

Performance Management Policy (Teachers)

Date of Review:	October 2023
Approved by:	Governing Body
Next Review Date:	September 2024

APPLICATION OF THE POLICY

The policy applies to the Principal and to all teachers employed by ENLUTC, except teachers on contracts of less than one term, those undergoing induction (i.e. ECT's) and those who are the subject of capability procedures.

PURPOSE

This policy sets out the framework for a clear and consistent assessment of the overall performance of teachers and the Principal, and for supporting their development needs within the context of the College's Development Plan and their own professional needs. Where teachers are eligible for pay progression, the assessment of performance throughout the cycle against the performance criteria specified in the statement will be the basis on which the recommendation is made by the reviewer.

This policy should be read in conjunction with the College's Pay Policy, which provides details of the arrangements relating to teacher's pay in accordance with the School Teachers' Pay and Conditions Document.

LINKS TO COLLEGE IMPROVEMENT, COLLEGE SELF EVALUATION AND COLLEGE DEVELOPMENT PLANNING

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

Similarly, the College Development Plan and the college's self-evaluation form are key documents for the performance management process.

All reviewers are required to explore the alignment of reviewees' targets with the College's priorities and plans. The targets should also reflect reviewees' professional aspirations.

CONSISTENCY OF TREATMENT AND FAIRNESS

The College is committed to ensuring consistency of treatment and fairness in the operation of performance management.

To ensure this the following provisions are made in relation to moderation, quality assurance and objective setting.

QUALITY ASSURANCE

The Principal may determine that they will delegate the reviewer role for some or all teachers for whom they are not the line manager. In these circumstances, the Principal, or their representative will moderate a sample of Review Statements to check that the plans recorded in the statements of teachers at the College:

- are consistent between those who have similar experience and similar levels of responsibility;
- comply with the College's Performance Management Policy, the Regulations and the requirements of equality legislation.

The Chair of Governors should ensure that the Principal's Review Statement is consistent with the college's improvement priorities and complies with the College's Performance Management Policy and the Regulations.

The College will review the quality assurance processes when the Policy is reviewed.

TARGET SETTING

The targets set will be rigorous, challenging, achievable, time-bound, fair and equitable in relation to teachers with similar roles/responsibilities and experience, and will have regard to what can reasonably be expected of any teacher in that position, given the desirability of the reviewee being able to achieve a satisfactory balance between the time required to discharge their professional duties and the time required to pursue their personal interests outside work. They shall also take account of the teacher's professional aspirations and any relevant pay progression criteria. They should be such that, if they are achieved, they will contribute to improving the progress of pupils at the college.

The reviewer and reviewee will seek to agree the targets but where a joint determination cannot be made the reviewer will make the determination. The reviewee will in all circumstances have the right to add comments to the document, outlining the target(s) that they have not agreed and why.

In the college:

- most teachers will have 3 targets
- all staff will have one **School Excellence Target identified for them, linked to the School Development Plan. (Target 1).**
- **Target 2- the Student Progress Target** should relate to levels of progress at KS4 and meet or exceed GL. The teacher will be invited to select one KS4 exam group for this target. If the teacher does not teach KS4 students using appropriate reliable data, a KS5 or KS3 group should be selected. It is important to remember that the reviewer can apply discretion if there are factors which are accepted as being beyond the control of the teacher have prevented progress of the whole cohort (e.g. students being absent for significant amounts of time due to absence or intervention in other subjects).

- The **Personal Target (Target 3)** should be linked to their job description and CPD plan. Where the individual holds a leadership position, this target will be a **Leadership Target (Target 3)**.

Though performance management is an assessment of overall performance of teachers and the Principal, targets cannot cover the full range of a teacher's roles/responsibilities. Targets will, therefore, focus on the priorities for an individual for the cycle.

Reviewing Progress

At the end of the cycle, assessment of performance against a target will be on the basis of the agreed performance criteria. Good progress towards the achievement of a challenging target, even if the performance criteria have not been met in full, will be assessed carefully.

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.

APPEALS

At specified points in the performance management process, teachers and the Principal have a right of appeal against any of the entries in their planning and review statements. This should be raised with their Reviewer in the first instance and referred to HR if necessary.

CONFIDENTIALITY

The whole performance management process and the statements generated under it, in particular, will be treated with strict confidentiality at all times. As a general rule access to the review statement will be limited to the following:

1. The Principal (for the purpose of moderation only)
2. The Reviewer
3. The Reviewee

TRAINING AND SUPPORT

The College's CPD programme will be informed by the training and development needs identified in the training annex of the reviewees' planning and review statements.

The College will ensure in the budget planning that, as far as possible, appropriate resources are made available in the college budget for any training and support agreed for reviewees.

An account of the training and development needs of teachers in general will form part of the Principal's annual report to the Governing Body about the operation of performance within the college.

With regard to the provision of CPD in the case of competing demands on the college budget, a decision on relative priority will be taken with regard to the extent to which:

(a) the CPD identified is essential for a reviewee to meet their objectives; and (b) the extent to which the training and support will help the college to achieve its priorities.

The College's priorities will have precedence. Careful consideration should be given where teachers have failed to make good progress towards meeting their performance criteria because the support recorded in the planning statement has not been provided.

APPOINTMENT OF REVIEWER FOR THE PRINCIPAL

The Chair of Governors is the Reviewer for the Principal.

Review of Senior Leaders

The Principal is the Reviewer for Senior Leaders, but may delegate the responsibility for the review to their Deputy, if necessary/applicable.

Appointment of School Improvement Partner or External Adviser

The college may appoint a School Improvement Partner, who will provide the College with advice and support in relation to the management and review of the performance of the Principal.

APPOINTMENT OF REVIEWERS FOR TEACHERS

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

The Principal will be the reviewer for those teachers they directly line manages and will delegate the role of reviewer, in its entirety, to the relevant line managers for some or all other teachers.

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

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

The performance management cycle in this College, therefore, will run from 1 September to 31 August for all teachers.

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

Where a teacher starts their employment at the college part-way through a cycle, the Principal or, in the case where the teacher is the Principal, the Chair of Governors, 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 at the college as soon as possible.

Where a teacher transfers to a new post within the college part-way through a cycle, the Principal or, in the case where the teacher is the Principal, the Chair of Governors, shall determine whether the cycle shall begin again and whether to change the reviewer.

RETENTION OF STATEMENTS

Performance management planning and review statements will be retained for a minimum period of 6 years or for the duration of the employee's employment, whichever is the longer.

MONITORING AND EVALUATION

The College will monitor the operation and outcomes of performance management arrangements.

The Principal will provide the Governing Body with a written report on the operation of the college's performance management policy annually. The report will not contain any information which would enable any individual to be identified. The report will include:

- the operation of the Performance Management Policy;
- the effectiveness of the college's performance management procedures;
- teachers' training and development needs.

The College is committed to ensuring that the performance management process is fair and non-discriminatory and Principal's report should provide information on any issues, which may have arisen with regard to unlawful discrimination.

REVIEW OF THE POLICY

The College will review the performance management policy every school year at one of the meetings in the Summer Term.

The College will take account of the Principal's report in its review of the performance management policy. The policy will be revised as required to introduce any changes in regulation and statutory guidance to ensure that it is always up to date.

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

ACCESS TO DOCUMENTATION

Copies of the College Development Plan and SEF are published on the college intranet and/or can be obtained from the Principal's office.

PERFORMANCE MANAGEMENT CLASSROOM OBSERVATION PROTOCOL

The College is committed to ensuring that classroom observation is developmental and supportive and that those involved in the process will:

- carry out the role with professionalism, integrity and courtesy.
- evaluate objectively.
- report accurately and fairly.
- respect the confidentiality of the information gained.

Teachers will be regularly observed. Classroom observations will be carried out by those with QTS status. Observations will be arranged with the teacher no less than 5 working days in advance. Observations will be spaced with a reasonable amount of time between each lesson observation and/or drop ins. Planning for observations will take place at the start of the performance management cycle and will include details of the amount of observations and the focus of observations, agreed with the reviewee.

Within the college "the amount and type of classroom observation" will be determined by the reviewer. In all circumstances, the reviewer will have regard to the individual needs of the teacher when determining the amount and type of classroom observations, including any disabilities the teacher may have. The amount of observations undertaken will never normally exceed 3 hours per year.

Planning and preparing for observation

- Teachers will be observed as part of the Performance Management Cycle, the amount and type of classroom observation will depend on the individual circumstances

of the teacher and the overall needs of the college. Care will be taken to ensure that the frequency of lesson observations is not excessive.

- Classroom observations will be carried out only by those with QTS status and the appropriate training and professional skills to undertake observation and provide constructive oral and written feedback and support. Where possible, the observer will have relevant experience or knowledge of the subject area.
- Observations will be arranged with the teacher no less than 5 working days in advance. Observations will be spaced with a reasonable amount of time between lesson each observation and/or drop ins.
- Planning for observations will take place at the start of the performance management cycle and will include details of the amount of observations and the focus of observations, the duration of the observation, when during the performance management cycle it will take place and who will conduct the observation.

Feedback and lessons

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

Written feedback will be provided within 5 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 plan discussed with the teacher.

The written record of feedback will be on the College's lesson observation form. The teacher has the right to append written comments on the feedback document. Teachers will have access to all written accounts of the observation after their lessons and, if they request, copies will be provided.

Written feedback will be provided within five working days of the observation taking place. The written feedback also includes the date on which the observation took place, the lesson observed and the length of the observation. The teacher has the right to append written comments on the feedback document. No written notes in addition to the written feedback will be kept.

ANNUAL ASSESSMENT

Each teacher's performance will be formally assessed in respect of each performance management cycle. The Principal's performance will be assessed by the Chair of Governors.

The teacher will receive as soon as practicable following the end of each performance management cycle – and have the opportunity to comment on – a written Performance Management report. The Performance Management report will include:

- details of the teacher's targets for the Performance Management cycle in question;
- an assessment of the teacher's performance of their role and responsibilities against their targets and against the relevant 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 (NB – pay recommendations need to be made by 31 December for the Principal and by 31 October for other teachers);
- a space for the teacher's own comments.
- Where a decision on pay is made, this will be confirmed in writing by the College's representative and where pay progression has been refused, the reasons will be explained and the teacher will be advised of the appeals procedure.

A review meeting will take place to discuss the content of the report and any further action required and to inform target 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 Performance Management cycle.

Appeal against pay decisions reached

The teacher may appeal against any pay decision that is made and must lodge that appeal with the Principal within 10 working days of the receipt of the notification confirming that pay progression has not been approved.

The teacher must set out the reasons for appeal in the letter.

The appeal shall be organized in accordance with the Appeals process set out in the Pay Policy.

Communicating concerns/providing support to the Teacher

When dealing with a teacher experiencing difficulties, the objective is to provide support and guidance through the Performance Management 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 the college, support will be offered as soon as possible, without waiting for the formal annual assessment.

Good performance management should ensure that the teacher has clear and honest feedback about their performance. The Reviewer should ensure that the teacher is

made fully aware of any concerns and what needs to be done to achieve the required improvements. In most cases this can be achieved in an informal but structured way where the teacher is given advice and support as to how to improve.

Consistency of Treatment and Fairness

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

Confidentiality and Professional Relationships

The performance management and capability processes will be treated with confidentiality. Only the reviewer's line manager or, where they have more than one, each of their line managers will be provided with access to the reviewee's plan recorded in their statements. This will be done upon request and only where this is necessary to enable the line manager to discharge their line management responsibilities. Reviewee's will be consulted on requests for access to statements in the context of this policy.

The process of gathering evidence for performance review will not compromise normal professional relationships between teachers. The college recognises that the reviewer will consult with, and seek to secure the agreement of, the reviewee before seeking information from other colleagues about the work of the reviewee.

However, the desire for confidentiality does not override the need for the Principal to quality-assure the operation and effectiveness of the appraisal system. The Principal or appropriate colleague might, for example, review all teachers' targets and written performance management records personally – to check consistency of approach and expectation between different reviewers.

Learning Walks and Drop ins

'Learning walks' or 'drop ins' may take place in order to collect evidence about teaching and learning, evidence of progress and areas for college development. They are intended to be developmental and constructive rather than judgemental and are a whole-college improvement activity. There should, therefore, be no attempt to use this approach as part of capability procedures or for performance management. "Learning Walks" and "Drop ins", therefore, fall outside the scope of lesson observation.

1. Teachers will be advised at the start of the week that drop-ins/learning walks will occur that week for a particular year group, subject area or relating to a specific element of school improvement. The focus of the learning walk will not relate to the performance of an individual.

2. A “drop in” should be of short duration and should not exceed 15 minutes.
3. ‘Learning walks’ or ‘drop ins’ will be conducted with minimum disruption to teachers and students.
4. ‘Learning walks’ and ‘drop ins’ will be undertaken in a supportive and professional manner.
5. A maximum of two colleagues will be involved in ‘learning walks’ or ‘drop ins’ at any time.
6. Students will not be asked for their views of an individual teacher during ‘learning walks’ or ‘drop ins’.
6. No written records will be made of learning walks and it will not be used to inform the performance management process.
7. There shall be no evaluation of an individual teacher during a ‘drop in’ or ‘learning walk’
8. Any concerns about the implementation of this protocol should be raised initially with management either by the individual teacher concerned or with the support of the trade union representative.

TRANSITION TO CAPABILITY

If the appraiser is not satisfied with progress, the teacher will be notified in writing that the appraisal system will no longer apply and that their performance will be managed under the capability procedure, and will be invited to a formal capability meeting.