

Statutory

Burghfield St Mary's C of E (Controlled) Primary School



Model Performance Management Policy

West Berkshire Schools

The governing body of Burghfield St Mary's C of E (Controlled) Primary School adopted this Performance Management Policy on 26th September 2022

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1.0 INTRODUCTION

The performance management regulations for teachers are set out in The Education (School Teacher Performance Management) (England) Regulations 2006 and come into force on 1 September 2007. The first performance management planning statement under the revised arrangements must be completed by 31 October 2007 for teachers and by 31 December 2007 for head teachers. The revised regulations will apply for pay progression purposes from 1 September 2008.

Regulation 7(9) requires that a written policy shall be established that shall:

- (a) state what results the policy is intended to achieve and how these will be measured;*
- (b) show how the school's arrangements for teacher performance management link with those for school improvement, school self-evaluation and school development planning;*
- (c) show how the school will seek to achieve consistency of treatment and fairness between those teachers with similar experience or levels of responsibility;*
- (d) set out the timing of the cycle;*
- (e) include a classroom observation protocol;*
- (f) provide performance management training to be made available as the need arises;*
- (g) state the arrangements for monitoring and evaluating the policy; and*
- (h) specify any ancillary or supplementary procedures necessary for the operation of the performance management of teachers at the school in accordance with these Regulations.*

It may also set out the procedures for moderation.

The Governing Body shall ensure that the performance of teachers and headteachers is managed and reviewed in accordance with the regulations and the school's performance management policy.

Consultation on this policy has taken place with recognised trade unions within West Berkshire and with teachers within this school.

This performance management policy does not duplicate everything that is covered by the regulations and guidance, rather it sets out what are considered to be the key points. For this reason this policy should be read in conjunction with the regulations and the guidance. Copies of the regulations and the RIG guidance are readily available for reference to all teachers and can be downloaded from <http://www.teachernet.gov.uk/management/payandperformance/performancemanagement> Hardcopies can be ordered from Prolog (08456 022260) quoting the reference 03984-2006BKT-EN.

In this policy text in **Bold** is required by regulations. Where there are a number of options listed in bold there are options on the way the regulations are interpreted. Text in *Italics* indicates guidance.

2.0 SCOPE

This performance management policy applies to the head teacher and teachers (except teachers on contracts of less than one term, those undergoing induction (i.e. NQTs) and those who are the subject of capability procedures) whose statutory pay and conditions of service fall under the terms of the School Teachers' Pay and Conditions Document and who are employed at this school.

This policy does not cover support staff within the school.

3.0 PURPOSE

This policy sets out the framework for a clear and consistent assessment of the overall performance of the head teacher and teachers and for supporting their development needs within the context of the school's improvement plan and their own professional needs.

4.0 LINK WITH PAY POLICY

Where teachers are eligible for performance pay progression, the assessment of performance throughout the cycle against the performance criteria specified in the statement will be the basis on which the recommendation is made by the reviewer. This policy should therefore be read in conjunction with the school's pay policy which provides details of the arrangements relating to teacher's pay in accordance with the School Teachers' Pay and Conditions Document.

5.0 LINK TO SCHOOL IMPROVEMENT, SCHOOL SELF EVALUATION AND SCHOOL DEVELOPMENT PLANNING

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

Similarly, the school improvement and development plan and the school's self evaluation form are key documents for the performance management process.

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

Copies of the school improvement and development plan and SEF are available from the school office.

6.0 THE PERFORMANCE MANAGEMENT CYCLE

The performance of teachers must be reviewed on an annual basis. Performance planning and reviews must be completed for all teachers by 31 October and for head teachers by 31 December.

The performance management cycle in the school therefore, will run from September and to July.

Teachers who are employed on a fixed term contract of less than one year, will have their performance managed in accordance with the principles underpinning the provisions of this policy. The length of the cycle will be determined by the duration of their contract.

Where a teacher starts their employment part-way through a cycle, the head teacher (or, in the case where the teacher is the head teacher, the governing body) shall determine the length of the first cycle for that teacher, with a view to bringing his cycle into line with the cycle for other teachers as soon as possible.

Where a teacher transfers to a new post part-way through a cycle, the head teacher (or, in the case where the teachers is the head teacher, the governing body) shall determine whether the cycle shall begin again and whether to change the reviewer.

7.0 APPOINTMENT OF REVIEWERS FOR THE HEAD TEACHER & QUALITY ASSURANCE

7.1 Appointment of Governors

In this school:

Option 2 – for schools with religious character

The Governing Body is the reviewer for the head teacher and to discharge this responsibility on its behalf appoints 2 or 3 governors who have attended specific training with regards to the Head teacher Management Performance process within the last 2 years (or sooner if a change in statutory guidance/legislation occurs) and/or have been appointed by the FGB based on their skills and experience in carrying out this performance management.

Where a head teacher is of the opinion that any of the governors appointed by the governing body under this regulation is unsuitable for professional reasons, s/he may submit a written request to the governing body for that governor to be replaced, stating those reasons.

7.2 Appointment of School Improvement Partner or External Adviser

Option 1

The local authority has appointed a School Improvement Partner for the school, who will provide the governing body with advice and support in relation to the management and review of the performance of the head teacher.

8.0 APPOINTMENT OF REVIEWERS FOR TEACHERS

8.1 Appointment of Reviewer

In the case where the head teacher is not the teacher's line manager, the head teacher may delegate the duties imposed upon the reviewer, in their entirety, to the teacher's line manager. In this school the head teacher has decided that:

Option 1

The head teacher will be the reviewer for all teachers in this school.

EITHER - Line managers will be the reviewers for all those teachers they line manage.

OR - The maximum number of reviews that any line manager will be expected to undertake per cycle would not normally exceed five.

Where a teacher has more than one line manager the head teacher will determine which line manager will be best placed to manage and review the teacher's performance.

Where a teacher is of the opinion that the person to whom the head teacher has delegated the reviewer's duties is unsuitable for professional reasons, s/he may submit a written request to the head teacher for that reviewer to be replaced, stating those reasons.

Where it becomes apparent that the reviewer will be absent for the majority of the cycle or is unsuitable for professional reasons the head teacher may perform the duties himself/herself or delegate them in their entirety to another teacher. Where this teacher is not the reviewee's line manager the teacher will have an equivalent or higher status in the staffing structure as the teacher's line manager.

A performance management cycle will not begin again in the event of the reviewer being changed.

All Reviewers and Reviewees will receive appropriate preparation.

9.0 OBJECTIVE SETTING

The objectives set will be rigorous, challenging, achievable, time-bound, fair and equitable in relation to teachers with similar roles/responsibilities and experience, and will have regard to what can reasonably be expected of any teacher in that position given the desirability of the reviewee being able to achieve a satisfactory balance between the time required to discharge his professional duties and the time required to pursue his personal interests outside work, consistent with bringing downward pressure on working hours. They shall also:

- **take account of the teacher's professional aspirations and any relevant pay progression criteria**
- **if achieved, contribute to improving the progress of pupils at the school.**

The reviewer and reviewee will seek to agree the objectives but where a joint determination cannot be made the reviewer will make the determination.

In this school:

- *all teachers, including the head teacher, will have no more than four objectives*
- *teachers, including the head teacher, will not necessarily all have the same number of objectives*
- *all teachers, including the head teacher, will have a whole school objective*
- *all teachers, including the head teacher, will have a team objective, as appropriate*

Though performance management is an assessment of overall performance of teachers and the head teacher, objectives cannot cover the full range of a teacher's roles/responsibilities. Objectives will, therefore, focus on the priorities for an individual for the cycle. At the review stage it will be assumed that those aspects of a teacher's roles/responsibilities not covered by the objectives or any amendment to the statement which may have been necessary in accordance with the provisions of the regulations have been carried out satisfactorily.

10.0 REVISION OF PLANS

There may be occasions when it is necessary to review what been agreed in the planning statement during the performance cycle. For example:

- *Where the reviewees post and/or responsibilities have changed*
- *If there have been difficulties accessing agreed support*
- *Where the reviewee has been on maternity or long term sickness absence*
- *Where there are concerns about a reviewee's performance or*
- *Where reasonable adjustments required under the provision of the Disability Discrimination Act need to be made.*

Where this is the case, either party can request a meeting as provided for above. Any proposed changes to the objectives, arrangements for classroom observation, evidence and arrangements for its collection, performance criteria or support available to the review in the review statement must be recorded as a written addition to the statement. Both parties should sign to say the changes are an accurate reflection of what was agreed.

The right of appeal applies to the revision of a statement, see section 12.

11.0 REVIEWING PROGRESS AGAINST OBJECTIVES

At the end of the cycle assessment of performance against an objective will be on the basis of the performance criteria set at the beginning of the cycle. Good progress towards the achievement of a challenging objective, even if the performance criteria have not been met in full, will be assessed favourably.

The performance management cycle is annual, but on occasions it may be appropriate to set objectives that will cover a period over more than one cycle. In such cases, the basis on which the progress being made towards meeting the performance criteria for the objective will be assessed at the end of the first cycle and will be recorded in the planning and review statement at the beginning of the cycle.

12.0 APPEALS

At specified points in the performance management process teachers and head teachers 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.*

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The arrangements for appeals are outlined as follows:

- 1. The teacher receives a written copy of their performance management planning and review statement following moderation by the headteacher (where applicable).*
- 2. If the teacher or headteacher is not satisfied with any entry, he/she should seek to resolve this by discussing the matter informally with their reviewer or in the case of the headteacher the chair of the performance panel within ten working days of the decision.*
- 3. Where this is not possible, or where the teacher/headteacher continues to be dissatisfied, he/she may follow a formal appeal process:*
- 4. The teacher/headteacher should set down in writing the grounds for questioning the entry in their planning/review statement and send it to the Headteacher or in cases where the headteacher is appealing the Chair of Governors within ten working days of the notification of the entry being appealed against or the outcome of the discussion referred to above. An appeal will be considered by:*
- 5. Where the Headteacher is appealing, any appeal will be considered by a panel of 3 governors who were not part of the original performance management panel.*
- 6. Where a Headteacher is the reviewer for the teacher appealing the appeal will be considered by a panel of 3 governors.*
- 7. Where the Headteacher has delegated the responsibility for a teacher performance management in its entirety to the teacher's line manager, the headteacher will consider any appeal.*
- 8. An appeal will normally be heard within 20 working days of the receipt of the written appeal notification. At the appeal the person appealing or their representative will present their representations. The panel of Governors or Headteacher may ask the employee relevant questions. The person who made the entry on the planning/review statement will explain the case/evidence for the entry. The employee and their representative and the appeal panel may ask the person who made the entry on the planning/review statement relevant questions. The decision of the appeal panel will be given in writing, and where the appeal is rejected will include a note of the evidence considered and the reasons for the decision. The decision is final and there is no recourse to the schools grievance procedure.*

Each step and action of this process must be taken without unreasonable delay. At any formal appeal hearing the teacher is entitled to be accompanied by a work place colleague or a union representative. The timing and location of the hearing and appeal meetings must be reasonable and the employee must be given at least 5 working days notice, in writing, of the date and time and a copy of the documentation that will be referred to by the person who made the entry. Wherever possible the date and time of the meeting should be agreed in advance with a teachers work place colleague or union representative to ensure availability. The teacher/headteacher must also provide the Chair of the appeal with a copy of the documents that they will be referring to at least 3 working days before the appeal hearing. The appeal must allow both parties to explain their cases.

Where a teacher raises an appeal in relation to his/her pay this should be dealt with in accordance with the School Pay Policy.

13.0 TRAINING AND SUPPORT

To ensure teachers are fully conversant with the performance management arrangements, all new teachers who join the school will be briefed on them as part of their introduction to the school.

The school's CPD programme will be informed by the training and development needs identified 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 budget for any training and support or release time 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 support and CPD, will form a part of the head teacher's annual report to the governing body about the operation of the performance management in the school.

With regard to the provision of CPD in the case of competing demands on the school 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 school to achieve its priorities. The school's priorities will have precedence. Teachers should not be held accountable for failing to make good progress towards meeting their performance criteria where the support and CPD recorded in the planning statement has not been provided. A copy of the training and development annex will be provided to the person in the school responsible for CPD.

14.0 RETENTION OF STATEMENTS

Performance management planning and review statements will be retained for a minimum period of 6 years from the period to which it relates ends.

15.0 CONFIDENTIALITY

The whole performance management process and the statements generated under it, in particular, will be treated with strict confidentiality at all times. Only the reviewee's line manager or, where s/he has more than one, each of her/his line managers will be provided with access to the reviewee's plan recorded in her/his statement, upon request, where this is necessary to enable the line manager to discharge her/his line management responsibilities. Reviewees will be told who has requested and has been granted access.

16.0 MONITORING AND EVALUATION

The governing body is committed to ensuring consistency of treatment and fairness in the operation of performance management. The governing body will monitor the operation and outcomes of performance management arrangements annually.

The head teacher will provide the governing body with a written report on the operation of the performance management policy annually. The report will not contain any information which would enable any individual to be identified. The report will include:

- the operation of the performance management policy;
- the effectiveness of the performance management procedures;
- teachers' training and development needs.

The governing body is committed to ensuring that the performance management process is fair and non-discriminatory and the following monitoring data should be included in the head teacher's report because they represent the possible grounds for unlawful discrimination:

- Race
- Sex
- Sexual orientation
- Disability
- Religion and belief
- Age
- Part-time contracts
- Trade union membership.

The head teacher will also report on whether there have been any appeals or representations on an individual or collective basis on the grounds of alleged discrimination under any of the categories above.

17.0 REVIEW OF THE POLICY

The governing body will review the performance management policy annually every school year at its July meeting and will take account of the head teachers report in its review. 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 governing body will seek to agree any revisions to the policy with the recognised trade unions having regard to the results of consultation with all teachers.

18.0 CLASSROOM OBSERVATION PROTOCOL

All classroom observation will be undertaken in accordance with the performance management regulations, the associated guidance published by the Rewards and Incentives Group and the classroom observation protocol that is appended to this policy in Annex 1.

Signed (Chair of Governors)

.....(Head teacher)

Date: 5th October 2020.....Review date: October 2021

ANNEX 1 - CLASSROOM OBSERVATION PROTOCOL

The Governing Body is committed to ensuring that classroom observation is developmental and supportive 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 total period for classroom observation arranged for any teacher will not exceed three hours per cycle having regard to the individual circumstances of the teacher. *There is no requirement to use all of the three hours. The amount of observation for each teacher should reflect and be proportionate to the needs of the individual.*

In this school 'proportionate to need' will be determined by: Headteacher.

The arrangements for classroom observation will be included in the plan in the planning and review statement and will include the amount of observation, specify its primary purpose, any particular aspects of the teacher's performance which will be assessed, the duration of the observation, when during the performance management cycle the observation will take place and who will conduct the observation.

Where evidence emerges about the reviewee's teaching performance which gives rise to concern during the cycle classroom observations may be arranged in addition to those recorded at the beginning of the cycle subject to a revision meeting being held in accordance with the Regulations.

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 supportive and developmental classroom observation the reviewer and reviewee will seek to agree as far in advance as is practicable a suitable lesson to observe that reflects the targets.

Classroom observations will only be undertaken by persons with QTS. *In addition, classroom observation will only undertaken by those who have had adequate preparation and 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.*

Oral feedback will be given as soon as possible after the observation and no later than the end of the following working day. It will be given during directed time in a suitable, private environment.

Written feedback will be provided within five working days of the observation taking place. *If issues emerged from an observation that were not part of the focus of the observation as recorded in the planning and review statement these should also be covered in the written feedback and the appropriate action taken in accordance with the regulations and guidance.*

*The written record of feedback also includes the date on which the observation took place, the lesson observed and the length of the observation. **The teacher has the right to append written comments on the feedback document.** No written notes in addition to the written feedback will be kept.*

A head teacher has a duty to evaluate the standards of teaching and learning and to ensure that proper standards of professional performance are established and maintained. Heads are required to monitor the quality of teaching and learning and the strategies that are used to raise achievement.

Classroom Visits should not be formal and will only inform the performance management process where evidence arises which merits the revision of the performance management planning statement, in accordance with the provisions of the regulations.