

# Performance Management Policy - Teaching Staff

September 2019

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## Introduction

Performance management is a process to assist all staff in the development of their professional skills; it provides a scheme to feedback on a person's performance, aids with career aspirations, including training and development opportunities. The procedure is a mechanism to support the person and should be used as a positive and helpful process.

The Performance management process as outlined is also designed to facilitate the School's achievement of its aims and objectives as set out in its School Improvement Plan. It enshrines the principles of monitoring, assessment and continuous improvement in educational standards delivered by the School.

This performance management policy and procedure document applies the statutory requirements for teachers' performance management, as provided in the Education (School Teachers' Appraisal) (England) Regulations 2012 (the Appraisal Regulations), which replace the Education (School Teacher Performance Management) (England) Regulations 2006 (the 2006 Regulations).

The Appraisal Regulations set out the principles that apply to teachers in all maintained schools and unattached teachers employed by a local authority, in each case where they are employed for one term or more. They retain the key elements of the 2006 Regulations but allow schools more freedom to design arrangements to suit their own individual circumstances. They provide the minimum national framework within which schools should operate and say nothing, or very little, on many subjects on which the 2006 Regulations made detailed provision. If they wish, schools may include in their own policies details that are no longer covered by the Appraisal Regulations.

Schools and Local Authorities must stay within the legal framework set out in the Appraisal Regulations and in other relevant legislation that affects all employers (for example legislation on equality, employment protection and data protection).

This model policy applies to teachers, including headteachers and members of the school leadership team. It has been written in the context of schools, but the same principles apply to unattached teachers. This policy and procedure document does not cover formal capability proceedings, which apply in cases where there are serious concerns for a teacher's performance that the performance management process has been unable to address. In such circumstances, the Capability Policy and Procedure applies.

These policies have been devised in consultation with the trade unions and are available for may be adopted schools & academies in Cornwall. Should schools or Academies choose to develop different arrangements to those outlined in this document they will need to re-open trade union consultations on an individual basis.



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## Model policy for the performance management of teaching staff

### 1 Purpose

This policy sets out the framework for a clear and consistent assessment of the overall performance of all teaching staff, including the headteacher, and for supporting their development within the context of the school's plan for improving educational provision and performance, and the standards expected of all staff. It also sets out the arrangements that will apply to staff that fall below the levels of competence that are expected of them.

### 2 Application of the policy

Performance management must be applied to the headteacher and to all teachers employed by the school, except those on contracts of less than one term, those undergoing induction (*i.e.* NQTs) and those who are subject to the formal Capability Policy.

### 3 Performance Management & Appraisal

Performance management in this school will be a supportive and developmental process designed to ensure that all teaching staff have the skills and support they need to carry out their role effectively. It will help to ensure that teaching staff are able to continue to improve their professional practice and to develop in their respective roles.

### 4 The Performance Management Period

**The appraisal period will normally run for twelve months** from 1<sup>st</sup> September to 31<sup>st</sup> August.

Staff employed on a fixed-term contract of less than one year will have their performance managed in accordance with the principles underpinning this policy. The length of the period will be determined by the duration of the employee's contract.

*There is flexibility to have a longer or shorter appraisal period when teachers begin or end employment with a school or Local Authority or when unattached teachers change post within the same Authority.*

### 5 Appointing Appraisers

The performance of the headteacher will be managed by a nominated Committee of the Governing Body, supported by a suitably skilled and/or experienced external adviser who has been appointed by the Governing Body for that purpose.

In this school the task of managing the performance of the head teacher, including the setting of objectives, will be delegated to a sub-group consisting of three members of the Governing Body.

The headteacher will decide who will manage the performance of the other teachers. However, it is recommended that the Headteacher should delegate the responsibility to undertake the process of some groups of staff to an alternative senior manager in order to:-



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- a) ensure managers' involvement in the appraisal of staff they supervise;
- b) ensure management support for the individual being appraised with regard to the development needs and targets agreed; and
- c) help protect the Headteacher's own workload and therefore their own work/life balance.
- d) All qualified teachers should be appraised by staff who hold QTS;
- e) All appraisers should receive appropriate training and support.
- f) Individuals have the right to appeal against the appointment of the appraiser if they feel they will be disadvantaged or if the person has a conflicting interest, the appeal should be in writing to the Chair of Governors, their decision is final.

Headteachers should oversee and maintain responsibility for the whole process to ensure consistency of approach and that targets & objectives reflect the school's overall Improvement Plan.

## 6 Setting objectives

The Headteacher's objectives will be set by the Governing Body after consultation with the Headteacher and external adviser.

Objectives for each member of staff will be set before or as soon as practicable after, the start of each appraisal period. The objectives set for each person will be Specific, Measurable, Achievable, Realistic and Time-bound (SMART) and will be appropriate to the teacher's role and level of experience. The appraiser and member of staff will seek to agree the objectives but, if that is not possible, the appraiser will determine the objectives. Objectives may be revised if circumstances change.

The objectives set for each person will, if achieved, contribute to the school's plans for improving the school's educational provision and performance and improving the education of pupils at that school. This will be ensured through a process of linking objectives to the School Improvement Plan and recognising the teacher core professional standards in performance management (*for example – quality assuring all objectives against the school improvement plan - see CSET Capability Procedure Outline Protocols, Appendix 2*). The link to the School improvement Plan and commitment to the teacher core professional standards should be established and documented in the School's appraisal and training and development records.

It is recommended that there should be no more than three objectives, one of which should be focused on personal/ professional development.

Before, or as soon as practicable after, the start of each performance management period, each person will be informed of the standards against which that person's performance in that period will be assessed. All teachers should be assessed against the set of standards contained in the Annex 1 of the STPCD 2021 called the 'Teaching Standards'.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1007716/Teachers\\_Standards\\_2021\\_update.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1007716/Teachers_Standards_2021_update.pdf)

The Headteacher or Governing Board (as appropriate) will need to consider whether certain teachers should also be assessed against professional responsibilities or expectations as established by the Secretary of State that are relevant to their role, for example, Lead Practitioners will have additional professional responsibilities to that of a teacher established in the Job Description that relate to modelling and leading improvements in teaching skills.

Teachers' Standards in Part One are:

- Set high expectations which aspire, motivate and challenge pupils,



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- Promote good progress and outcomes by pupils,
- Demonstrate good subject and curriculum knowledge,
- Plan and teach well structured lessons,
- Adapt teaching to respond to the strengths and needs of all pupils,
- Make accurate and productive use of assessment,
- Manage behaviour effectively to ensure a good and safe learning environment and
- Fulfil wider professional responsibilities.

All teachers will be assessed against the Core Teachers' Standards, in addition, a teacher is expected to meet the requirements of Part Two which is to demonstrate consistently high standards of personal and professional conduct.

Post threshold teachers in addition to Core standards teachers are expected to continue to meet the standards; broaden and deepen their professional attributes, knowledge, understanding and skills; make a distinctive contribution to raising standards across the school; act as role models for teaching and learning and provide regular coaching and mentoring to less experienced teachers (STPCD 2019 Part 3 paras 14 & 15).

All teachers, including the Headteacher, will be expected to meet all of the Core Teachers' Standards. Objectives/targets for all teachers will be set by reference to the appropriate standards and the School Improvement plan. All teachers are expected to demonstrate consistently high standards of personal and professional conduct.

It should be noted that both the Appraiser and Appraisee can request a review of the objectives if circumstances within the school significantly change.

## 7 Reviewing performance

### 7.1 Observation of Teaching Practice

This School/Academy believes that observation of classroom teaching practice and other responsibilities is important both as a way of assessing teachers' performance in order to identify any particular strengths and areas for development they may have and of gaining useful information which can inform school improvement more generally. As set out in the STPCD, the professional responsibilities of Headteachers and Deputy Headteachers include the responsibility to ensure the quality and standard of teaching in the school is satisfactory.

All observation will be carried out in a supportive fashion. It is recommended that each teacher should be observed at least once a term at times notified in advance to the teacher. However, depending upon individual circumstances additional observations may be arranged and in such cases the teacher again should be told in advance.

Classroom observation will be carried out by those with QTS. Lesson observations are one element to a holistic approach to be used to triangulate adjustments. It is not the purpose of a single lesson observation to form a judgement on performance. In addition to formal observation, headteachers or other leaders with responsibility for teaching standards will use a range of tools/devices to evaluate standards of teaching and to check that high standards of professional performance are established and maintained. Examples include pupil progress meetings, pupil conferencing, scrutiny of work and drop-ins. The length and frequency of "drop in" observations will vary depending on specific circumstances (*schools may wish to be more specific about "drop in" observations*).



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Employees (including the headteacher) who have duties and responsibilities outside the classroom should also expect to have their performance in respect of those duties and responsibilities observed and assessed.

Lesson observations made by Ofsted inspectors **must not** be used by the school to make judgements about performance of an individual teacher. Performance should be judged fairly over a period of time, whilst a single Ofsted observation is a snapshot in time and therefore it is not realistic to base judgements on such limited assessments, without taking into account the employee's performance in general over a reasonable period

## 7.2 Development and support

Performance management is a supportive process which will be used to inform continuing professional development by encouraging all staff to identify training and/or development opportunities as part of the school's ongoing CPD offer which will be reflective of the schools' key priorities. The school wishes to engender a culture in which all staff take responsibility for improving their skills through appropriate professional development. Professional development will be linked to school improvement priorities and to the ongoing professional development needs and priorities of individuals.

## 7.3 Feedback

Staff will receive constructive feedback on their performance regularly throughout the year. In the case of lesson observations, feedback will be provided 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. However, where there are concerns about any aspects of the member of staff's performance, the responsible manager will meet the member of staff as part of the performance management process to discuss the concerns with a view to arranging a period of intensive support for the member of staff to facilitate the required improvements. Staff should be advised to seek the support and assistance from their own trade union representative. The manager responsible for managing performance will undertake the following actions in such circumstances:

- give clear feedback to the member of staff about the nature and seriousness of the concerns;
- Verbal feedback should normally take place within 24 hrs of the lesson observation and should be done within the normal school day, but not in PPA time. In addition written feedback should be provided within 5 school days;
- give the member of staff 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 appraiser 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 school but should reflect the seriousness of the concerns*);
- explain the implications and process if no – or insufficient – improvement is made.

The agreed strategies for performance improvement will be written into an Improvement Plan for the member of staff. Please see an example generic template for an informal action plan provided in Appendix 1 that may be utilised to support the member of staff in achieving the required standards of performance. Additionally a 'teacher specific' action plan template is provided in Appendix 2.



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When progress is reviewed, if the responsible manager is satisfied that the member of staff has made, or is making, sufficient improvement, the performance management process will continue as normal, with any remaining issues continuing to be addressed through this process.

## 7.4 Annual Assessment

Each member of staff's performance will be formally assessed in respect of each performance management period. In assessing the performance of the headteacher, the Governing Body must consult the external adviser.

Performance and development priorities will be reviewed and addressed on a regular basis throughout the performance management year in interim meetings which will take place bi-annually, or more frequently if necessary. At the end of the performance management year, an annual performance assessment will take place, which marks the end point to the annual performance management process. Normally the annual review will take place before the end of December for teachers on the Senior Leadership team and before the end of October for all other staff. Inevitably there may be exceptions to this but it is best practice to review the previous year's work and to set objectives for the new year as close to the beginning of the new year as possible.

The member of staff will receive, as soon as is practicable following the end of the performance management period a draft performance management report. The employee will have the opportunity to comment on the content of the report prior to its finalisation as the performance record. The report will include:

- details of the objectives for the period in question;
- an assessment of the employee's performance in their role and responsibilities against their objectives and the relevant standards;
- an assessment of the person's training and development needs and identification of any action that should be taken to address them;
- a recommendation on pay where that is relevant.

## 7.5 Upper Pay Spine progression

The STPCD 2011 states;

*"Progression on UPS should be based on two successful performance management reviews...*

*To ensure that achievement and contribution have been substantial and sustained, that performance management review will need to assess that the teacher has:*

- *continued to meet post-threshold standards; and*
- *grown professionally by developing their expertise post threshold"*

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

## 8 Suspension of Performance Management

It is important that managers responsible for performance management inform a member of staff of any performance concerns in respect of their work as soon as they are identified. The ability for



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managers to provide the right support at the right time is crucial in ensuring performance is managed effectively with minimal recourse to formal processes. In this respect, headteachers, governors and senior managers should ensure the appropriate performance management systems are established with effective management training and performance management tools in place in order to equip managers with good support systems to facilitate effective performance management through the utilisation of this policy and procedure. These processes will provide the most effective means of performance management for the school/service.

If the manager responsible for performance management (Headteacher, Senior teacher or line manager as appropriate) is not satisfied with progress, despite there having been a reasonable degree of additional support and guidance provided to the employee throughout the performance management process, or if separate concerns have been identified outside of the Performance Management cycle, consideration should be given to invoking the formal Capability Procedure.

Before initiating the formal Capability Procedure, consideration should be given to any extenuating circumstances that may be impacting on the employee's performance at work. For example, if the employee's capability is compromised due to a disability or poor health, consideration should be given to the management of the case with recourse to the School's Disability Policy or Attendance Management Policy.

If the decision is made to invoke the formal capability procedure, the employee should be notified both verbally and in writing that the performance management process will no longer apply and that their performance will be managed under the Capability Procedure (see Appendix 3).

It is important that the manager responsible for performance management has taken all appropriate steps and measures to assist the person to address their performance; these measures should have been discussed with the employee and should be recorded in the performance management records and informal action plan as being offered and undertaken.

Moving to the formal Capability Procedure is a serious step and both parties should be aware of the potential consequences.

Prepared by:

Employee Relations Team  
 People and Organisational Development  
 September 2017  
 (Reviewed October 2019)

If you would like this information in another format please contact:

**Cornwall Council**  
**County Hall**  
**Treyew Road**  
**Truro TR1 3AY**

If you have any questions please, contact the HR Helpdesk on [hrhelpdesk@cornwall.gov.uk](mailto:hrhelpdesk@cornwall.gov.uk) or call on 01872 323500 option 5.

Please consider the environment. Only print this document if it cannot be sent electronically.



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Appendix 1

Generic Capability Action Plan template

**PRIVATE & CONFIDENTIAL: INFORMAL CAPABILITY ACTION PLAN FOR**  
**Programme Dates:**

Areas of concern	How identified	Required Improvement	Timescale	Support mechanism



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Private &amp; Confidential

Appendix 2

**Teacher Specific Performance Management/ Capability Action Plan – XXXXXXXXXXXXXXXX**  
**Area for development – teaching requiring improvement to ensure that pupils make at least expected progress**

<b>Underpinning areas for Development</b>	<b>Specific Actions for improvement</b>	<b>Support</b>	<b>Review Timescale</b>
<b>Precision of teaching</b>	To derive appropriate learning intentions based on assessment of prior learning. To improve quality of questioning e.g. using probing and prompting questions To differentiate questioning to match the learning needs of pupils. Through marking and feedback to pupils to identify next steps in learning. Through regular focussed teaching of groups to be responsive to pupils' learning needs at the point of learning. To direct the Teaching Assistant to be responsive to learning in regular focussed teaching groups. To ensure chosen tasks meet the different learning needs of pupils. To ensure adequate opportunities for pupils to develop their skills independently and confidently. To ensure teaching language is simplified and based on learning need. To enable all pupils to make progress within each lesson. To enable pupils collectively to make overall, expected progress in core subjects.	Weekly supported planning session with Assistant Head  Weekly supported observation of own or colleagues teaching  Weekly discussion of observed teaching with Assistant Head  Weekly release time (in addition to PPA) to reflect on observations and own practise and feed development into own lessons.	Mid term review Week 29 22 <sup>nd</sup> – 26 <sup>th</sup> May
<b>Timing of lessons V Pace of learning</b>	Through marking and assessing whilst teaching to know what comes next and whether pupils are ready to move on in their learning. To maintain a balance of teacher direction and application of learning by pupils enabling them to be autonomous and confident To maintain the excitement and tension of the lesson. To ensure adequate opportunities for pupil talk to enhance speed of learning. To allow adequate time for plenary enabling use of assessment so that teacher can identify next steps for learning.	Weekly release time to complete lesson planning	
<b>Differentiation</b>	To know the expectations for learning for Year X pupils. To provide appropriate learning opportunities to take pupils' learning forward in each lesson. To provide appropriately matched learning opportunities through a variety of approaches e.g. by resource, support, outcome, content etc. To provide focussed group teaching to all ability groups within each week. To provide guidance for the Teaching Assistant to support group teaching.	Mentoring from a chosen colleague	End of period review Week 34 26 <sup>th</sup> – 30 <sup>th</sup> June

10/14

This model policy was adopted by the Governing Board on 28<sup>th</sup> September 2021.



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The objective is that in all **lessons observed pupils make at least expected progress** if the three areas for development are put in place.

**Monitoring** will be by the head teacher and appropriately qualified person (e.g. colleague Headteacher/ LA school effectiveness officer) from now until week of xxxxx to show improvement. It will include lesson observations by prior arrangement, discussions, work and marking scrutiny.

### Support

- Support sessions will be provided by an Assistant headteacher who will work with xxxxxx on a weekly basis. This will include lesson observations and feedback, demonstration lessons and discussion, paired observations and discussion, advice on identifying areas to incorporate into own teaching and supported planning.
- xxxxxx should also choose a mentor so that he has an opportunity to discuss issues, concerns etc. with someone who is outside of the process.
- xxxxxxxxxx will also receive additional release time during the week to evaluate his teaching and identify areas for development and additional time to complete planning.

Weeks	School named week	Release time available	Supported observations with Assistant Headteacher	Thursday observations by Headteacher	Observations by appropriately qualified person (external)
1	24	Tuesday – 3 lessons Wednesday – 2 lessons	Literacy xxxxxx to deliver		
2	25	Tuesday – 3 lessons Wednesday – 2 lessons	Numeracy xxxxxxxx to deliver	Monitoring observation (Literacy) 24.04.08	
3	26	Tuesday – 3 lessons Wednesday – 2 lessons	Numeracy xxxxxxxx to deliver		
4	27	Tuesday – 3 lessons Wednesday – 2 lessons	Numeracy another teacher to deliver	Monitoring observation (Numeracy) 08.05.08	
5	28	Tuesday – 3 lessons Wednesday – 2 lessons	Literacy xxxxxxxxx to deliver		
6	29	Tuesday – 3 lessons Wednesday – 2 lessons	Literacy another teacher to deliver		Monitoring observation (Literacy) 19.05.17 at 11.15 a.m.
HALF TERM					
7	30	Tuesday – 3 lessons Wednesday – 2 lessons	Numeracy xxxxxxxxx to deliver	Monitoring observation by HT (Numeracy) 05.06.08	
8	31	Tuesday – 3 lessons Wednesday – 2 lessons	Numeracy xxxxxxxxx to deliver		
9	32	Tuesday – 3 lessons	Literacy another teacher to deliver	Monitoring observation by	



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		Wednesday – 2 lessons		HT (Literacy) 19.06.08	
10	33	Tuesday – 3 lessons Wednesday – 2 lessons	Literacy xxxxxxxx to deliver		
11	34	Tuesday – 3 lessons Wednesday – 2 lessons	Literacy xxxxxxxx to deliver		Monitoring observation (Numeracy) 03.07.17 at 10.30 a.m.





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Appendix 3

Mr A Anybody  
Any Street  
Any Town

**Your ref:**  
**My ref:**  
**Ext:**  
**Date:**

**STRICTLY PERSONAL AND CONFIDENTIAL**

Dear Mr Anybody

**Performance Review**

I write to confirm our discussions and the outcomes of our meeting held on (insert date).

At our meeting we discussed the following performance issues:-

(insert details)

We discussed the concerns and reviewed your progress over recent months but as I felt that insufficient progress had been made I have decided to move to the School's/Academies Capability Procedure, as such this letter constitutes notification that the Capability Procedure is being formally invoked.

A copy of the procedure to be followed and a second copy for your workplace colleague or trade union representative is enclosed.

Yours sincerely

Headteacher/Principal (Deputy)