

TEACHING STAFF APPRAISAL AND PERFORMANCE MANAGEMENT POLICY (Statutory)



1. Preamble

The Appraisal Regulations (2012) set out the principles that apply to colleagues where they are employed for one academic term or more.

Schools must have an appraisal/performance management policy for all staff, which deals with lack of capability.

The NMAT Board of Trustees have developed this policy and will review it on an annual basis.

This policy should be read in conjunction with the NMAT Pay & Progression Policy (as appropriate for Teaching staff).

1.1. Purpose

This policy sets out the framework for a clear and consistent assessment of the overall performance of all colleagues, and for supporting their development within the context of NMAT's (and each respective Academy's) development plan for improving educational provision and the standards expected of all colleagues.

It also sets out the arrangements that will apply when colleagues fall below the levels of competence that are expected of them.

1.2. Exemptions

Colleagues exempt from this policy are those on employment contracts of less than one term and those undergoing induction (i.e. ECTs, or colleagues under probation).

Appraisal/Performance Management Review in NMAT is a supportive and developmental process designed to ensure that all colleagues have the skills and support they need to carry out their role effectively (and with maximum impact on the outcomes for our students). It will help to ensure that colleagues are able to continue to improve their professional practice and continue to develop.

1.3. The Appraisal Period

The appraisal/review period will run for a period of twelve months from October in each academic year. (See the Appraisal cycle)

Provisional assessments of performance should be given at performance reviews but also if deemed necessary, at any interim feedback meetings. The Head of School will also provide feedback to the Executive Principal where necessary during the year, on any areas where the teacher might need to improve to secure a positive assessment at the end of the appraisal period.

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Colleagues 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 duration of their contract.

Where a teacher transfers to a new post within an Academy part way through a cycle, the Head of School or, in the case where the colleague is a Head of School, the Executive Principal shall determine whether the cycle shall begin and whether to change the appraiser and/or objectives set.

1.4. Appraisers

The Executive Principal will be appraised by a suitably skilled and/or experienced external adviser, who has been appointed by the Board of Trustees for that purpose. This process will be supported by the Chair of the Trustees.

Heads of School will be appraised by the Executive Principal.

The appraiser for all other teaching staff would normally be the teacher's line manager however, in some cases (for example where a line manager has responsibility for a large number of staff) the Head of School may deem it appropriate to choose a different appraiser for a particular teacher. All appraisers will be qualified teachers.

If the Head of School appoints an appraiser who is not the teacher's line manager, the appraiser to whom they delegate those duties, will have an appropriate position in the staffing structure, together with the necessary background knowledge, skills and training to undertake the role.

Where it becomes apparent that the appraiser appointed will be absent for the majority of the appraisal cycle, the Head of School may delegate those duties to another teacher or in exceptional circumstances, carry out the duties themselves.

NMAT will ensure that appraisers/reviewers will be subject to a Quality Assurance and sampling process from the SLT colleagues at the Academy. Those appraisers/reviewers will also be required to attend relevant training (usually arranged annually) to ensure their appraisal/review skills are relevant and up to date.

1.5. Objecting to an appraiser

Executive Principal

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Where the Executive Principal is of the opinion that the external advisor appointed by the Board of Trustees is unsuitable for professional reasons to act as his/her appraiser, they may submit a written request for them to be replaced, stating the reasons.

Teachers

The choice of appraiser is for the Head of School to make. Where a teacher is of the opinion that the person to whom the Head of School has delegated the appraiser's duties is unsuitable for professional reason they may submit a written request to the Head of School for that appraiser to be replaced, stating those reasons.

Where it becomes apparent that the appraiser appointed by the Head of School will be absent for the majority of the appraisal cycle, the Head of School may perform those duties herself/himself or delegate those duties to another teacher for the duration of that absence.

If the Head of School appoints an appraiser who is not the teacher's line manager, the appraiser to whom they delegate those duties will have an appropriate position in the staffing structure, together with the necessary background knowledge, skills and training to undertake the role.

Where a teacher is experiencing difficulties and the Head of School is not the appraiser, the Head of School may undertake the role of appraiser.

An appraisal cycle will not begin again in the event of the reviewer being changed.

2. Setting of Objectives

The Executive Principal's objectives will be set by the external adviser after consultation with the Chair of Trustees.

The Heads of Schools' objectives will be set by the Executive Principal in line with the NMAT and the Academy Development Plans.

Objectives for every other colleague will be set before, or as soon as practicable after, the start of each appraisal/review period. The objectives set for each colleague will be specific, measurable, achievable, realistic and time-bound and will be appropriate to the colleague's role and level of experience. The appraiser and colleague 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 through the year.

Before, or as soon as practicable after, the start of each appraisal/review period each colleague will be informed of the standards against which that colleague's performance in that appraisal/review period will be assessed. All teaching colleagues will be assessed against the set of standards contained in the "Teacher's Standards." The Head of School or Executive Principal (as appropriate)

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will also consider whether certain colleagues should also be assessed against other sets of standards published by the Secretary of State that are relevant to them.

For more details regarding Performance Management Objectives please refer to the **NMAT Pay and Progression policy for Teaching staff and Senior Leaders as appropriate.**

2.2. Reviewing Performance

Teachers' performance will be regularly assessed using a variety of systems in addition to Performance Management reviews (PMR).

2.2.1. Performance Management Reviews (PMR)

PMRs provide evidence for pay progression determination;
PMRs provide evidence for all progression onto the Upper Pay Range;
PMRs are used as part of the interview process for internal vacancies;
PMRs form part of the formal Capability process.

2.3. Systems for reviewing performance:

Work scrutiny conducted by SLT;
Quality Assurance including monitoring of compliance of the relevant Curriculum Planning Map (CPM);
Walkthroughs by HoD or SLT;
Work scrutiny conducted by HoD;
Data capture analysis;
Lesson observations;
Performance in external examinations;
Monitoring of success against Performance Management objectives.

2.4. Reviewing leadership (Subject and Pastoral) positions

A Subject and Pastoral Leader's professional performance will be assessed using the Quality Assurance systems.

A Subject and Pastoral Leader will be assessed using the following systems in addition to PMR:

- Annual Department Health Check;
- Repeated and/or significant concerns identified in the work scrutiny conducted by SLT;
- Repeated and/or significant concerns identified in the Quality Assurance including monitoring compliance of the relevant CPM;
- Repeated and/or significant concerns identified in the Department's data capture analysis;

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- Repeated and/or significant concerns identified in the performance of the Department in external examinations;
- Monitoring of success against Performance Management objectives in relation to the leadership role;
- Line management meetings for SLT;
- Other external or internal Academy and Department data.

Where the leadership responsibility is not linked to a Department, the performance will be assessed in accordance with the PMR and the impact and success of their responsibilities as identified in post profile and/or success criteria (highlighted via line management meetings).

3. Pay Progression

Where teachers are eligible for pay progression, the recommendation made by the appraiser will be based on the assessment of their performance against the agreed objectives.

The appraiser will make the recommendation on the basis that the teacher has satisfied the following:

- **The teacher is highly competent in all elements of the relevant standards;** and
- **The teacher's achievements and contribution are substantial and sustained;**
- **Successful completion of PMOs**

For the purposes of this policy:

'sustained' means maintained continuously over a year or two consecutive years dependent on the pay progression.

Please read in conjunction with the appropriate **NMAT Pay and Progression Policy**.

4. Observations and Work Scrutinies

Where required, the effective and efficient operation of the appraisal process requires lesson observation to be a confidential process of constructive engagement within an atmosphere of support and co-operation.

Accordingly, observations will be carried out in a supportive fashion, with professionalism, integrity and courtesy; will be evaluated objectively and reported accurately and fairly and will take account of particular circumstances which may affect performance on the day.

The date and time of the observation will be agreed between the appraiser and appraisee and verbal feedback provided by the end of the next working school day and written feedback provided within 5 working days. If these timeframes cannot be adhered to the appraisee will be notified and a date for feedback confirmed.

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Subject observations will be carried out by qualified teachers only.

For the purposes of appraisal, teachers' performance will be 'observed' on an appropriate and reasonable number of occasions and will, as far as possible, be agreed by the appraiser with the appraisee based on the individual circumstances of the teacher and the overall needs of the Academy.

In addition to the Appraisal process, Heads of School or other leaders, may 'drop in' or undertake other observations to evaluate the standards of teaching and learning and to ensure that high standards of professional performance are established and maintained throughout the year.

For the purpose of professional development, feedback about lesson observations / work scrutinies should be developmental. NMAT academies will use the findings of work scrutinies and each observation, including appraisal observations, for other management requirements (for example Deep Dives), thereby seeking to minimise the total number of occasions on which teachers are observed.

Teachers whose posts have responsibilities outside the classroom should also expect to have their performance of those responsibilities monitored and assessed.

5. Development and Support

Appraisal/Performance Management is a supportive process which is used to inform continuing professional development. We wish to encourage a culture in which all colleagues take responsibility for improving their teaching or their ability to carry out their role, through appropriate professional development. If any additional support and training to improve performance is deemed necessary before the end of the appraisal cycle, the individual and their line manager/ Teaching and Learning Leader should consider how these should be delivered.

6. Feedback and Support

Colleagues will receive constructive feedback on their performance throughout the year (in accordance with the appraisal cycle) and as soon as is reasonably practicable. Feedback will highlight areas of strength as well as any areas that need further development.

Where there are concerns about any aspects of the colleague's performance the appraiser will meet the colleague formally to:

- Give clear feedback to the colleague about the nature and seriousness of the concerns;
- Give the colleague the opportunity to comment and discuss the concerns;

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- Agree any support (e.g. coaching, mentoring, structured observations etc.), 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 should reflect the seriousness of the concerns;
- Explain the implications and process if no, or insufficient, improvement is made.

Various forms of support can be instigated at this stage to provide the individual with further support to improve performance (see Support Systems appendices) including:

- Coaching Plan – monitored by an individual identified by the Head of School
- Support Plan – monitored by a more senior member of staff identified by the Head of School

The particular plan utilised will be assessed and allocated on a case by case basis. In the case of either plan, at least three meetings will take place:

- At the start of the plan to agree targets and relevant levels of support;
- The mid-point of the plan to review progress;
- The end of the plan to review the impact on the individual's performance.

When progress is reviewed, if the appraiser is satisfied that the colleague has made, or is making, sufficient improvement, the appraisal/review process will continue as normal, with any remaining issues continuing to be addressed through that process.

7. Transition to Capability

If the appraiser is not satisfied with progress, the colleague will be notified in writing that the appraisal/performance management system will no longer apply and that their performance will be managed under the NMAT Capability procedure. They will then be invited to a formal capability meeting. The capability procedures will be conducted in accordance with the NMAT Capability Policy.

8. Annual Assessment

The colleague will receive (as soon as practicable) following the end of each appraisal/review cycle **a written appraisal document (the PMO documentation)**, on which they will have the opportunity to comment in writing.

The appraisal/performance management review report will include:

- Details of the colleague's objectives for the appraisal period in question;
- An assessment of the colleague's performance of their role and responsibilities against their objectives and the relevant standards;
- An assessment of the colleague'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.

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

8.1. Arrangements for colleagues who are absent during the review process

NMAT will ensure that the performance review processes comply with the Equality Act 2010 and are fair and consistent and do not discriminate against any one colleague. Also, all processes will be carried out in accordance with both part time worker and fixed term worker legislation.

Both NMAT appraisal and pay and progression policies are written and implemented paying due attention to the Academy's Equality Duty Statement.

8.2. Maternity/Adoption Leave

For colleagues who are absent due to Maternity or adoption leave, all assessments of performance will be **composite** judgments – based upon the assessment of a range of performance criteria (prior to the colleague's absence beginning).

In certain cases, the respective Academy may take the decision to conduct the appraisal early, prior to the individual departing on maternity leave if deemed appropriate.

If the colleague is absent (due to Maternity or adoption leave) throughout the whole annual Performance Management cycle, the previous annual cycle salary recommendation will be used.

8.3. Long Term Absence

For colleagues who are absent due to long term absence, all assessments of performance will be **composite** judgments – based upon the assessment of a range of performance criteria (prior to the colleague's absence beginning).

In reaching judgments, the Head of School will ALWAYS consider any mitigating circumstances affecting performance.

9. Salary Review Decision Appeals

Appraisees have the right to appeal any of the recommendation as part of their written report, Details of how to appeal can be found in the NMAT Pay and Progression Policy (Teaching Staff).

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Appendix 1 Support System Mechanism for Teaching Staff Only

NMAT is committed to continually developing the teaching staff's skills and competencies to ensure high quality pedagogy is delivered at all times, as such, an extensive support system has been developed to address situations where the current performance or pedagogy being delivered by a teacher does not meet the Trust's expectation.

The following support systems are completely inter-changeable, and the system chosen will be decided on a case by case basis by the Head of School and Senior Leader to ensure the most appropriate system is implemented to best meet the particular needs and provide greater fluidity between all stages.

*In cases involving leadership roles or, where the role is a TLR responsibly; the process will always begin at stage 2 as a minimum.

Timing

Stages 1 and 2 combined will not usually exceed a period of 10 weeks in total, however in exceptional cases, the Head of School may approve an extension following the production of a business case by the SLT lead.

STAGE 1 – Will usually consist of a 6 week process.

STAGE 2 – Will usually consist of a 4 week process.

In serious cases of under-performance if it is felt students' learning is potentially severely in jeopardy, STAGE 3 may be instigated by the Head of School. The Trust's Capability Policy should be consulted in conjunction to Stage 3.

Documentation

All records taken during either stage 1 and 2 will be kept by the Teaching and Learning Lead for the duration of the process and will be monitored through line management meetings with the SLT Lead. All completed documentation (taken stages 1, 2 and/or 3) will be filed with HR for information.

Performance related Pay Progression

An individual placed on Stage 1 of the support system twice or more in the rolling calendar year will receive a letter confirming that their pay progression for the next academic year may be affected.

Any individual placed on Stage 2 will receive a letter confirming that their pay progression for the next academic year may be affected.

Any individual placed on Stage 3 (if not already received) will receive a letter confirming that their pay progression for the next academic year **WILL** be affected.

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Process

An individual identified as requiring additional support. (See the Appraisal policy for the various identifiable avenues)

Stage 1 - Individual coaching Plan monitored by the Head of Department (or equivalent) as standard Line Management.

Stage 2 - Individual coaching Plan monitored by the Teaching and Learning Lead (or equivalent as chosen by the Head of School).

The appropriate stage plan is split into two phases and is aligned to the QA cycle.

Phase 1

- Identification of the areas for development
- Structured support put in place
- At the end of this phase there is a formal review meeting and targets are put in place.

Phase 2

Progress against targets is monitored and reviewed

- At the end of this phase there is a formal review meeting and outcomes discussed.

Potential outcomes (include but not exclusive to):

- Successful completion of the individual coaching plan (Stage 1 or 2) so individual removed from support system and monitored through ongoing QA systems.
- Short term extension of plan following approval by the Head of School.
- Failure of the stage. Move to next stage of the support system process. Failure at Stage 2 will mean progression to Stage 3 which should be read in conjunction with the Trust's Capability policy

Stage 3 – Formal Support plan monitored by SLT. (4 week Process)

The plan is focussed upon the improvement of areas identified as needing development. The information gathered from Stages 1 and/or 2 will form a basis of these requirements. The plan will outline:

- Identification of the areas of development
- Structured focussed support put in place
- Actions and targets shared
- Progress against targets monitored

There are regular feedback opportunities built into the plan, along with an interim review meeting to ensure Individuals are fully aware of their performance.

The plan ends with a formal meeting with SLT to make appropriate recommendations to the Head of School:

- Successful completion of the individual coaching plan so individual removed from support system and monitored through ongoing QA systems.
- Short term extension of plan following approval by the Head of School
- Failure of the stage. Move to Trust's Capability Policy.

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