



Capability of Staff Policy

2019 - 2020

Agreed by:	Governing Body
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Introduction

Revised appraisal arrangements come into force with effect from 1 September 2012. They are set out in the Education (School Teachers' Appraisal) (England) Regulations 2012 (the Appraisal Regulations) which replace the Education (School Teacher Performance Management) (England) Regulations 2006 (the 2006 Regulations). The 2006 Regulations continue to apply to any performance management cycle which is in progress on 1 September 2012, unless the governing body or local authority decides to end that cycle early and to begin a new appraisal period starting on or after that date.

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).

Schools and local authorities must have an appraisal policy for teachers and a policy, covering all staff, which deals with lack of capability. This model policy applies only to teachers, including head teachers, but schools might wish to adapt it for use with all staff. It has been written in the context of schools, but the same principles apply to unattached teachers. It is good practice for schools to consult staff on their appraisal and capability policies. This model policy has been provided as an optional resource for schools and others to which they can refer as they wish as they review and develop their own policies.

The policy is in two separate sections. Part A covers appraisal and should be used as a reference point by schools and others as they review their policies to reflect the Appraisal Regulations. On 1 September 2012 it supersedes the previous performance management model policy and guidance, which had been designed to support the 2006 Regulations.

Part B of the policy sets out the formal capability procedure and reflects the ACAS Code of Practice on disciplinary and grievance procedures. On 1 September 2012, it replaces the statutory guidance "Capability Procedures for Teachers" that was issued in July 2000. Capability procedures apply only to teachers and head teachers about whose performance there are serious concerns that the appraisal process has been unable to address.

In the policy:

Text in bold indicates statutory requirements contained in the Appraisal Regulations or the School Staffing Regulations.

Text in italics does not form part of the policy itself, but acts as good practice adopted by the school.

Policy for appraising teacher performance and dealing with capability issues

The Governing Body of Adderley Primary School adopted this policy in

October 2018

It will review it in *October 2020* or as and when legislation changes

Purpose

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

Application of the policy

The policy is in two separate sections.

Part A of the policy, which covers appraisal, applies to the head teacher and to all teachers employed by the school or local authority, except those on contracts of less than one term, those undergoing induction (ie NQTs) and those who are subject to Part B of the policy.

Part B of the policy, which sets out the formal capability procedure, applies only to teachers (including the head teacher) about whose performance there are serious concerns that the appraisal process has been unable to address.

Part A – Appraisal

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

The appraisal period

The appraisal period will run for twelve months from September to September.

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 this policy. **The length of the period will be determined by the duration of their 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.

Appointing appraisers

All appraisers of teachers, other than those appraising the Head Teacher, will be qualified teachers suitably trained in the appraisal process.

The Head Teacher will be appraised by 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 appraising the Head Teacher, including the setting of objectives, will be delegated to a sub-group consisting of two members of the Governing Body.

The Head Teacher will appraise members of the Strategic Leadership Team and will decide who will appraise other teachers. Where teachers have an objection to the Head Teacher's choice, their concerns will be carefully considered and, where appropriate an alternative appraiser will be offered.

Due regard must be given to the workload of appraisers when decisions about the choice of appraisers are made. Appropriate time must be made available for appraisers to carry out their role, whatever the number of appraisers.

Where it becomes apparent that an appraiser will be absent for the majority of the appraisal cycle, the Head Teacher may perform those duties or delegate them to another appraiser for the duration of the absence.

If the Head Teacher appoints an appraiser who is not the teacher's line manager, the appraiser to whom he/she delegates those duties will have appropriate knowledge, skills and training to undertake the role.

Setting objectives

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

Objectives for each teacher will be set before, or as soon as practicable after, the start of each appraisal period. The objectives set for each teacher, will be Specific, Measurable, Achievable, Realistic and Time-bound and will be appropriate to the teacher's role and level of experience. The appraiser and teacher 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 teacher 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.

At Adderley Primary School, all staff shall have at least two appraisal targets.

Teachers without additional responsibilities shall have 2 targets;

- Pupil Achievement
 - This target will clearly set out the attainment and/or progress expected from the pupils they teach and any other progress measures by which the target will be assessed
- Professional Development
 - This target will set out how the quality of teaching/practise of that teacher will be assessed and their improvement in line with continuing professional development

Teachers with specific responsibilities (e.g. TLRs) will also have a leadership target. This will clearly set out how their performance and impact as a leader in the particular area of responsibility will be assessed. This target will be in addition to the Professional Development target and may also be in addition to the Pupil Achievement target if the staff member also has teaching responsibilities.

Relevant Professional Standards

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

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

All teachers should be able to demonstrate competence against the relevant professional standards. It is expected that competence will be further developed as a teacher's career progresses. To progress to the Upper Pay Range a teacher will need to demonstrate that they are "highly competent in all elements of the relevant standards", as specified in Section 2, paragraph 18 of the School Teachers' Pay and Conditions Document 2013.

In consultation with teaching staff, the school will make it clear what constitutes “good”, and “outstanding” performance against the Teachers’ Standards, taking into account career stage. The school will also need to be clear about what constitutes “inadequate” performance against Teachers’ Standards. In articulating competence the school will have regard to the Ofsted grade descriptors in defining levels of performance.¹

An exemplar Teachers’ Standards template is attached (Appendix 4) which can be used for individual teacher self-evaluation or to support a shared assessment of a teacher’s performance against the Teacher Standards at different career stages. Schools wishing to make use of this or a similar template to support teacher appraisal should consult with staff in determining the characteristics/descriptors of practice against the individual Teachers’ Standards.

Reviewing performance

Observation

This school believes that observation of classroom 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.

At Adderley Primary School, school teachers’ performance will be regularly observed but the amount and type of classroom observation will depend on the individual circumstances of the teacher and the overall needs of the school. Classroom observation will be carried out by those with QTS. In addition to formal observation, the Head Teacher or other leaders with responsibility for teaching standards may “drop in” in order to evaluate the standards of teaching and to check that high standards of professional performance are established and maintained. The length and frequency of “drop in” observations will vary depending on specific circumstances.

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 overall performance so as to negate particular circumstances which may affect performance on the day.

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 school. The number and duration of appraisal observations will be in accordance with the school/academy’s Classroom Observation and Visits Protocol (attached as Appendix 1 to this policy), which includes provision for exceptional circumstances where concerns have been raised about a teacher’s performance, or where the teacher requests additional observation visits.

With formal observations (not including drop-ins), the appraisee will be given verbal feedback within 2 working days. Written feedback will only be given if it has been stipulated beforehand that this will

¹ “Most up-to-date Ofsted School Inspection handbook” (or any successor document)

be offered. For the purpose of professional development, feedback about lesson observations should be developmental, in line with the school's classroom observation and visits protocol.

The Head Teacher or other leaders with responsibility for learning and teaching standards may also visit classrooms in order to fulfil their school leadership responsibilities. A distinction needs to be made between observation for the purposes of the formal Appraisal process, and school managers' general responsibility to know their school, the staff and the children and support good practice. The length and frequency of visits to classrooms and the notice to be given, will vary depending on specific circumstances but will be in accordance with the school's classroom observation and visits protocol (Appendix 1).

The school may use the findings of each classroom visit and observation, including appraisal observations, for other management purposes (for example subject area reviews), thereby seeking to keep the total number of occasions on which teachers are observed to reasonable levels².

Teachers (including the Head Teacher) whose posts have responsibilities outside the classroom should also expect to have their performance of those responsibilities observed and assessed.

Where a teacher is experiencing difficulties, see the section on **Teachers Experiencing Difficulties** (below).

Other evidence

As well as classroom observations, other evidence will be used in the appraisal process in making an assessment of a teacher's overall performance, whether they have met their objectives and their level of competence against the Teachers' Standards. Other evidence might include;

- Self-assessment
- Peer-review
- Pupil progress data
- Pupil attainment data
- Lesson planning and evaluation
- 'Pupil voice' where pupil comments are systematically gathered by school leaders in assessing the quality of teaching and learning
- Recorded information concerning the teacher's conduct, performance and attendance

The latter may only be known to the Head Teacher or Senior Leaders if it is an outcome of formal procedures. If so, the Head Teacher or Senior Leaders may use the information in moderating appraisal outcomes.

Development and Support

Appraisal is a supportive process which will be used to inform continuing professional development. The school wishes to encourage a culture in which all teachers take responsibility for improving their teaching through appropriate professional development, through peer observation for example.

² Likewise any findings from classroom visits by school leaders that might be relevant to and supportive of a teacher's professional development should be fed back to appraiser and appraisee as soon as possible after the classroom visit has taken place, to inform the appraisal process.

Professional development will be linked to school improvement priorities and to the on-going professional development needs and priorities of individual teachers.

The school's CPD programme will be informed by the training and development needs identified as part of the appraisal process. The Governing Body will ensure in the budget planning that, as far as possible, resources are made available in the school budget for appropriate training, and support agreed for appraisees, maintaining access on an equitable basis.

An account of the training and development needs of teachers including the instances where it did not prove possible to provide any agreed CPD, will form a part of the Head Teacher's annual report to the Governing Body about the operation of the appraisal process 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 training and support will help the school/academy to achieve its priorities; and
- (b) the CPD identified is essential for an appraisee to meet their objectives.

Account will be taken in a review meeting of where it has not been possible for teachers to fully meet their performance criteria because the support recorded in the planning statement has not been provided.

Where a teacher is experiencing difficulties, see the section on Teachers Experiencing Difficulties (below).

Feedback

Teachers will receive constructive feedback on their performance throughout the year and as soon as practicable after observation/monitoring has taken place or other evidence has come to light. Feedback will highlight particular areas of strength as well as any areas that need attention. Where there are concerns about any aspects of the teacher's performance the appraiser will meet the teacher formally to:

- give clear feedback to the teacher about the nature and seriousness of the concerns;
- give the teacher 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.

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

Teachers Experiencing Difficulties

When dealing with a teacher experiencing difficulties, the objective is to provide support and guidance through the appraisal process in such a way that the teacher's performance improves and the problem is, therefore, resolved.

Where it is apparent that a teacher's personal circumstances are leading to difficulties at school, support will be offered as soon as possible, without waiting for the formal annual assessment. In such circumstances advice and support from the school's Human Resources provider should be sought and the teacher should be advised to seek support from their union representative.

If an appraiser identifies through the appraisal process, or via other sources of information, for example verifiable parental concerns, that the difficulties experienced by a teacher are such that, if not rectified, could lead to capability procedures the appraiser, the head teacher, or a member of the leadership team, will, as part of the appraisal process meet the teacher to;

- give clear written feedback to the teacher about the nature and seriousness of the concerns;
- give the teacher the opportunity to comment on and discuss the concerns;
- give the teacher at least 5 working days' notice that a meeting will be held to discuss targets for improvement alongside a programme of support, and inform the teacher that he/she has the right to be assisted by a representative of an independent trade union or work place colleague, and at any future meetings where capability will be discussed;
- in consultation with the teacher at the above meeting, an action plan with support will be established (for example coaching, training, in-class support, mentoring, structured observations, visits to other classes or schools or discussions with advisory teachers), that will help address those specific concerns;
- make clear how progress will be monitored and when it will be reviewed;
- explain the implications and process if no – or insufficient – improvement is made.

The teacher's progress will continue to be monitored as part of the appraisal process and a reasonable time given for the teacher's performance to improve. This will depend upon the circumstances, but will be for a specified period of time, for example half a term, with appropriate support as agreed in the Action Plan, in order that the aim of recovering and improving performance can be achieved. During this monitoring period the teacher will be given regular feedback on progress and arrangements will be made to modify the support programme if appropriate.

If sufficient progress is made such that the teacher is performing at a level that indicates there is no longer a possibility of capability procedures being invoked the teacher should be informed of this at a formal meeting with the appraiser or head teacher. Following this meeting the appraisal process will continue as normal.

If no, or insufficient, improvement has been made over this period, the teacher will be invited to a transition meeting to determine whether formal capability proceedings need to be commenced or the appraisal process remains in place. The teacher may be assisted by a trade union representative or work colleague and will have at least 5 working days' notice of the meeting.

Transition to capability

If the appraiser is not satisfied with progress, the teacher will be notified in writing that the appraisal system will no longer apply and that their performance will be managed under the capability

procedure, and will be invited to a formal capability meeting. The capability procedures will be conducted as in part B of this policy.

Annual assessment

Each teacher's performance will be formally assessed in respect of each appraisal period. In assessing the performance of the Head Teacher, the Governing Body must consult the external adviser.

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

The teacher will receive as soon as practicable following the end of each appraisal period – and have the opportunity to comment in writing on - a written appraisal report. In this school, teachers will receive their written appraisal reports by 31 October (31 December for the head teacher). **The appraisal report will include;**

- details of the teacher's objectives for the appraisal period in question
- **an assessment of the teacher's performance of their role and responsibilities against their objectives and the relevant standards**
- **an assessment of the teacher's professional development needs and identification of any action that should be taken to address them**
- **a recommendation on pay progression where that is relevant** (*NB – pay recommendations need to be made by 31 December for head teachers and by 31 October for other teachers*)

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

Appeals

Appraisees have a right of appeal against any of the entries in the written appraisal report. Details of the appeals process are available from the head teacher or from the school governing body. Where the Head Teacher has not been recommended for pay progression he/she will be informed by the appropriate governor. The Head Teacher will notify any teacher who has not been recommended for pay progression of the date when the Governing Body meets to consider pay recommendations, following which the teacher (and Head Teacher when he/she has not been recommend for pay progression) may exercise the right of appeal, assisted by a companion who may be a colleague, a trade union official or a trade union representative

Part B – Capability Procedure

This procedure applies only to teachers or Head Teachers about whose performance there are serious concerns that the appraisal process has been unable to address.

At least five working days' notice will be given of the formal capability meeting. The notification will contain sufficient information about the concerns about performance and their possible consequences to enable the teacher to prepare to answer the case at a formal capability meeting. It will also contain copies of any written evidence; the details of the time and place of the meeting; and will advise the teacher of their right to be accompanied by a companion who may be a colleague, a trade union official, or a trade union representative who has been certified by their union as being competent.

Formal Capability Meeting

This meeting is intended to establish the facts. It will be conducted by the Chair of Governors (for Head Teacher capability meetings) or Head Teacher (for other teachers). The meeting allows the teacher, accompanied by a companion if they wish, to respond to concerns about their performance and to make any relevant representations. This may provide new information or a different context to the information/evidence already collected.

The person conducting the meeting may conclude that there are insufficient grounds for pursuing the capability issue and that it would be more appropriate to continue to address the remaining concerns through the appraisal process. In such cases, the capability procedure will come to an end. The person conducting the meeting may also adjourn the meeting *for example if they decide that further investigation is needed, or that more time is needed in which to consider any additional information.*

In other cases, the meeting will continue. During the meeting, or any other meeting which could lead to a formal warning being issued, the person conducting the meeting will:

- identify the professional shortcomings, *for example which of the teachers' standards expected of teachers are not being met;*
- give clear guidance on the improved standard of performance needed to ensure that the teacher can be removed from formal capability procedures (*this may include the setting of new objectives focused on the specific weaknesses that need to be addressed, any success criteria that might be appropriate and the evidence that will be used to assess whether or not the necessary improvement has been made;*);
- explain any support that will be available to help the teacher improve their performance;
- set out the timetable for improvement and explain how performance will be monitored and reviewed. The timetable will depend on the circumstances of the individual case but in straightforward cases could be (*insert time period – eg between four and ten weeks. It is for the school to determine the set period. It should be reasonable and proportionate, but not excessively long, and should provide sufficient opportunity for an improvement to take place;*); and
- warn the teacher formally that failure to improve within the set period could lead to dismissal. In very serious cases, this warning could be a final written warning.

Notes will be taken of formal meetings and a copy sent to the member of staff. Where a warning is issued, the teacher will be informed in writing of the matters covered in the bullet points above and

given information about the timing and handling of the review stage and the procedure and time limits for appealing against the warning.

Monitoring and review period following a formal capability meeting

A performance monitoring and review period will follow the formal capability meeting. Formal monitoring, evaluation, guidance and support will continue during this period. The member of staff will be invited to a formal review meeting, unless they were issued with a final written warning, in which case they will be invited to a decision meeting (see below).

Formal review meeting

As with formal capability meetings, at least five working days' notice will be given and the notification will give details of the time and place of the meeting and will advise the teacher of their right to be accompanied by a companion who may be a colleague, a trade union official, or a trade union representative who has been certified by their union as being competent.

If the person conducting the meeting is satisfied that the teacher has made sufficient improvement, the capability procedure will cease and the appraisal process will re-start. In other cases:

- If some progress has been made and there is confidence that more is likely, it may be appropriate to extend the monitoring and review period;
- If no, or insufficient improvement has been made during the monitoring and review period, the teacher will receive a final written warning.

As before, notes will be taken of formal meetings and a copy sent to the member of staff. The final written warning will mirror any previous warnings that have been issued. Where a final warning is issued, the member of staff will be informed in writing that failure to achieve an acceptable standard of performance (within the set timescale), may result in dismissal and given information about the handling of the further monitoring and review period and the procedure and time limits for appealing against the final warning. The teacher will be invited to a decision meeting.

Decision meeting

As with formal capability meetings and formal review meetings, at least five working days' notice will be given and the notification will give details of the time and place of the meeting and will advise the teacher of their right to be accompanied by a companion who may be a colleague, a trade union official, or a trade union representative who has been certified by their union as being competent.

If an acceptable standard of performance has been achieved during the further monitoring and review period, the capability procedure will end and the appraisal process will re-start. If performance remains unsatisfactory, a decision, or recommendation to the Governing Body, will be made that the teacher should be dismissed or required to cease working at the school.³

³ *In Community, Voluntary Controlled, Community Special, and Maintained Nursery schools, the power to determine that the member of staff should no longer work at the school can be delegated in the same way as above but it is the local authority (as the employer) that actually dismisses staff (or – for those who work in more than one school – requires them to cease to work at the school).*

Before the decision to dismiss is made, the school may discuss the matter with the local authority, although this is not a legal requirement.

The teacher will be informed as soon as possible of the reasons for the dismissal, the date on which the employment contract will end, the appropriate period of notice and their right of appeal.

Decision to dismiss

The power to decide that members of staff should no longer work at this school has been delegated to *one or more governors acting with the Head Teacher*.

Dismissal

Once the Governing Body has decided that the teacher should no longer work at the school, it will notify the Local Authority of its decision and the reasons for it. Where teachers work solely at this school, the Local Authority must dismiss them within fourteen days of the date of the notification. Where they work in more than one school, the local authority must require them to cease to work at this school.

Appeal

If a teacher feels that a decision to dismiss them, or other action taken against them, is wrong or unjust, they may appeal in writing against the decision within five days of the decision, setting out at the same time the grounds for appeal. Appeals will be heard without unreasonable delay and, where possible, at an agreed time and place. The same arrangements for notification and right to be accompanied by a companion will apply as with formal capability and review meetings and, as with other formal meetings, notes will be taken and a copy sent to the teacher.

The appeal will be dealt with impartially and, wherever possible, by managers or governors who have not previously been involved in the case.

The teacher will be informed in writing of the results of the appeal hearing as soon as possible.

General Principles Underlying This policy

ACAS Code of Practice on Disciplinary and Grievance Procedures

Part B of the policy will be implemented in accordance with the provisions of the ACAS Code of Practice.

Confidentiality

The appraisal and capability processes will be treated with confidentiality. Only the appraiser's line manager or, where s/he had more than one, each of her/his line managers will be provided with access to the appraisee's plan recorded in her/his statements.

However, the desire for confidentiality does not override the need for the Head Teacher and Governing Body to quality-assure the operation and effectiveness of the appraisal system. The Head Teacher or appropriate leadership colleague might, for example, review all teachers' objectives and written appraisal records personally – to check consistency of approach and expectation between different appraisers. The Head Teacher might also wish to endorse or amend any pay recommendations that have been made before they are considered by the Governing Body's Pay Committee (or other relevant decision-making body) in the light of recorded information relating to formal conduct, performance or attendance concerns.

Consistency of Treatment and Fairness

The Governing Body is committed to ensuring consistency of treatment and fairness. It will abide by all relevant equality legislation, including the duty to make reasonable adjustments for disabled teachers. The Governing Body is aware of the guidance on the Equality Act issued by the Department for Education.

Sickness

If long term sickness absence appears to have been triggered by the commencement of monitoring or application of the formal capability procedure, the case will be dealt with in accordance with the local authority's absence policy and will normally be referred to the occupational health service to assess the member of staff's health and fitness for continued employment and the appropriateness or otherwise of continuing with monitoring or formal procedures. In some cases it may be appropriate for formal procedures to continue during a period of sickness absence. However, the views of the occupational health physician will always be taken into account before a decision is reached.

Definitions

Unless indicated otherwise, all references to "teacher" include the Head Teacher.

Delegation

Normal rules apply in respect of the delegation of functions by governing bodies, head teachers and local authorities.

Grievances

Where a member of staff raises a grievance during the capability procedure the capability procedure may be temporarily suspended in order to deal with the grievance. Where the grievance and capability cases are related it may be appropriate to deal with both issues concurrently.

Monitoring and Evaluation

The Governing Body and Head Teacher will monitor the operation and effectiveness of the school's appraisal arrangements.

The Head Teacher will provide the Governing Body with a written report on the operation of the school's appraisal and capability policies annually. The report will not identify any individual by name.⁴

The report will include an assessment of the impact of these policies on:

- Race
- Sex
- Sexual Orientation
- Disability
- Religion and Beliefs
- Age
- Part-time Status
- Maternity and Pregnancy

The Head Teacher will report on whether there have been any appeals or representations on an individual or collective basis on the grounds of alleged discrimination.

Retention

The Governing Body and Head Teacher will ensure that all written appraisal records are retained in a secure place for six years and then destroyed.

This policy will be ratified by the Governing Body in October 2018

Signed Chair of Governors **Date**

This policy will be reviewed on or before the following date: October 2020

⁴ Particular care will need to be taken, especially in smaller schools, to ensure that by reporting on the operation of the policy with reference to protected characteristics the report does not inadvertently identify individual employees.

CLASSROOM OBSERVATION PROTOCOL

The Governing Body and school leadership are committed to ensuring that classroom observation for appraisal purposes 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;
- respect the confidentiality of the information gained.

Classroom observation for appraisal purposes

The amount of classroom observation arranged for any teacher for appraisal purposes will be proportionate to need, having regard to the individual circumstances of the teacher and the needs of the school, but will not be excessive.

‘Proportionate to need’ means it will take place on an appropriate and reasonable number of occasions agreed, as far as possible, by the appraiser with the appraisee, based on the individual circumstances of the teacher and the overall needs of the school.

In this school ‘proportionate to need’ and ‘the overall needs of the school’ are determined by the Governing Body on the advice of the Head Teacher and in consultation with staff.

In Adderley Primary School, following consultation with teaching staff, the Governing Body has determined that a maximum of **one formal observation** for appraisal purposes for each teacher in each **term** would meet the needs of the school and the appraisal process, unless concerns about performance identify the need for additional observations. In general we consider that each observation should be no longer than one lesson.

The arrangements for classroom observation for appraisal purposes will be included in the annual appraisal 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 and when during the performance management cycle the observation will take place and who will conduct the observation.

Where evidence emerges about the appraisee’s teaching performance which gives rise to concern during the appraisal cycle, classroom observations may be arranged in addition to those recorded at the beginning of the cycle, subject to determination at a meeting between appraiser, appraisee and Head Teacher or member of the school leadership team with a view to addressing any such concern.

Although such classroom observation is undertaken for appraisal purpose, other 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, observations will be agreed between appraiser and appraisee in advance and be included in the appraisal planning statement.

Classroom observations for appraisal purposes will only be undertaken by persons with QTS. In addition, in this school such classroom observation will only be undertaken by teachers informed by the school's published appraisal policy on how to prepare for and conduct observations, and on how to give constructive supportive feedback in the context of professional dialogue between colleagues.

Verbal feedback will be given as soon as possible after the observation and by at least the end of the next school day following the observation taking place. 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 will be taken by the appraiser or the issues will be referred to the appropriate member of the school leadership team to determine appropriate action in consultation with the appraiser and appraisee.

The written record of feedback 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.

Other classroom visits by school leaders

In Adderley Primary School, the Head Teacher will seek to discharge his/her responsibility for monitoring the quality of teaching and learning and other leadership responsibilities through the planned classroom observations for appraisal purposes. However the Head Teacher (and other designated school leaders) may undertake other classroom visits in order to fulfil their school leadership responsibilities.

These classroom visits will only inform the appraisal process where concerns arise which merit the revision of the appraisal planning statement. If such concerns arise, the school leader concerned will meet with the appraiser and appraisee to discuss them and agree any revision to the appraisal planning statement.

Appendix 2
Appraisal Targets
(Attach target sheets here)

Appendix 3: Teachers' Standards (DfE2012)
(Attach Teachers' Standards DfE sheet here)

Teachers’ Standards: template for self-evaluation and shared assessment of individual teacher performance

Teacher Standards An outline of expectations against mandatory standards for teachers at different career stages	Early Career Teacher expectation	Experienced Teacher expectation	Highly Competent Teacher expectation	Appraisee and Appraiser Notes and Comments
	Mainscale 1-3	Mainscale 4-6	Upper Pay Scale 1-3	Teachers and their appraisers can use this template for self-evaluation and shared evaluation and recording of evidence against each Teacher Standard. The specific indicators for each Standard should be considered and referenced
<p><u>Preamble:</u> Teachers make the education of their pupils their first concern, and are accountable for achieving the highest possible standards in work and conduct. Teachers act with honesty and integrity; have strong subject knowledge, keep their knowledge and skills as teachers up-to-date and are self-critical; forge positive professional relationships; and work with parents in the best interests of their pupils.</p>				
<p><u>Part One: Teaching - A teacher must:</u></p>	In general, early career teachers should meet the Standards with support and mentoring from more experienced colleagues	In general, more experienced teachers independently meet the Standards with only occasional support and mentoring from colleagues	In general, highly competent teachers consistently meet and exceed the Standards and proactively offer support and mentoring to less experienced colleagues	
1 Set high expectations which inspire, motivate and challenge pupils	Meets this Standard in respect of most pupils taught, engaging them in ways which inspire, motivate and challenge them to achieve well. May	Consistently meets this Standard in respect of all pupils taught, engaging them in ways which inspire, motivate and challenge them to	Consistently meets this Standard in respect of all pupils taught engaging them in ways which inspire, motivate and challenge them to	

	need some support to engage a small minority of pupils.	achieve well, with some pupils exceeding expectations	achieve well, with many pupils exceeding expectations. Supports less experienced or skilled teachers to develop higher expectations and greater engagement of their pupils.	
2 Promote good progress and outcomes by pupils	Consistently meets this Standard, resulting in most pupils making good progress and achieving good outcomes in line with, and sometimes exceeding, school expectations	Consistently meets this Standard, resulting in all pupils making good progress and achieving good outcomes in line with school expectations with some pupils achieving greater progress and better outcomes than expected	Consistently meets this Standard, resulting in all pupils making good progress and achieving good outcomes and many pupils achieving greater progress and better outcomes than expected	
3 Demonstrate good subject and curriculum knowledge	Knows and understands the curriculum at current class(es) level, as demonstrated by use of subject knowledge during teaching.	Demonstrates a sound wider knowledge of subject and the curriculum across all year groups, demonstrated by use of subject	Demonstrates a deep and wide knowledge of their subject and its links to other subjects and how it can enhance the whole school curriculum.	

	<p>Demonstrates high standards of literacy and articulacy, with the correct use of standard English, regardless of specialist subject.</p> <p>Knows who the subject experts are within the school and uses their support.</p> <p>Over time builds on the above and requires less support.</p> <p>Demonstrates a clear understanding of appropriate teaching strategies.</p> <p>Takes responsibility for keeping up to date with subject and with curriculum changes.</p> <p>In time, begins to play a more prominent role within</p>	<p>knowledge to contribute to curriculum development as well as teaching.</p> <p>Accesses subject information & advice to develop teaching and curriculum; adapts practice; feeds back to the other colleagues, inc SLT to improve subject teaching and learning .</p> <p>Takes a lead in a significant subject area, including developing and evaluating the subject.</p> <p>Builds on this and uses evaluation evidence to improve subject and curriculum to have impact on learning.</p> <p>In time, begins to</p>	<p>Consistently evaluates how the subject is taught and contributes to pupil progress across the curriculum.</p> <p>Regularly leads the development of others in a way that has a tangible impact on subject and curriculum knowledge and development.</p> <p>Is a subject expert who role models high quality subject teaching and curriculum development.</p>	
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	designated curriculum team, e.g. carry out designated tasks as directed by team leader.	lead the development of others in a way that has a tangible impact on their subject and curriculum knowledge and professional development.		
4 Plan and teach well-structured lessons	<p>With structured support and mentoring, most lessons are showing good elements including effective use of lesson time; engagement of children; effective questioning; Clear AfL within the lesson leading to progress by all groups.</p> <p>All lessons are showing good elements and there is evidence of on-going improvement.</p> <p>In time, most lessons are judged good or better</p>	<p>Lessons are consistently good or better.</p> <p>In time all lessons are good with a growing number of outstanding features</p>	<p>Takes a whole school role in modelling highly effective teaching and supports and develops other teachers to contribute improved teaching across the school.</p> <p>Takes an active role in curriculum development across the school.</p> <p>Plays a leading role in a team, subject or whole school aspect of teaching.</p>	
5 Adapt teaching to respond to the strengths and	Has a sound basic	Has developed	Within the school	

<p>needs of all pupils</p>	<p>understanding of the development of children within the ethos of the school.</p> <p>With significant support, knows when and how to differentiate appropriately.</p> <p>Has a clear understanding of the needs of all children.</p> <p>Has a secure understanding of barriers to learning and begins to make adaptations to meet needs. Proactively seek support when needed.</p> <p>In time requires less support in differentiating the needs of pupils and adapting teaching to meet them.</p> <p>In time becomes confident in knowing when and how to differentiate</p>	<p>independence and further skill in adapting teaching to respond to the strengths and needs of all pupils.</p> <p>In time, has secure significant knowledge and understanding of the wide range of needs of pupils across the school.</p> <p>Uses acquired knowledge and skills in order to support and develop others to contribute to teaching which meets the needs of all pupils across the school</p>	<p>plays a lead role in developing and adapting teaching to ensure all pupils needs are met.</p> <p>Role models these adaptations to year or curriculum teams to ensure whole school impact</p>	
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	appropriately, selecting and using approaches which enable pupils to be taught effectively.			
6 Make accurate and productive use of assessment	<p>With support, knows and understands how to assess relevant subjects and curriculum areas. Makes use of formative and summative assessments to secure pupil progress. Uses relevant data to monitor progress, set targets and plan subsequent lessons. Give pupils regular feedback orally and through accurate marking and encourage pupils to respond to feedback</p> <p>In time, more independently makes increasing use of formative and summative assessment</p> <p>In time, gains greater skill in use and</p>	<p>Consolidate and embed these skills into own practice and in time support year group or subject team colleagues in use of assessment.</p> <p>Proactively offer support for others, when and where appropriate.</p> <p>Monitor whole school data to ensure impact on teaching and learning.</p>	<p>Monitor progress in curriculum area and year groups.</p> <p>Use awareness of RAISE online data to impact on teaching and learning of specific groups across the school.</p> <p>Train other colleagues to use assessment effectively.</p>	

	manipulation of data to support more specific groups			
7 Manage behaviour effectively to ensure a good and safe learning environment	Establishes clear rules and routines in classroom. Sets high expectations of behaviour and has clear strategies for developing positive discipline. In time builds upon these. Establishes a safe and stimulating learning environment in the classroom rooted in mutual respect. In time gains confidence in transferring these to other learning environments, e.g. outdoors	Building on experience gained, participates fully in development and implementation of school policies and practices relating to behaviour management. Takes joint responsibility with all colleagues for whole school behaviour issues to ensure consistency throughout the school. In time begins to support less experienced colleagues in managing behaviour issues.	Models high level skills in managing pupil behaviour in all settings. Supports colleagues in managing behaviour issues and advises others on the development of a positive ethos and behaviour in classrooms and other settings. Articulates and promotes the school's strategies, policies and practices to pupils, colleagues and others e.g. parents/carers, visitors.	
8 Fulfil wider professional responsibilities	Knows and understands the ethos and priorities of the school. Communicates	Have gained significant teaching experience, teaching in more than one year group	Makes a substantial and significant contribution to the wider life and ethos of the	

	<p>effectively with parents and other professionals with regards to pupils' progress, achievements and well being</p> <p>Understands the links between effective classroom practice and school improvement and demonstrate this by becoming involved in whole school professional issues</p>	<p>Have relevant experience of leading or managing an aspect or issue across the Federation</p> <p>M6: Be a fully competent practitioner able to keep up to date with changes and adapt practice accordingly.</p>	<p>school. This will be something tangible, contributing to the achievement of the schools strategic priorities, as captured within the School Improvement Plan. Role models highly competent teaching and professional effectiveness consistent with Teacher Standards and supports the professional development of colleagues.</p>	
Part Two: Personal and Professional Conduct – A teacher is:				
<p>Expected to demonstrate consistently high standards of personal and professional conduct. The following statements define the behaviour and attitudes which set the required standard for conduct throughout a teacher's career.</p>	<p>Consistently meets the Standard for professional and personal conduct</p>	<p>Consistently meets the Standard for professional and personal conduct</p>	<p>Consistently meets and role models the Standard for professional and personal conduct</p>	