional development (CPD) programme will be informed by development needs identified during the appraisal process. Professional development will be linked to school improvement priorities and also to the on-going professional development needs and priorities of individuals and teams. St. James and Emmanuel Trust wishes to encourage a culture in which all staff take responsibility for improving their individual performance through professional development.
- 11.2 The Trust will make appropriate but affordable resources available to support staff development arising from the appraisal process. The Headteacher/HoS will report as required to the full Governing Body each year on CPD activities.

- 11.3 Where CPD is identified by mutual agreement as key to the improvement of an individual, they will not be held responsible for lack of progress against agreed priorities if the identified and agreed resources are not provided.

12 FEEDBACK

- 12.1 Staff will receive constructive feedback on their performance throughout the year and as soon as practicable after observation has taken place or other evidence relating to their performance has come to light. Feedback will highlight particular areas of strength as well as any areas that need attention.
- 12.2 Where there are concerns about any aspects of an individual's performance they will **receive appropriate support as part of the appraisal process**. The support to be offered will be agreed in advance and could, for example, include classroom observation alongside or in addition to additional training or visits to other classes/establishments.
- 12.3 Where there are concerns, the appraiser will meet the member of staff formally by way of interim review meeting to: -
- give clear feedback about the nature and seriousness of the concerns;
 - give the individual the opportunity to comment and discuss the concerns;
 - identify any support (e.g. coaching, mentoring, structured or peer observations), that will be provided to help address those specific concerns;
 - make clear how, and by when, the appraiser (or other person) will review progress but allowing sufficient time for improvement and this may include further supportive observations. The amount of time will be dependent upon the circumstances but will reflect the seriousness and the nature of the concerns;
 - explain the implications and process if no or insufficient improvement is made (i.e. transition to the capability procedure - see below);
 - confirm the timescale for review of progress.
- 12.4 The outcome of any such interim review meeting will be confirmed in writing to the staff member concerned.
- 12.5 When progress is reviewed, if the appraiser is satisfied that the member of staff is making sufficient improvement, this will be acknowledged and the appraisal process will continue as normal.
- 12.6 The employee may be accompanied by a colleague or by a representative from their Trade Union at formal meetings if concerns about performance arise and there is a possibility that there could be a transition to the school's formal capability procedure.

13. TRANSITION TO CAPABILITY PROCEDURE

- 13.1 Where there is insufficient evidence of progress against objectives at interim review meetings or at the end of a cycle of support, a **final review meeting** may be held to review the weakness in performance, to consider the evidence and to reflect upon whether or not the appraisal process should cease and management of the performance concerns should be dealt with via the school's formal capability policy and procedure.
- 13.2 In the event that a final review meeting is held, it is important to remember that this meeting is still part of the school's appraisal process and does not form part of the formal capability procedure. The employee, the appraiser and the Headteacher/HoS will normally be present at the final review meeting and, as the outcome of the meeting may have serious consequences, the employee will be encouraged to be accompanied by a colleague or their Trade Union representative. The person conducting the meeting on behalf of the school may be assisted and accompanied by an adviser from One Education's HR and People Service or other nominated HR provider.

- 13.3 At least five school working days' notice will be given for the final review meeting. The review meeting will consider:
- the evidence which has given rise to specific concerns about the employee's performance;
 - the seriousness of the concerns and their impact on the performance of the school;
 - the support that has been provided to the employee to date;
 - the time for which the concerns have persisted and over which the support has been provided;
 - any degree of improvement that has been achieved and whether or not this has been sustained;
 - the extent to which the employee has shown insight and engaged with the support provided through the appraisal process;
 - any mitigating factors.
- 13.4 Once the above matters have been considered, the Headteacher/HoS will confirm the decision in writing to the employee, normally within five school working days. The decision will be **either** to continue with appraisal procedure **or** that the employee's performance will be managed under the school's capability procedure and that they will be invited to a formal capability meeting. The process will then be conducted in accordance with the school's formal capability policy and procedure.
- 13.5 In the case of a Headteacher/HoS, the CEO will normally conduct formal capability and review meetings. In the case of other employees, the line manager who has been appraising the employee will normally conduct formal capability and review meetings. The support available to both the Headteacher/HoS, CEO or line manager is outlined in paragraph 13.2.

14. ANNUAL ASSESSMENT

- 14.1 Each teacher's and member of support staff's performance will be formally assessed in respect of each appraisal period. In assessing the performance of the Headteacher/HoS, Trustees will consult the external adviser.
- 14.2 The assessment is the end point to the annual appraisal cycle but assessment of performance and development priorities will also be reviewed throughout the year. Appraisers may arrange less formal 'catch-ups' alongside routine management arrangements.
- 14.3 Assessment of performance against an objective will be on the basis of the performance criteria set at the beginning of the cycle. Good and continuous progress towards the achievement of a challenging objective, even if the performance criteria have not been met in full, will normally be assessed favourably.
- 14.4 All members of staff will receive their **written appraisal report** as soon as is practicable following the end of each appraisal period and will have the opportunity to comment in writing on this.
- 14.5 The written appraisal report will include: -
- details of the employee's objectives for the period in question;
 - an assessment of the teacher's or member of support staff's performance of their role and responsibilities against the objectives and the relevant standards and their level of responsibility and experience;
 - an assessment of the teacher's or member of support staff's training and professional development needs and identification of any action that should be taken to address them;
 - a recommendation on pay where that is relevant in accordance with the school's pay policy (see separate policy document). For teachers, pay recommendations need to be made by 31st October and for Headteachers by 31st December.
- 14.6 The written appraisal report should reflect the discussions which have taken place during the review meeting. At this meeting, objectives for the next appraisal period will be discussed and set. Alternatively, the decision may be made to set new targets and objectives at a separate planning meeting.

- 14.7 The assessment of the employee's performance and of training and development needs will inform the planning process for the following appraisal period.

15. RETENTION OF DOCUMENTS

- 15.1 Appraisal documentation will be retained in school for a period of 6 years after the end of the appraisal cycle in a secure place and in accordance with current data protection requirements and will then be destroyed. In exceptional circumstances, the school's appraisal practices could be subject to an internal audit by the Local Authority or other body. Assessment paperwork might be reviewed for this purpose.

16. MONITORING AND EVALUATION

- 16.1 The Board of Trustees will review the impact of appraisal annually.
- 16.2 The Headteacher/HoS will provide the LGB and Trustees with a written report on the operation of the school's appraisal policy. The report will not contain any information which will enable any individual to be identified. The report will include the following: -
- the operation of the appraisal policy;
 - the effectiveness of the school's appraisal arrangements;
 - any identified training and development needs;
 - instances where the training and development set out in the training and development annex of an appraisal has not been provided with a brief explanation;
 - number of employees who have fully achieved objectives;
 - number of employees who have partially achieved objectives but with acceptable reasons;
 - number of employees who have partially achieved objectives with unacceptable reasons;
 - number of employees who have not achieved their objectives.
 - an indication as to whether for any employees not achieving or only partially achieving their objectives, there may be a link to a protected characteristic which needs to be considered and/or explored further.
 - Any other equality impacts of the school's appraisal policy.

17. OFSTED

- 17.1 Governors are aware that as part of their overall inspection framework, Ofsted wishes to see evidence in schools that the appraisal procedure is used effectively and enables school improvement and if appraisal evidence is not available, this is likely to impact negatively on the Ofsted inspection grade for leadership and management. Ofsted inspectors may ask to have sight of anonymised data from the last three years that illustrates the numbers of teaching staff who have: -
- progressed along the main pay range;
 - progressed to and through the upper pay range;
 - progressed along the leadership scale; and
 - received additional responsibility payments such as TLRs and SEN allowances.
- 17.2 Governors will ensure that Inspectors will see a correlation between the pattern of pay progression and the improvements made to the overall quality of teaching and learning within the school.

APPENDIX 1

Classroom Observation – Appraisal Protocol for Teachers

This protocol may be adapted, as appropriate, for support staff.

St. James and Emmanuel Academy Trust is committed to ensuring that classroom observation is developmental and that those involved in the process will:

- **carry out the role with professionalism, integrity and courtesy;**
- **evaluate objectively;**
- **report accurately and fairly; and**
- **respect the confidentiality of the information gained.**

The arrangements for classroom observation will be included in the appraisal documentation and will include the purpose of observation, any particular aspects of the teacher's performance which will be assessed, the duration of the observation, when during the appraisal cycle the observation will take place and who will conduct the observation.

Information gathered during the observation will be used, as appropriate, for a variety of purposes including to inform school self-evaluation and school improvement strategies in accordance with the school's commitment to streamlining data collection and minimising bureaucracy and workload burdens on staff.

In keeping with the commitment to developmental and supportive classroom observation those being observed will normally be notified in advance. 5 school working days' notice will normally apply. Classroom observation will only be undertaken by those who have the appropriate professional skills to undertake observation and to provide constructive oral and written feedback and support in the context of professional dialogue between colleagues.

In addition, the Headteacher/HoS may 'drop in' when appropriate to monitor standards – and this may be delegated to others in senior positions by the Headteacher/HoS.

Oral feedback will be given as soon as possible after the observation and unless this is not feasible, no later than the end of the following working day. It will be given in a suitable, private environment and unless this is not feasible, during directed time.

Written feedback will be provided within five school working days of the observation taking place. If issues emerge from an observation that were not part of the focus of the observation these will also be covered in the written feedback and the appropriate action taken in accordance with the regulations and guidance.

The written record of feedback will include the date on which the observation took place and details of the lesson observed. The teacher may append written comments on the feedback document. No written notes in addition to the written feedback will be kept, except where a concern about an employee's performance requires this.