



# CONWAY PRIMARY SCHOOL

## Appraisal & Capability Policy

July 2016

## **Rationale**

**The Governors at Conway believe that high quality teaching is the key to children achieving well.**

**Effective, thorough and rigorous performance management is an integral part of supporting our drive to improve educational outcomes for the young people who attend Conway.**

**This policy sets out our agreed system and procedures that will enable Conway to make an assessment of the performance of teachers against the standards expected of them and support them within the overall context of the main school improvement priorities. Appraisal decisions will be used to inform the pay progression of teachers in the school which will seek to financially reward successful teachers.**

**The Governors at Conway take very seriously the issue of teachers who fall below the standards expected of them and this policy will outline how poor performance of teachers will be addressed at Conway.**

**Approved on behalf of the Governing Body of Conway Primary School**

Signed: .....

Date: .....

Role:.....

### **Aims of Policy**

- To raise pupil achievement by ensuring the highest quality of teaching and learning.
- To ensure consistency, fairness and progression in the professional development of all staff
- To value the contribution of all staff to the success of the school.
- To improve teacher confidence, morale and motivation.
- To increase teachers' participation in the decision-making about the development of their career.
- To identify the most appropriate and best possible resources needed to support teachers.
- To reward good and outstanding teaching financially and to identify the link between a teacher's performance level of skill and pay.

### **Implementation of Policy**

The policy has been divided into two clear sections;

1. The first section covers Conway systems and procedures for appraisals for all teachers and the Headteacher employed by the school or local authority, except those on contracts of less than one term, those undergoing induction and those who are subject to capability procedures as outlined in the second section of this policy.
2. The second section outlines Conway formal capability procedure which will be applied only to teachers (including the Headteacher) whose performance there are serious concerns about and who have not shown any improvement through the school's annual appraisal process.

## **Section 1 – Appraisal Systems and Procedures**

The appraisal system and procedures at Conway will be a supportive process with the main goal of ensuring that all teachers have the necessary skills and support they need to carry out their role efficiently and effectively. The adopted appraisal system will ensure that teachers continue to improve their teaching skills and practice through professional discussion and reflection.

### **Appraisal Time Scales**

At Conway the appraisal period will run for twelve calendar months from September to September. At Conway teachers who are employed on a fixed term contract of less than one year will have their performance managed in line with the aims and principles of this policy. The length of the appraisal period will be determined by the duration of their contract and in consultation with the Headteacher.

### **Appraisers**

The following arrangements will apply to the appraisal process at Conway;

- **Headteacher** - The Head teachers appraisal will be completed by the Governing Body who will be supported by a suitably skilled external adviser who is appointed by the Governing Body. At Conway the task of appraising the head teacher, including the setting of objectives, will be delegated to a sub-group consisting of three members of the Governing Body.
- **Teachers** - The Headteacher will decide who will take responsibility for the appraisal of other teachers throughout the school. The Headteacher will ensure that the appointed appraisers have the necessary skills and knowledge to undertake the process effectively.

### **Setting Appraisal Objectives**

#### **Headteacher**

- The Headteachers objectives will be set by the Governing Body after consultation with the external adviser.
- The Headteachers objectives will contribute to the main school improvement priorities and/or the schools more general aim of improving the quality of provision for all children who attend the school.

#### **Teachers**

- Objectives for teachers will be set at the beginning of each appraisal period.
- Teachers will receive a copy of the national standards against which they will be assessed.
- Teachers will receive at least one week's notification of the date and time of the target setting meeting and any subsequent reviews.
- The appointed appraisers will set objectives for each teacher which will be (SMART) Specific, Measurable, Achievable, Realistic and Time-bound.
- Objectives will contribute to the main school improvement priorities and any areas identified as needing improvement or development by the appraiser or the teacher themselves.
- The appraiser and teacher will seek to agree the objectives but, if that is not possible, the appraiser will determine the objectives.
- The school reserves the right to amend or revise objectives if circumstances change.

## **Reviewing Performance**

### **Classroom Observation**

- Conway believes that observation of lessons and other teaching practice is an essential way of assessing teachers' performance and enables the identification of a teacher's strengths and areas for improvement or development.
- At Conway observations will be carried out in a supportive way and in line with the schools Observation of Practice Policy.
- At Conway teachers' performance will be regularly observed in accordance with the Observation of Practice Policy. 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 always be carried out by teachers with QTS and who have attended appropriate training to enable them to have the necessary skills to observe and feedback on practice.
- At Conway valuable evidence regarding teachers performance will also be collected by 'drop in' sessions which will not be booked or planned in advance with the teacher. The Headteacher and senior leaders will use this method of observation to check that the highest teaching and professional standards are maintained at all times.
- At Conway teachers who have responsibilities outside the classroom will also have their performance of those responsibilities observed and assessed in line with the Observation of Practice Policy.

### **Development and Support**

- At Conway the appraisal process will be a supportive process which will be used to provide evidence and inform the planning of continuing professional development for all teaching staff.
- At Conway teachers will be expected to be reflective and take responsibility for improving the quality of their teaching through focused and planned continuous professional development.
- At Conway professional development will be linked to the main school improvement priorities of the school and to the ongoing professional development needs and priorities of individual teachers as identified through the appraisal process.

### **Feedback**

- At Conway we understand the importance of providing teachers with regular and constructive feedback on their performance.
- At Conway we will aim to feedback as soon as possible after the observation has taken place. Feedback will take place at a mutually convenient time and in a private setting.
- Feedback will be undertaken in a confidential manner and will aim to support the continuing improvement of the teacher practice. Feedback will highlight the teacher's particular areas of strength as well as any areas that need attention.

## **Pay Progression**

The governing body will determine the pay policy on an annual basis in accordance with the School Teacher Pay and Conditions Document. Decisions on pay progression will be made by 31<sup>st</sup> December for the headteacher and normally by 31<sup>st</sup> October for all other teachers.

Where teachers are eligible for pay progression, the recommendations made by the appraiser will be based on the assessment of their performance against the agreed objectives and skills levels for each pay point/band/level. The decision made by the relevant decision-making body will be based on the criteria and guidance contained in the School Teachers Pay and Conditions Document and the relevant teacher standards.

Teachers pay will be linked to performance and progression will only be granted where a teacher has proven that they have the skill level required to be paid at the next pay band/point. This will be based on an audit and assessment by the appraiser and/or Headteacher.

An audit of the teacher's performance (against the schools agreed expectations at each pay level see appendix) will be undertaken by the Headteacher and/or appraiser on annual basis usually when the final assessment of the teacher's performance takes place in the annual appraisal cycle.

If the Headteacher or appraiser feels that a teacher's performance and skill level warrants accelerated progression this will be recommended to the Governors. If the governing body agrees to the recommendation the teacher will be informed of the decision 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) will be entitled to exercise the right of appeal (see Whole School Pay Policy), assisted by a companion who may be a school based colleague or a representative of his/her trade union.

## **Concerns about Performance**

At Conway if concerns arise about any aspects of a teacher's performance the appointed appraiser will meet with the teacher formally to;

- Provide feedback to the teacher about the nature and seriousness of the concerns listing evidence which has been used to inform the evaluation.
- Provide the teacher with the opportunity to comment and discuss the concerns in more detail.

- Make an agreement of the support that will be provided by the school to help address the specific concerns.
- Make an agreement with the teacher on how progress will be reviewed listing dates, times and the process which will be followed. The agreement should be provided to the teacher in writing.
- Explain clearly to the teacher the possible implications and process if inadequate progress is made and that the teachers practice is not at an acceptable standard.
- If progress is sufficient and the teachers' performance is at an acceptable level the appraisal process will continue as normal. Any remaining issues will then be addressed through the appraisal process.

### **Transition to Capability**

- At Conway if the appraised does not feel that a teacher's progress has been sufficient the teacher will be notified in writing that the normal appraisal system will no longer apply and that their performance will be managed under the schools Capability Procedure.
- As part of the written notification the teacher will receive an invitation to a formal capability meeting.
- The Capability Procedure for Conway is covered in Section 2 of this policy.

### **Annual Assessment**

- At Conway every teacher's performance will be formally assessed in respect of each appraisal period.
- At Conway when assessing the performance of the Headteacher, the Governing Body will consult the appointed external adviser.
- The Annual Assessment is the culmination of the annual appraisal process and will draw together evidence gathered throughout the year from observations, school progress data and regular reviews between the appraiser and teacher.
- At Conway performance and development priorities will be reviewed and addressed on a regular basis throughout the year in interim meetings which will take place once every term.
- A written appraisal report will be given to the teacher as soon as possible at the end of each appraisal period. The teacher will be given an opportunity to comment in writing on any aspect of the report or the appraisal process.
- At Conway teachers will receive their written appraisal reports by 31 October
- At Conway the Headteacher will receive their written appraisal report by 31<sup>st</sup> December.

### **The appraisal report will include:**

1. The teacher's objectives;
2. A thorough assessment and evaluation of the teacher's performance, of their role and responsibilities against their objectives and the relevant standards;
3. An outline of any evidence used to assess the teacher progress.

4. A brief description of any CPD undertaken by the teacher.
  5. An assessment of the teacher's training and development needs and identification of any action that should be taken to address them;
  6. A recommendation on pay where that is relevant.
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- At Conway pay recommendations will be made by 31 December for Headteachers and by 31<sup>st</sup> October for all other teachers
  - At Conway the assessment of a teacher's performance and their training and development needs will inform the planning process for their following appraisal period.

## **Section 2 – Capability Procedure**

At Conway this Capability procedure will only apply to teachers or Headteachers about whose performance there are serious concerns that the appraisal process has been unable to address or rectify.

### **Procedure for Notification of Formal Capability Meeting**

- At Conway teachers will be given a minimum of five working days' notice of the formal capability meeting.
- The notification letter will contain information outlining the concerns about the teacher's performance and their possible consequences. This will help the teacher to prepare a response and answer the case at the formal capability meeting.
- In addition to the notification letter the teacher will also receive copies of any written evidence and the details of the time, date and venue of the meeting.
- The notification will advise the teacher of their right to be accompanied by a colleague or a trade union representative.

### **Formal Capability Meeting**

- At Conway the Headteacher will chair the formal capability meeting for teachers.
- In the event of the Headteacher being subject to the Capability Procedure the Chair of Governors will lead the formal capability meeting.
- The main purpose of the Formal Capability Meeting is to establish the facts around the case and to allow the teacher/Headteacher to respond to concerns about their performance and to make any relevant representations.
- After listening to the representations and evidence the person conducting the meeting may conclude that there are insufficient grounds for pursuing the capability issue further and that it would be more appropriate to continue to address the remaining concerns through the appraisal process. The capability procedure would come to an end in this situation.
- After listening to the representations and evidence the person conducting the meeting feels that they need to investigate the issues further or that they need more time to consider the evidence they may adjourn the meeting.

**NB: If the two final points are not relevant the formal capability meeting will continue.**

### **During the meeting the person conducting the meeting will:**

1. Identify the areas of the teacher's practice which are inadequate for example which of the National Teaching Standards are not being met.
2. Provide clear guidance on the improvements to the teachers' performance which are required to remove the teacher from the 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);
3. Outline any support that will be made available to help the teacher improve their performance;
4. Set clearly the timetable for improvement and explain how performance will be monitored and reviewed as part of the process.
5. At Conway a reasonable and proportionate time will be given for teachers to improve their performance by addressing the areas identified as inadequate under the formal capability procedure.
6. At Conway the period allowed for improvement will be 12 weeks.
7. Make explicit to the teacher formally that failure to improve within the set period could lead to dismissal. At Conway in very serious cases, this warning could be a final written warning.

Notes will be taken at the Formal Capability Meeting 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**

- At Conway a performance monitoring and review period will follow the formal capability meeting.
- During the monitoring and review period formal monitoring, evaluation, guidance and support will continue.
- 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**

- At Conway the teacher/Headteacher subject to the Capability Procedure will be given a minimum of five working days' notice of the time and place of the Formal Review Meeting.

- The notification will advise the teacher of their right to be accompanied by a colleague or a trade union representative.
- At the Formal Review Meeting 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 where the appraiser is not satisfied that sufficient improvements have taken place the following will apply:

- If it is evident that the teacher/Headteacher has made some progress and the appraiser is confident that there is capacity for further improvement, it may be appropriate to extend the monitoring and review period;
- If it is evident that no, or insufficient improvement has been made during the monitoring and review period, the teacher/Headteacher will receive a final written warning.
- At the Formal Review Meeting notes will be taken and a copy sent to the member of staff concerned.
- At Conway the final written warning will mirror any previous warnings that have been issued to the member of staff concerned.
- 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.
- They will also be provided with details and 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/Headteacher will be invited to a decision meeting.

### **Decision Meeting**

- At Conway the teacher/Headteacher subject to the Capability Procedure will be given a minimum of five working days notice of the time and place of the Decision Meeting.
- The notification will advise the teacher of their right to be accompanied by a colleague or a trade union representative.
- At the Formal Review Meeting if the person conducting the meeting is satisfied that the teacher has made sufficient improvement during the further monitoring and review period the capability procedure will cease and the appraisal process will re-start.
- If the performance of the teacher/Headteacher remains unsatisfactory, a decision, or recommendation to the Governing Body, will be made that the teacher/Headteacher should be dismissed or required to cease working at the school.
- At Conway before the decision to dismiss is made, the school will discuss the matter with the local authority to seek advice and support.

- The teacher/Headteacher 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**

At Conway the power to decide that members of staff should no longer work at this school has been delegate to the head teacher.

## **Dismissal**

- At Conway once the decision to dismiss the teacher/Headteacher has been taken The Governing Body will dismiss the teacher with notice.

## **Appeal**

- At Conway if a teacher/Headteacher 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.
- At Conway appeals against dismissal will be heard without unreasonable delay and, where possible, at an agreed time and place.
- The teacher/Headteacher will be informed of their right to be accompanied by a companion and, as with other formal meetings notes will be taken and a copy sent to the teacher/Headteacher.
- At Conway the appeal will be dealt with impartially and, wherever possible, by managers or governors who have not previously been involved in the case.
- At Conway the teacher/Headteacher will be informed in writing of the results of the appeal hearing as soon as possible after the appeal has been heard.

