

St Nicholas C of E Primary School, Henstridge

POLICY FOR TEACHER APPRAISAL INCLUDING CAPABILITY PROCEDURE

September 2016

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The Governing Body of St Nicholas C of E Primary School adopted this policy following consultation with the recognised teaching unions at County level.¹

It will be reviewed in a year's time in the first term of the school year.

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 professional and personal development within the context of the school's plan for improving educational provision and performance, and the professional standards expected of teachers. It also provides the basis for an assessment of a teacher's performance and a recommendation to inform a decision by the Governing Body's Pay Committee (or other relevant decision-making body) about pay progression.

The appraisal procedure will be used also to address any concerns that are raised about a teacher's performance. If concerns are such that they cannot be resolved through the appraisal process, there will be consideration of whether to commence the separate capability procedure.

APPLICATION OF THE APPRAISAL POLICY

This policy applies to the head teacher and to all qualified teachers employed at the school/academy except those on contracts of less than one term and those undergoing induction (i.e. NQTs) or teachers on formal capability procedures

Appraisal in this school/academy 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 normally from 1 September to 31 August.

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.

Where a teacher starts their employment at the school/academy part-way through a cycle, the head teacher or, in the case where the employee is the head teacher, the

¹ This model policy was the subject of consultation with the recognised teaching unions /professional associations at County level and is offered to schools and academies for adoption. Any local amendment of this model will require further consultation with the recognised unions.

governing body shall determine the length of the first cycle for that teacher, with a view to bringing his/her cycle into line with the cycle for other teachers as soon as possible.

Where a teacher transfers to a new post within the school/academy part-way through a cycle, the head teacher or, in the case where the employee is the head teacher, the governing body shall determine whether the cycle shall begin again and whether to change the appraiser.

APPOINTING APPRAISERS

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

Head Teacher

The head teacher will be appraised by the Governing Body. The Governing Body will appoint an external adviser to provide advice and support in relation to the management and review of the performance of the head teacher. The external adviser will have a proven expertise in performance management of head teachers and will have no professional or personal connection with the head teacher.

The task of appraising the head teacher, including the setting of objectives, will be delegated to a sub-group normally consisting of 3 members of the Governing Body.

Where a head teacher is of the opinion that any of the governors appointed by the governing body is unsuitable to act as his/her appraiser, s/he may submit a written request for that governor to be replaced, stating the reasons for the request.

Teachers

The head teacher will choose the appraiser for each teacher. 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. All appraisers appointed by the head teacher will be qualified teachers and will have current or recent teaching experience.

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

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

If the head teacher appoints an appraiser who is not the teacher's line manager, the appraiser to whom she/he delegates those duties will have an appropriate position in the staffing structure, together with the necessary background knowledge, skills and training to undertake the role.

SETTING OBJECTIVES

The head teacher's objectives will be set by the appraisal sub-group of the Governing Body after consultation with the external adviser and the head teacher.

Objectives for each teacher will be set before, or as soon as practicable after, the start of each appraisal period. The objectives set will be Specific, Measurable², Achievable, Realistic and Time-bound and will be appropriate to the context of the appraisee's work and their role and level of experience/career stage. In setting the objectives, appraisers will have regard to what can reasonably be expected in the context of roles, responsibilities and experience, consistent with the school's strategy for achieving a work/life balance for all staff.

Objectives will be recorded in the Appraisal Planning and Review Statement (a model template Appraisal Planning and Review Statement is attached as Annex 2 to this policy). Appraisees may at any point append their comments alongside their objectives.

The appraiser and appraisee will seek to agree the objectives. Objectives may be revised if circumstances change. The school will operate a system of moderation to ensure that all appraisers are working to the same standards. Targets will be moderated across the school to ensure that they are consistent between teachers with similar experience and levels of responsibility. Should the objectives not be agreed, the final decision on allocation of objectives rests with the head teacher.

The agreed objectives will contain a description of what success may look like. Where use of numerical targets is appropriate, these will be reasonable, in the circumstances in which the teacher works and it will be recognised that factors outside teachers' control may significantly affect success.

Setting more than three objectives, or using sub-targets, can lead to teachers experiencing unreasonable workload and pressure, making the objectives more difficult to achieve. Therefore, other than in exceptional circumstances, no teacher will be given more than three objectives.

The objectives set for each teacher are intended to contribute to the school's plans for improving the school's educational provision and performance and improving the education of pupils attending the school and will take into account the professional aspirations of the teacher.

The appraiser will take into account the effects of an individual's circumstances, including any disability, when agreeing objectives. For example, this might include a reasonable adjustment to allow an individual slightly longer to complete a task than might otherwise be the case. When staff return from a period of extended absence, objectives may be adjusted to allow them to readjust to their working environment.

² Where an objective is measurable due regard should be paid to the reasonableness of any numerical targets identified.

RELEVANT PROFESSIONAL STANDARDS

Before, or as soon as practicable after, the start of each appraisal period each teacher will be informed of the professional standards against which that teacher's performance in that appraisal period will be assessed. All Teachers will be assessed against the standards contained in the document "Teachers' Standards" published in July 2011³ (see Appendix 3). The head teacher or governing body (as appropriate) will need to consider whether certain teachers should be assessed against other sets of standards, published by the Secretary of State or another body, that are relevant to them. For Headteachers that may include the National Standards for Headteachers⁴. For Qualified Teacher Learning and Skills (QTLS) holders, that may include the overarching professional standards for teachers in the lifelong learning sector, held by the Institute for Learning. The standards against which the teacher will be assessed in the appraisal period will be recorded in the Appraisal Planning and Review Statement.

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 specified in Section 2, paragraph 18 of the School Teachers' Pay and Conditions Document 2013.

In consultation with teaching staff, each school will make it clear what constitutes "competent", and "highly competent" performance against the Teachers' Standards in that school, taking into account career stage. Schools will also need to be clear about what constitutes "inadequate" performance against Teachers' Standards. In articulating competence schools may wish to have regard to the Ofsted grade descriptors for Teaching & Learning in defining levels of performance.⁵

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 self-evaluation and improvement more generally.

³ "Teachers' Standards" DfE 2012

⁴ "National Standards for Headteachers" DfE 2004

⁵ "School Inspection handbook" Ofsted 2012 (or any successor document)

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 for appraisal purposes will be carried out by those with QTS.

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 arrangements for classroom observation will be agreed between appraiser and appraisee in advance, will be included in the Appraisal Planning and Review Statement at the start of the cycle and will include the amount of observation and specify its primary purpose, any particular aspects of the teacher's performance to be assessed, the duration of the observation, when during the performance management cycle the observation will take place and who will conduct the observation.

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 Annex 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.

The appraisee will be given verbal feedback by at least by the end of the next school day and written feedback within 5 working days, unless circumstances make this impossible. For the purpose of professional development, feedback about lesson observations should be developmental, in line with the school's classroom observation and visits protocol.

Head teachers 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.

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 levels⁶.

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 Teacher Standards. Other evidence might include (schools to determine in consultation with staff):

- Self-assessment
- Peer-review
- Pupil progress data
- Pupil attainment data
- Lesson planning and evaluation
- Recorded information concerning the teacher's conduct, performance and attendance
- latter may only be known to the Headteacher if it is an outcome of formal procedures. If so, the Headteacher 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. 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/academy'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

⁶ 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.

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 has taken place or other evidence has come to light (see section on **Observation** above). Feedback will highlight particular areas of strength as well as any areas that need development and will:

- give clear feedback to the teacher;
- give the teacher the opportunity to comment and discuss the concerns;
- agree any support (eg coaching, mentoring, structured observations), that will be provided to help address developmental needs.

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

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.

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.

Appraisers will prepare a draft Appraisal Planning and Review Statement which will be provided to the Headteacher for moderation and to ensure consistency of practice and standards. At this stage the Headteacher may make use of any Recorded information concerning the teacher's conduct, performance and attendance in moderating the overall assessment.

The teacher will receive as soon as practicable following the end of each appraisal period – and have the opportunity to comment on - a written appraisal report. The Appraisal Planning and Review Statement 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 against the relevant professional standards;
- an assessment of the teacher's training and development needs and identification of any action that should be taken to address them;
- a recommendation on pay progression where that is relevant (**N.B. – pay recommendations need to be made by 31 December for head teachers and by 31 October for other teachers**);
- a space for the teacher's own comments.

A review meeting will take place to discuss the content of the report and any further action required and to inform objective setting for the next cycle. In some circumstances an interim review meeting may be appropriate.

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

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

PAY PROGRESSION

Where teachers are eligible for pay progression, the recommendation made by the appraiser will be based on the assessment of the teacher's performance against their appraisal objectives, having regard to any specific and significant contextual circumstances which might have impacted upon performance⁷, and against the relevant professional standards (see section on **Appointing Appraisers – Teachers** and footnotes 3-4, above, for detail of professional standards applicable to teachers). Recommendations from teachers' appraisers will be collated and moderated by the Headteacher, who will put forward final recommendations on pay progression to the Governing Body's Pay Committee or other relevant decision-making body). The decision made by the Governing Body's Pay Committee (or other relevant decision-making body) will be based on the statutory criteria set out in the School Teachers' Pay and Conditions Document (STPCD)⁸, the relevant teacher standards, non-statutory guidance from the DfE and the school's own pay policy.

⁷ For example, a sudden in-year influx of children whose first language is not English

⁸ This will apply to all teachers in maintained schools and those teachers in academies who remain subject to the provisions of the School Teachers' Pay and Conditions Document

The Governing Body has agreed the pay policy of the school and has considered the implications of the appraisal policy with respect to the arrangements relating to teachers' pay in accordance with the School Teachers' Pay and Conditions Document. The Governing Body will ensure that decisions on pay progression are made by 31 December for head teachers and by 31 October for other teachers.

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 the head 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.

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 Human Resources 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.

GENERAL PRINCIPLES UNDERLYING THIS POLICY

ACAS Code Of Practice on Disciplinary and Grievance Procedures

In the first instance, issues relating to teacher performance will be managed through the arrangements for Teachers Experiencing Difficulties set out within this policy. The conduct of any subsequent formal capability process will be undertaken outside the Appraisal process under the separate Capability Procedure and in accordance with the provisions of the ACAS Code of Practice.

Consistency of Treatment and Fairness

The Governing Body is committed to ensuring consistency of treatment and fairness and will abide by all relevant equality legislation.

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 school'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.

Grievances

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

Confidentiality & Professional Relationships

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. This will be done upon request and only where this is necessary to enable the line manager to discharge her/his line management responsibilities. Appraisees will be consulted on requests for access to statements in the context of this policy.

The process of gathering evidence for appraisal will not compromise normal professional relationships between teachers. The governing body recognises that the appraiser will consult with, and seek to secure the agreement of, the appraisee before seeking information from other colleagues about the work of the appraisee.

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.

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/academy's appraisal and capability policies annually. The report will not identify any individual by name.⁹

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

- Race
- Sex
- Sexual Orientation
- Disability

⁹ 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.

- 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.

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 Headteacher and in consultation with staff.

In this school, following consultation with teaching staff, the Governing Body has determined that a maximum of one observation for appraisal purposes for each teacher in each period of 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 headteacher 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 this 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 headteacher (and other designated school leaders) may undertake other classroom visits in order to fulfil their school leadership responsibilities. In this school such classroom visits will be carried out by the headteacher supported by designated members of the leadership team.

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.

Somerset¹⁰ Teacher Appraisal Policy: Model Planning and Review Statement

CONFIDENTIAL

Appraisee's Name:	Appraiser's Name:
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1. Planning statement for next cycle

Objectives and targets for next cycle including any relevant whole school/year/team/faculty objectives (including any professional standards against which progress is planned)

Extent, pattern and focus of planned classroom observation:

Support:

Timescale for completion:

¹⁰ Or insert name of School or Academy

2. Appraisal review for cycle just ended:

Assessment of performance against objectives for the appraisal cycle just ended:

Assessment against Teachers Standards and any other relevant Professional Standards¹¹

Recommendation for pay progress (where appraisee is eligible):

(Note: Subject to Pay Policy, this may be moderated by the Headteacher to ensure consistency and consideration of all relevant information (some of which may only be available to the Head (e.g. recorded outcomes of formal procedures))

Appraisee Signature

Appraiser Signature

Appraisee comments:

¹¹ See Appraisal Policy for reference to other relevant Professional Standards

Training and Development Appendix

A copy of this Appendix should be sent to whoever in the school is responsible for planning the training and development of teachers.

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Training and Development needs:

Action to be taken:

Appraisee Signature

Appraiser Signature

Appraisee comments:



Department
for Education

Teachers' Standards

PREAMBLE

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.

PART ONE: TEACHING

A teacher must:

1 Set high expectations which inspire, motivate and challenge pupils

- establish a safe and stimulating environment for pupils, rooted in mutual respect
- set goals that stretch and challenge pupils of all backgrounds, abilities and dispositions
- demonstrate consistently the positive attitudes, values and behaviour which are expected of pupils.

2 Promote good progress and outcomes by pupils

- be accountable for pupils' attainment, progress and outcomes
- be aware of pupils' capabilities and their prior knowledge, and plan teaching to build on these
- guide pupils to reflect on the progress they have made and their emerging needs
- demonstrate knowledge and understanding of how pupils learn and how this impacts on teaching
- encourage pupils to take a responsible and conscientious attitude to their own work and study.

3 Demonstrate good subject and curriculum knowledge

- have a secure knowledge of the relevant subject(s) and curriculum areas, foster and maintain pupils' interest in the subject, and address misunderstandings
- demonstrate a critical understanding of developments in the subject and curriculum areas, and promote the value of scholarship
- demonstrate an understanding of and take responsibility for promoting high standards of literacy, articulacy and the correct use of standard English, whatever the teacher's specialist subject
- if teaching early reading, demonstrate a clear understanding of systematic synthetic phonics
- if teaching early mathematics, demonstrate a clear understanding of appropriate teaching strategies.

4 Plan and teach well structured lessons

- impart knowledge and develop understanding through effective use of lesson time
- promote a love of learning and children's intellectual curiosity
- set homework and plan other out-of-class activities to consolidate and extend the knowledge and understanding pupils have acquired
- reflect systematically on the effectiveness of lessons and approaches to teaching
- contribute to the design and provision of an engaging curriculum within the relevant subject area(s).

5 Adapt teaching to respond to the strengths and needs of all pupils

- know when and how to differentiate appropriately, using approaches which enable pupils to be taught effectively
- have a secure understanding of how a range of factors can inhibit pupils' ability to learn, and how best to overcome these
- demonstrate an awareness of the physical, social and intellectual development of children, and know how to adapt teaching to support pupils' education at different stages of development
- have a clear understanding of the needs of all pupils, including those with special educational needs; those of high ability; those with English as an additional language; those with disabilities; and be able to use and evaluate distinctive teaching approaches to engage and support them.

6 Make accurate and productive use of assessment

- know and understand how to assess the relevant subject and curriculum areas, including statutory assessment requirements
- make use of formative and summative assessment to secure pupils' progress
- use relevant data to monitor progress, set targets, and plan subsequent lessons
- give pupils regular feedback, both orally and through accurate marking, and encourage pupils to respond to the feedback.

7 Manage behaviour effectively to ensure a good and safe learning environment

- have clear rules and routines for behaviour in classrooms, and take responsibility for promoting good and courteous behaviour both in classrooms and around the school, in accordance with the school's behaviour policy
- have high expectations of behaviour, and establish a framework for discipline with a range of strategies, using praise, sanctions and rewards consistently and fairly
- manage classes effectively, using approaches which are appropriate to pupils' needs in order to involve and motivate them
- maintain good relationships with pupils, exercise appropriate authority, and act decisively when necessary.

8 Fulfil wider professional responsibilities

- make a positive contribution to the wider life and ethos of the school
- develop effective professional relationships with colleagues, knowing how and when to draw on advice and specialist support
- deploy support staff effectively
- take responsibility for improving teaching through appropriate professional development, responding to advice and feedback from colleagues
- communicate effectively with parents with regard to pupils' achievements and well-being.

PART TWO: PERSONAL AND PROFESSIONAL CONDUCT

A teacher is 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.

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by:
 - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
 - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
 - showing tolerance of and respect for the rights of others
 - not undermining fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs
 - ensuring that personal beliefs are not expressed in ways which exploit pupils' vulnerability or might lead them to break the law.
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards in their own attendance and punctuality.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

Teachers’ Standards: template for self-evaluation and shared assessment of individual teacher performance against the mandatory Teachers’ Standards (DfE 2012)

<p>Teacher Standards</p> <p>An outline of expectations against mandatory standards for teachers at different career stages</p>	<p>Early Career Teacher expectation</p>	<p>More Experienced Teacher expectation</p>	<p>Highly Competent Teacher expectation</p>	<p>Appraisee and Appraiser Notes and Comments</p>
	<p>Mainscale 1-3</p>	<p>Mainscale 4-6</p>	<p>Upper Pay Scale 1-3</p>	<p>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>
<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:</u> Teaching - A teacher must:</p>	<p>In general, early career teachers should meet the Standards with support and mentoring from more experienced colleagues</p>	<p>In general, more experienced teachers independently meet the Standards with only occasional support and mentoring from colleagues</p>	<p>In general, highly competent teachers consistently meet and exceed the Standards and proactively offer support and mentoring to less experienced colleagues</p>	
<p>1 Set high expectations which inspire, motivate and challenge pupils</p>	<p>Meets this Standard in respect of most pupils taught, engaging them in ways which inspire, motivate and challenge them</p>	<p>Consistently meets this Standard in respect of all pupils taught, engaging them in ways which</p>	<p>Consistently meets this Standard in respect of all pupils taught engaging them in ways which</p>	

	to achieve well. May need some support to engage a small minority of pupils.	inspire, motivate and challenge them to achieve well, with some pupils exceeding expectations	inspire, motivate and challenge them to 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	Demonstrates a sound wider knowledge of subject and the curriculum across all year groups,	Demonstrates a deep and wide knowledge of their subject and its links to other subjects and how	

	<p>use of subject knowledge during teaching.</p> <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</p>	<p>demonstrated by use of subject 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>it can enhance the whole school curriculum.</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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	<p>prominent role within designated curriculum team, e.g. carry out designated tasks as directed by team leader.</p>	<p>In time, begins to lead the development of others in a way that has a tangible impact on their subject and curriculum knowledge and professional development.</p>		
<p>4 Plan and teach well structured lessons</p>	<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>	

<p>5 Adapt teaching to respond to the strengths and needs of all pupils</p>	<p>Has a sound basic 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>Has developed 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>Within the school 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>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>	

	In time, gains greater skill in use and 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	Have gained significant teaching	Makes a substantial and significant	

	<p>of the school.</p> <p>Communicates 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>experience, teaching in more than one year group</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>contribution to the wider life and ethos of the school. This will be something tangible, contributing to the achievement of the schools strategic priorities, as captured within the School Improvement Plan.</p> <p>Role models highly competent teaching and professional effectiveness consistent with Teacher Standards and supports the professional development of colleagues.</p>	
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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>	
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Teacher Standards An outline of expectations against mandatory standards for teachers at different career stages	Early Career Teacher expectation	More 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 evaluation and shared evaluation and recording of evidence against each Teacher Standard. The specific indicators for each Standard should be considered and referenced
<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; 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.				
<u>Part One:</u> Teaching - A teacher must:	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 need some support to engage a small minority of pupils.	Consistently meets this Standard in respect of all pupils taught, engaging them in ways which inspire, motivate and challenge them to achieve well, with some pupils exceeding expectations	Consistently meets this Standard in respect of all pupils taught engaging them in ways which inspire, motivate and challenge them to 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 high standards of	Demonstrates a sound wider knowledge of subject and the curriculum across all year groups, demonstrated by use of subject knowledge to contribute to curriculum development as	Demonstrates a deep and wide knowledge of their subject and its links to other subjects and how it can enhance the whole school curriculum. Consistently evaluates how	

	<p>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 designated curriculum team, e.g. carry out designated tasks</p>	<p>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 lead the development of others in a way that has a tangible impact</p>	<p>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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	as directed by team leader.	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 needs of all pupils	Has a sound basic understanding of the development of children within the ethos of the school.	Has developed independence and further skill in adapting teaching to respond to the	Within the school plays a lead role in developing and adapting teaching to ensure all	

	<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 appropriately, selecting and using approaches which enable pupils to be taught effectively.</p>	<p>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>pupils needs are met.</p> <p>Role models these adaptations to year or curriculum teams to ensure whole school impact</p>	

<p>6 Make accurate and productive use of assessment</p>	<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 In time, gains greater skill in use and manipulation of data to support more specific groups</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>
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<p>7 Manage behaviour effectively to ensure a good and safe learning environment</p>	<p>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</p>	<p>Building on experience gained, participates fully in development and implementation of school policies and practices relating to behaviour management.</p> <p>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.</p>	<p>Models high level skills in managing pupil behaviour in all settings.</p> <p>Supports colleagues in managing behaviour issues and advises others on the development of a positive ethos and behaviour in classrooms and other settings.</p> <p>Articulates and promotes the school's strategies, policies and practices to pupils, colleagues and others e.g. parents/carers, visitors.</p>
<p>8 Fulfil wider professional responsibilities</p>	<p>Knows and understands the ethos and priorities of the school.</p> <p>Communicates effectively with parents and other professionals with</p>	<p>Have gained significant teaching experience, teaching in more than one year group</p> <p>Have relevant experience of</p>	<p>Makes a substantial and significant contribution to the wider life and ethos of the school. This will be something tangible,</p>

	<p>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>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>contributing to the achievement of the schools strategic priorities, as captured within the School Improvement Plan.</p> <p>Role models highly competent teaching and professional effectiveness consistent with Teacher Standards and supports the professional development of colleagues.</p>	
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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>	
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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 (*or insert alternative*) 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) (*schools to insert any alternative arrangements*). 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 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 (*or insert alternative*) 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 (*or insert alternative*) 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.¹²

Before the decision to dismiss is made, the school will discuss the matter with the local authority (*N.B. this is not a legal requirement but schools may find it helpful*).

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

Either: The power to dismiss staff in this school rests with the Governing Body.

Or: The power to dismiss staff in this school has been delegated *to the head teacher/to one or more governors/to one or more governors acting with the head teacher (delete as appropriate)*.

(NB: the two options above are available only to Foundation Schools, Voluntary Aided Schools and Foundation Special Schools).

¹² *In Foundation Schools, Voluntary Aided Schools and Foundation Special Schools, the governing body is the employer but the power to dismiss can be delegated to the head teacher, to one or more governors, or to one or more governors acting with the head teacher. 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).*

Or: The power to decide that members of staff should no longer work at this school rests with the Governing Body.

Or: The power to decide that members of staff should no longer work at this school has been delegated to *the head teacher/to one or more governors/to one or more governors acting with the head teacher. (delete as appropriate).*

(NB: these two options are available only to Community, Voluntary Controlled, Community Special, and Maintained Nursery schools,

Dismissal

Either: Once the decision to dismiss has been taken, the Governing Body *(or insert details of person or people to whom the power to dismiss has been delegated)* will dismiss the teacher with notice, *(Voluntary Aided, Foundation and Foundation Special schools only).*

Or: Once the Governing Body *(or insert details of person or people to whom the power has been delegated)* **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 *(Community, Voluntary Controlled, Community Special and Maintained Nursery Schools only).*

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 *(or substitute alternative)* 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. 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. *Schools to say here how they might achieve this, for example, the head teacher or appropriate colleague might review all teachers' objectives and written appraisal records personally, in order to check consistency of approach and expectation between different appraisers. The head teacher might also wish to be aware of any pay recommendations that have been made.*

Consistency of Treatment and Fairness

The Governing Body is committed to ensuring consistency of treatment and fairness and will abide by all relevant equality legislation.

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.

Sickness

If long term sickness absence appears to have been triggered by the commencement of monitoring or a formal capability procedure, the case will be dealt with in accordance with the school's absence policy and will be *(eg referred immediately 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 monitoring and/or formal procedures to continue during a period of sickness absence.

Monitoring and Evaluation

The governing body and head teacher will monitor the operation and effectiveness of the school's appraisal arrangements.

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.