Performance Management Policy

ST NICHOLAS SCHOOL CANTERBURY

ST. NICHOLAS SCHOOL:

Performance Management Policy and Capability Procedure

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1. Introduction – Purpose of the Policy

The St Nicholas School Governing Body is committed to continually improve the quality of teaching and learning for all our pupils and believe that performance management will assist the staff to achieve this aim through clarity of role and expectations, setting appropriate objectives, encouragement, development and feedback.

Best practice performance management will enable a professional discussion to take place regarding workload and priorities and will give the school staff the appropriate focus, development and support. It will also provide all school staff with an opportunity to discuss in confidence any matters regarding their employment at work that may inhibit their performance.

This policy sets out the principles and framework for a clear and consistent assessment of the overall performance of all staff and for supporting their development needs within the context of the School Development Plan (SDP), the school's Self-Evaluation (SEF) and the professional demands and needs of all staff.

2. Principles

The Governing Body will implement the schools performance management arrangements on the following principles:

- **Equality of Opportunity:** All staff shall be encouraged and supported to achieve their potential through clarity of expectations and job role, regular feedback, performance review and provision of relevant development.
- **Consistency of Treatment and Fairness:** The Governing Body will take action to ensure the performance management process is fair, non-discriminatory and that staff are treated consistently.
- **High Standards:** By the Governing Body setting appropriate and challenging standards of performance and providing suitable feedback and development, all staff have the potential to continually improve their performance
- **Work – life balance:** All staff are entitled to a satisfactory work – life balance and performance management is an appropriate mechanism to facilitate this.
- **Pay and Rewards:** Within budgetary constraints , pay progression for staff shall reflect their overall contribution to the school both as individuals and as team members.

3. Application of the Policy

This policy applies to all staff employed in this school with the exception of teachers undergoing their formal year of induction, or on contract of less than one term. The operation of this policy will be suspended for any staff whose performance merits the application of the schools' formal competency procedure.

Performance management arrangements for temporary and part – time staff, including job-sharers, shall apply on the same basis as for full-time, substantive staff. The same degree of challenge in the process shall apply but the breadth and volume of each element in the process shall be proportionate to the period of time worked.

The intention is that all staff, whether full or part time, temporary or substantive will have equivalent access to development, support and feedback.

4. Policy Framework

4.1 General

Performance management is a shared responsibility. The Governing Body has the strategic responsibility for establishing this policy and providing the Headteacher with the support to ensure it is fully implemented and ensuring the Headteacher receives appropriate performance appraisal in order to set the right framework and culture for all staff in the school.

The Headteacher will ensure that this policy, associated regulations and guidance are communicated effectively and that staff with performance management responsibilities have access to appropriate training and preparation.

Performance management for teachers at St Nicholas School is an annual cycle. The Headteacher will ensure that performance reviews for all teachers will be completed by 31st October and the Headteacher's performance review will be completed no later than 31st December in any one cycle.

The performance reviews for all support staff will be completed annually in line with the academic year and ending on 31st March in each year in order to align with the financial year and the award of TCP.

Staff joining the school part way through a mid cycle will have their review cycle adjusted and then brought into line with the normal school cycle as soon as possible.

The Headteacher shall determine if the performance management cycle should start again for a member of staff who transfers to a new post within the school part-way through the school year.

The Headteacher is to ensure that all staff must have an up to date job description and this will form the basis for discussion at the planning and review meeting. Staff shall have access to the School Development Plan, SEF and other relevant planning documents in good time for their review meeting.

Where serious weaknesses are identified in a reviewee's performance, then this procedure shall cease and the issues will be managed within the school's capability procedure. The performance management process will be re-commenced when the reviewee's performance has reached a satisfactory level.

4.2 Appointing Reviewers

The Governing Body will establish a committee of 3 governors to review the performance of the Headteacher. The committee will be supported by a suitably experienced and qualified External Advisor who has been appointed by the Governing Body for that purpose.

The Headteacher will be the reviewer for those staff he/she directly line manages and will delegate the role of reviewer, in its entirety, to the relevant line managers for some or all other staff. All reviewees will be informed of their reviewer at the beginning of the cycle. All reviewers will be responsible for conducting the annual review in its entirety in accordance with this policy and any statutory regulations or contractual requirements, taking due account of any guidance issued.

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

The Headteacher will need to determine if it is appropriate for there to be a change of reviewer when a member of staff changes post within the school.

Where a reviewee is concerned regarding the suitability, for professional reasons of their allocated reviewer then the reviewee may submit a written request to the Headteacher for that reviewer to be replaced. The request must state the reasons. Where the Headteacher is the reviewee he/she shall write to the Chair of the Governing Body to request that a governor be replaced.

Where it becomes apparent that the reviewer will be absent for the majority of the cycle or is unsuitable for professional reasons, then the Headteacher may either perform the duties him/herself, or delegate them in their entirety to another suitable reviewer. In this event the reviewer must have an equivalent or higher status in the staffing structure than the reviewee's line manager.

A performance management cycle will not begin again because the reviewer has been changed.

The Headteacher will ensure all reviewers receive appropriate training and preparation for their role.

4.3 The Planning and Review Meeting

It is the responsibility of the reviewer to arrange the planning and review meeting with their reviewee at the beginning of the review cycle, normally with at least five working days advance notice. The reviewer must prepare for the meeting and ensure all relevant information and evidence that will be used during the meeting has been shared with the reviewee at the earliest possible opportunity.

The planning and review meeting shall provide a two way discussion to:

- Assess performance during the previous year against the expectations of the post, including the reviewee's performance objectives making any necessary recommendation for pay progression.
- Agree expectations for the year ahead by reviewing job description and appropriate performance objectives
- Confirm timescales for achievement of the objectives and for provision of support, including development
- Ensure the reviewee understands the performance criteria, including relevant pay progression criteria and any evidence to be taken into account in assessing performance
- Discuss and agree appropriate monitoring arrangements and other support for the reviewee, including classroom observations, if appropriate to the reviewee's role
- Agree any areas of relevant training and development and related actions
- Allow the reviewee to raise any issues or concerns regarding their workload or work - life balance

It is the reviewee's responsibility to play an active role in their review. This includes preparing for the meeting, using Bluesky by:

- reflecting on their performance over the past year
- considering how they have made a wider contribution to the school, and
- identifying some of their future development needs

4.4 Reviewing Performance

Under the appraisal arrangements that take effect from 1 September 2013, the performance of all teachers, regardless of their career stage, will be assessed against the Teachers' Standards. The standards define the minimum level of practice expected of trainees and teachers from the point of being awarded QTS.

The standards against which performance must be assessed in respect of a teacher are the set of standards articulated in the Teachers' Standards document and any other set of standards relating to teachers' performance published by the Secretary of State - as the Headteacher determines as being applicable.

In order to meet the Teachers' Standards, a teacher will need to demonstrate that their practice is consistent with the definitions set out in Part 1 (Teaching) and Part 2 (Personal & Professional Conduct).

It is the reviewer's responsibility to ensure that the relevant documentation is available to enable the reviewee to prepare and play an active role in the planning and review meeting and to ensure a full and fair review of the reviewee's performance and contribution.

This will include some or all of the following:

- The reviewee's job description
- Objectives set for the reviewee at the beginning of the previous cycle, including timescales
- Support for the reviewee, including training/development provided and evidence of how practice has changed or is planned to change as a result
- Performance criteria
- National standards of practice
- Ways to Success (Support Staff on Kent Scheme contracts only)
- Notes from mid – year reviews
- Classroom observation, where appropriate
- Other evidence obtained through the year

The consideration of any other evidence in the review meeting must have been confirmed at the previous planning and review meeting and then shared with the reviewee as it is collected through the year. Only persons who have a direct professional knowledge of the reviewee may provide such evidence.

Judgements relating to performance should be supported by evidence, agreed at the beginning of the performance cycle. Evidence should show and demonstrate a contribution towards:

- an increasing positive impact in pupil progress;
- an increasing impact on wider outcomes for pupils;
- improvement in specific elements of practice, e.g. lesson planning;
- an increasing contribution to the work at the school;
- an increasing impact on the effectiveness of staff.

The evidence gathered by a member of staff will largely be determined by the nature and scope of the agreed objectives and / or the Teachers' Standards. Examples of evidence may include:

- classroom observations
- task observations
- reviews of assessment results
- reviews of lesson planning records

- internal tracking
- moderation within and across schools
- pupils' Voice
- parents' Voice
- headteachers' walkabouts
- evidence supporting progress against Teachers' Standards

Any classroom or task observations will be carried out in accordance with the schools 'classroom and task observation protocol'. Classroom observation will be carried out by qualified teachers. At least 5 working day's notice of the date and time of the observation will be given and verbal feedback provided by the end of the next school day in a suitable private environment. Written feedback will be provided within 5 working days. The appraisee has the right to append written comments to the feedback document.

For appraisal purposes, the governing body is committed to ensuring that classroom and task 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; and
- respect the confidentiality of the information gained.

The arrangements for classroom / task observation will be stated in the appraisal planning statement and will Include the amount of observation, specify its primary purpose, any particular aspects of the employee's performance which will be assessed, the duration of the observation, when, during the appraisal cycle, the observation is likely to take place and who is likely to conduct the observation.

Where evidence emerges about the appraisee's performance, which gives rise to concern during the cycle, additional observations may be arranged during the cycle.

The basis for the review will be '*overall performance*' and the criteria to be used must have been specified by the reviewer at the previous planning and review meeting.

When assessing overall performance reviewers shall consider how challenging the objectives have been. Good progress towards the achievement of a challenging objective, even if the performance criteria have not been met in full, will be assessed favourably.

Reviewees will not be held accountable if objectives have not been fully met for reasons outside the reviewee's control.

If a reviewee is absent for a significant part of the cycle the reviewer shall consider what was reasonable to achieve during the time when the reviewee was present

If the reviewee is eligible for pay progression then the reviewer will be required to make a recommendation on the basis of the assessment of performance throughout the cycle against the performance criteria specified in the statement. The criteria used must be consistent with any national or KCC determined requirements and this will be clearly stated in the school's pay policy. The pay recommendation is then reviewed by the Headteacher.

If a lesson is judged by the observer to be 'Requiring Improvement', this will trigger both informal support by the Key Stage Manager and / or Assistant Headteacher of the teacher concerned and a follow-up observation within 28 days. If a lesson is judged to be 'Inadequate' this will trigger both immediate formal support by the Key Stage Manager and Assistant Headteacher of the teacher concerned and a follow-up observation within 7 days. If it is felt that a higher degree of formal support is required following the additional observations a 'Support Programme' may be considered.

4.5 Objectives

All reviewees must have performance management objectives that are relevant to their role, that take full account of the reviewee's experience and career/professional aspirations and are suitable for any related pay progression criteria. The number and nature of objectives must be reasonable and assist the reviewee to achieve a satisfactory work – life balance.

All objectives must have a clear and direct link with the SDP.

All objectives must have clear, achievable timescales for completion. Where the timescale for an objective goes beyond the scope of one cycle and into another cycle it must be made clear to the reviewee what is expected to be achieved by the end of the first cycle.

Reviewees shall be encouraged to set challenging but achievable objectives. Meeting or nearly meeting challenging objectives is a good way to show the level of performance required for pay progression and will also assist career development.

As far as possible the objectives shall be reached by agreement. However where agreement is not possible then the reviewer will set the objectives.

The Bluesky Performance management software will be used for recording and monitoring objectives.

4.6 Training and Development

Performance management is a developmental process and a key part of the planning discussion shall be about the support that the reviewee will need in order to meet identified objectives and performance criteria.

This school is committed to ensuring that all staff have access to a level of development appropriate to their role, stage of career development, performance objectives and criteria and individual aspirations.

Development and training identified from the performance management process must be recorded using the appropriate form , which must then be passed to the Training and Development Coordinator for the school to inform the school's programme for training and development.

Development and support may take a number of forms and a wide range of activities which may not necessarily involve a formal course.

4.7 Monitoring

The reviewer will ensure that appropriate arrangements are in place to support the reviewee with regular monitoring and feedback. There shall be at least one formal review meeting to discuss

performance, provide feedback and discuss the provision of training and development that was agreed at the start of the cycle.

The Headteacher shall audit mid-year reviews with reviewers to ensure consistency of performance assessments

There shall be further, informal follow-up and support for reviewees.

Classroom observation is a critical part of the monitoring arrangements for all staff with a teaching and learning role. Classroom observation will be undertaken in accordance with the performance management regulations and the school protocol.

4.8 Recording Plans

Within five working days of the meeting the reviewer will complete a draft statement and provide the reviewee with a copy. The reviewee may request changes if he/she feels the statement does not convey a fair summary of the meeting and/or may add comments. The reviewer will prepare and sign a final statement within ten working days of the meeting. The reviewer will then pass a copy of the statement to the reviewee and pass the original to the Headteacher.

A reviewee may use the grievance procedure if the reviewer has not complied with the required timescales in this section.

4.9 **Pay progression linked to performance**

The governing body must consider annually whether or not to increase the salary of teachers who have completed a year of employment since the previous annual pay determination and, if so, to what salary within the relevant pay ranges.

All pay recommendations should be clearly attributable to the performance of an employee.

The Governing Body have set out clearly how pay progression will be determined in the school's Pay Policy.

5. Moderation of Plans

The Headteacher has a duty to ensure that these procedures are applied fairly and consistently across the school and with regard to equality of opportunity.

As part of this duty the Headteacher shall review and moderate planning and review statements to ensure consistency between those who have similar experience and similar levels of responsibility and ensure that the statements comply with this policy, the regulations and the requirements of equality legislation.

This may involve only a sample of statements but in any event the process must be completed within 10 working days of the review meeting.

Moderation will consider the extent that the statements contribute towards the school plan and in particular pupil progress and achievement.

If there are concerns that a statement is not consistent with reviewees with similar experience and/or similar levels of responsibility; or that the statement is not in line with the school's policy or SDP, then the Headteacher may instruct a new statement to be prepared. In this event, the reviewer and reviewee must prepare a revised statement within 10 working days of being instructed.

All moderation must be conducted in a way to maintain confidentiality.

6. Changes to Plans in Mid Cycle

There may be occasions when it is necessary to amend or change the content of the planning and review statement because of changes in the reviewee's circumstances. In this event either party can request a revision meeting to discuss the changes needed. The reviewee and reviewer shall sign to say that the changes are an accurate reflection of what was agreed or determined by the reviewer.

If there is no agreement to the proposed changes then the reviewer shall amend the statement with any changes he/she thinks ought to be made and pass the revised statement to the reviewee who may add his/her comments.

7. Staff, especially teachers, experiencing difficulties

7.1 Support Programme

When a member of staff is experiencing difficulties, support and guidance will be provided through the appraisal process. Where it is clear that a member of staff's personal circumstances are leading to difficulties at work, appropriate support should be offered at the earliest opportunity.

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 referred to the occupational health service who will assess the member of staff's health and fitness for continued employment and whether continuing with monitoring or formal procedures is deemed to be appropriate.

If the appraiser identifies through the appraisal process or through other sources of information, parental complaints for example, that the difficulties experienced by a teacher are such that, if not rectified could lead to the capability procedure, the appraiser will, as part of the appraisal process, meet the member of staff 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 remind the teacher that they have the right to be accompanied by a work colleague or trade union representative at any future meetings where capability will be discussed;
- agree and establish, in consultation with the teacher, an action plan with support that will help to remedy 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. 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, the teacher should be informed of this at a formal meeting and the appraisal process will continue as normal.

If no, or insufficient improvement has been made, the teacher will be invited to a transition meeting to determine whether formal capability proceedings will be invoked.

7.2 Transition to Capability

Performance concerns should be dealt with through the staff appraisal policy but if progress towards addressing performance concerns is insufficient or the concerns are sufficiently serious, a 'transition meeting' should be held; the expectation is that this meeting will reduce the likelihood of invoking the capability procedure or triggering a prolonged period of sickness absence.

In this event, further support should be granted through the appraisal procedure or, alternatively, the employee will be advised to consider the relative merits of resigning their post before the formal capability procedure is invoked.

7.3 Capability Procedure

This procedure complies with the provisions of the ACAS code of practice.

The capability procedure applies only to teachers and head teachers where there are serious concerns about their performance that are not able to be addressed by the appraisal procedure.

The purpose of a capability meeting is to establish the facts and will usually be chaired by either the chair of governors or the head teacher. The subject of the capability meeting will be able to respond to concerns about their performance and to present any relevant evidence.

7.4 Formal Capability Meeting

At least 5 working days' notice will be given of the formal capability meeting. The notification will contain sufficient information about performance concerns and the possible consequences to enable the teacher to prepare to present their case at the meeting. The notification of a capability meeting will be accompanied by copies of written evidence, details of the date and time of the meeting and will confirm the teacher's entitlement to be accompanied by a companion who may be a work colleague or a trade union representative.

The chair of the capability meeting will aim to a) identify the teacher's professional shortcomings; b) give clear guidance on the improved standard of performance needed; c) explain any support that will be available to help the teacher improve to a point where they can be removed from the capability procedure; d) set out the timetable for improvement and explain how performance will be monitored and reviewed; and e) warn the teacher formally that failure to improve within the set period could lead to dismissal (in very serious cases, the warning could be a final written warning). Notes will be taken of the formal meeting and a copy sent to the member of staff.

7.5 Monitoring and Review Period following a Capability Meeting

A performance monitoring and review period will follow the formal capability meeting.

7.6 Formal Review Meeting

Following the conclusion of a monitoring and review period, the member of staff will be invited to a formal review meeting. At the formal review meeting, if the person conducting the meeting is satisfied that the teacher has made sufficient improvement, the capability procedure will end and the appraisal process will re-start. 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.

7.7 Decision Meeting

At the decision meeting, if an acceptable standard of performance has been achieved during the 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 (consulting the Local Authority in those schools where the Local Authority is the teacher's employer).

7.8 Dismissal

Once the decision to dismiss has been taken, the governing body will dismiss the teacher with notice or once the governing body has decided that the teacher should no longer work at the school, it will notify the local authority of its decision and the reasons for it. The local authority must dismiss the teacher within 14 days of the date of the notification.

7.9 Appeal

If a teacher feels that the decision to dismiss them is wrong or unjust, they may appeal in writing against the decision, setting out the grounds of the appeal. The teacher will be informed in writing of the results of the appeal hearing without unreasonable delay.

8. Confidentiality

The whole performance management process and, in particular, the statements generated from it must be treated with full confidentiality at all times. Full copies of the review statement will be held by the reviewee and the Headteacher. For the Headteacher's review the statement will be held by the Chair of Governors, the Chair of the Pay and Personnel Working group and the Headteacher.

Only the reviewee's line manager(s) may have access to the reviewee's planning and review statement where this is necessary to enable the line manager to discharge his/her management responsibilities.

Governors who are responsible for making pay decisions are entitled to have access to relevant information from the assessment of overall performance for each reviewee.

Reviewees must be informed who has been granted access to their statement and for what purpose. All statements must be retained in a secure place on the school premises for a minimum of six years from the date the performance management cycle ends.

9. Right of Appeal

Governing bodies are required by law to establish procedures for dealing with any grievance that staff may have at work and a reviewee can use this procedure to appeal against any entry on their planning and review statement, including any changes made to the statement during the cycle.

Any appeal shall be deferred until after the moderation process is complete, however simple disagreements shall be capable of being resolved by discussion between the reviewee and reviewer without recourse to the formal grievance procedure.

Any person hearing an appeal shall have access to the planning and review statement.

10. Communication of this Policy

The Headteacher is to ensure that all staff shall have access to a copy of it as needed. All new staff joining the school will be briefed on the policy as part of their induction into the school.

11. Monitoring and Evaluation

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

Annually, the Headteacher shall provide the Governing Body with a written report on the operation of this policy. The report will ensure that individuals cannot be identified and will include:

- The operation of this policy
- The effectiveness of performance management procedures
- Reference to any individual or collective appeals/representations
- Reviewees' training and development needs and instances when it was not possible to provide agreed support

12. Review of Policy

Following agreement at a Full Governing Body Meeting, this policy will become immediately effective. The Governing Body will formally review this policy annually. The review will take full account of the Headteacher's annual report.

The policy may be revised at other times if necessary to take account of any statutory regulation or associated guidance or changes in policy by Kent County Council's policy.

13. Equality, safeguarding and equal opportunities statement

St. Nicholas School, in all policies and procedures, will promote equality of opportunity for students and staff from all social, cultural and economic backgrounds and ensure freedom from discrimination on the basis of membership of any group, including gender, sexual orientation, family circumstances, ethnic or national origin, disability (physical or mental), religious or political beliefs.

St. Nicholas aims to:

- Provide equal opportunity for all
- To foster good relations, and create effective partnerships with all sections of the community
- To take no action which discriminates unlawfully in service delivery, commissioning and employment
- To provide an environment free from fear and discrimination, where diversity, respect and dignity are valued

All aspects of safeguarding will be embedded into the life of the school and be adhered to and be the responsibility of all staff.

14. Links to other policies

Code of Conduct Pay Finance Policy Safeguarding Health and Safety

Daniel Lewis Reviewed January 2018

ST NICHOLAS SCHOOL CANTERBURY