



Lambley Primary School

Nottinghamshire School Appraisal Policy For Teachers

September 2018

HR Advice, Support and Training Service

SCHOOL APPRAISAL POLICY – Table of Contents

Heading	Page
Introduction	2
Purpose	4
Equalities and Equal Opportunities	4
Application of the Policy	4
The Appraisal Period	5
Impact of Absence During the Appraisal Cycle	5
Appointing Appraisers	5
- Appraisal Arrangements for the headteacher	6
- Appraisal Arrangements for all other teachers	6
Quality Assurance of Appraisal Statements	6
Setting Objectives	6
The Objectives	7
Reviewing Performance	8
- Reviewing Progress	8
- Monitoring and Evaluation	8
Appeals	9
Confidentiality and Retention of Records	9
Development and Support	9
Feedback	9
Annual Assessment	10
Monitoring and Evaluation of the Policy	10
Review of the Policy	11
Access to Documentation	11
Transition to Capability	11
References	12
Appendix 1 – Appeals Procedure	13

Introduction

- 1.1 Appraisal arrangements came into force with effect from 1 September 2012. They are set out in the Education (School Teachers' Appraisal) (England) Regulations 2012 (the Appraisal Regulations).
- 1.2 The policy and guidance document have been produced in collaboration with a working group of head teachers and CPD leaders from primary, special, secondary and academy schools in Nottinghamshire; feedback from school briefing events and the recognised trade unions. Whilst it is a matter for individual school governing bodies to adopt an appraisal policy which meets their individual school requirements all schools are strongly advised to adopt the Nottinghamshire School Appraisal Policy. The term "school" throughout this document is used to include academy, foundation, trust voluntary aided, voluntary controlled schools and all other forms of school governance arrangements in Nottinghamshire schools.
- 1.3 The Appraisal Regulations 2012 set out the principles that apply to teachers in all maintained schools and unattached teachers employed by a local authority, where they are employed for one term or more. They retain the key elements of the 2006 Performance Management Regulations but allow schools more freedom to design arrangements to suit their own individual circumstances. Regulation 7 requires an annual appraisal of teachers performance against the appropriate standards and that teacher's objectives, an assessment of the teacher's professional development needs and, where relevant, a recommendation on the teacher's pay.
- 1.4 The Appraisal Regulations 2012 provide the minimum national framework within which schools should operate and say nothing, or very little, on many subjects for which the 2006 Regulations made detailed provision. The Nottinghamshire Appraisal Policy has developed the minimum national framework document produced by the DfE and is supported by a guidance document incorporating advice on good practice contained within existing performance management policies and should be read in conjunction with the policy. The policy sets out an evidence based approach and aims to minimize the impact on workload for individual teachers, appraisers and head teachers, using evidence which is proportionate to support robust decisions.
- 1.5 Schools and local authorities must stay within the legal framework set out in the Appraisal Regulations and in other relevant legislation that affects all employers (for example legislation on equality, employment protection and data protection).
- 1.6 Schools and local authorities must have an appraisal policy for teachers and a capability policy covering all staff. This appraisal policy applies only to teachers, including headteachers, as there is no national regulation covering support staff in schools. However, the governing body recognises that effective appraisal processes and professional development are key to supporting the career progression for all staff. Therefore, the school will seek to include all support staff in an appraisal process which complements the statutory scheme for teachers but which is relevant to their role and does not link performance to pay progression. Any such process must involve full consultation with staff and the trade unions representing support staff in schools. It is expected that schools will inform and consult with staff about their appraisal and capability policies.

- 1.7 The Ofsted School Inspection Handbook revised 2016, stresses the importance of a rigorous appraisal policy linking performance to pay progression decisions. The governing body understand the importance of this and that the appraisal process will be considered as part of the judgement on the leadership and management of the school. The procedures in place will therefore clearly demonstrate the effectiveness of the appraisal arrangements, including the most recent outcomes and the relationship to performance pay progression which is defined in paragraph 1.4 of the School Pay Policy.
- 1.8 The application of this policy should be considered alongside the School Pay Policy and in particular the Performance Related Pay (PRP) criteria – Toolkit Appendix 3 and 3a of the Pay Policy.
- 1.9 The school has a separate Disciplinary (Capability) Procedure – The Performance of School staff May 2013. This procedure applies to all teachers and support staff about whose performance there are serious concerns that the appraisal process, designed to be developmental and supportive, has been unable to address.
- 1.10 The following paragraphs within the appraisal policy are statutory requirements contained in the Appraisal Regulations or the School Staffing Regulations and must be included in the school policy. For clarity, the statutory paragraphs are headed:
- The Appraisal Period;
 - Appointing Appraisers;
 - Setting Objectives; and
 - Annual Assessment.
- 1.11 The appraisal policy is recommended for adoption by all community, voluntary aided, voluntary controlled, academy, foundation and trust schools and has been agreed by the following Nottinghamshire recognised trade unions; NASUWT; ATL; ASCL, and NAHT. Agreement not been reached with the NUT.
- 1.12 Due to the complexities of this area of employment and education law, governing bodies are strongly advised to adopt the attached policy without amendment. Should, exceptionally, a governing body seek to amend the recommended policy, they will need to consult/negotiate any changes collectively with all the secretaries of the recognised trade unions and confirm any amendments to the local authority. Governing Bodies are strongly recommended to seek advice from the HR service in these circumstances.
- 1.13 It is recognised that some academy, foundation or aided schools may choose to adopt the procedures recommended by their Diocesan Authority or their own HR provider.

School Appraisal Policy

The Governing Body of **Lambley Primary School** adopted this policy on **2.10.8**
It will be reviewed in **Autumn 2019**.

Purpose

- 2.1 This policy sets out the framework for a clear and consistent assessment of:
- The overall performance of teachers, including the headteacher, and
 - For supporting the development of teachers within the context of the school's plan for improving educational provision and performance, and the standards expected of all teachers.
- 2.2 The appraisal policy will also be used to address any concerns about a teacher's performance at the earliest possible opportunity. If concerns are such that they cannot be resolved through appraisal, consideration will be given to the commencement of the capability procedure. This policy therefore sets out the arrangements within the appraisal process that will apply when teachers fall below the levels of competence that are expected of them.
- 2.3 Where the headteacher and other teachers are eligible for pay progression, the assessment of performance throughout the cycle, against the objectives, the performance criteria specified in the appraisal statement and the criteria set out in paragraph 9.4 (a) to (c) and 9.10 (a) to (e) of the School Pay Policy, will be the basis on which the recommendation is made by the reviewer.

Equalities and Equal Opportunities

- 3.1 The governing body recognises its legal responsibilities to staff under the Equality Act 2010 and this policy will ensure equality and fairness regardless of race, sex (gender), sexual orientation, religion or belief, gender re-assignment, pregnancy and maternity, marriage and civil partnership, disability, age or trade union membership. All appraisal decisions will be taken in accordance with relevant equalities legislation, the Employment Relations Act 1999, the Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000 and the Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002. In doing so the **Essential Governance Committee** of the governing body will ensure that appraisal processes and decisions, linked to pay are open, transparent and fair.
- 3.2 In meeting its equalities obligations the school will pay particular attention in quality assuring appraisal statements, setting objectives and the links with pay and pay progression.

Application of the Policy

- 4.1 This policy, covers appraisal, and applies to the headteacher and to all teachers employed by the school or local authority, except those on contracts of less than one term, those undergoing induction (*ie NQTs*) and those for whom the appraisal process has been suspended as they are subject to the schools Disciplinary (Capability) Procedure. The capability procedure applies only to teachers (including the headteacher) and support staff about whose performance there are serious concerns that the appraisal process has been unable to address.

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

The Appraisal Period

- 5.1 The appraisal period will run for twelve months **from September 2018 to 31st August 2019**.
- 5.2 Teachers who are employed on a fixed term contract of less than one year but of one term or more will have their performance managed in accordance with the principles underpinning this policy. The length of the appraisal period will be determined by the duration of their contract.
- 5.3 There is flexibility to have a longer or shorter appraisal period when teachers begin or end employment with a school. Where a teacher ceases employment other than at the end of the appraisal period, the appraisal period ends on the last day of employment. Where a teacher starts their employment at the school part way through an appraisal cycle, the headteacher or, in the case where the employee is the headteacher, the 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 all other teachers as soon as possible.
- 5.4 Where a teacher transfers to a new post within the school part way through a cycle, the headteacher or, in the case where the employee is the headteacher, the governing body shall determine whether the cycle should begin again and whether the appraiser should change.

Impact of Absence During the Appraisal Cycle

- 6.1 Where employees have been absent for long periods e.g. due to maternity leave or disability related sickness absence, appropriate consideration and reasonable adjustments will be made towards the meeting of criteria for pay progression. The governing body will take into account the particular circumstances of the case and the exact adjustments will be made on a case-by-case basis. Where other sickness absence occurs during the appraisal cycle the head teacher / governing body will assess the extent to which the teacher has demonstrated that the criteria for pay progression have been met at the annual appraisal review.

Appointing Appraisers

- 7.1 The governing body will ensure that all appraisers, other than those appraising the headteacher are qualified teachers and that a teacher's appraiser will normally be their line manager where the headteacher delegates this responsibility. The governing body will ensure that all appraisers, including members of the governing body, are suitably trained.

Appraisal Arrangements for the Headteacher

- 7.2 The headteacher will be appraised by the governing body, supported by **(Simon Thompson)** - a suitably impartial, skilled, informed and experienced external adviser) who has been appointed by the governing body for that purpose.

7.3 In this school, the task of appraising the headteacher, including the setting of objectives, will be delegated to a sub-group consisting of two members of the governing body.

Appraisal Arrangements for all Other Teachers

7.4 The headteacher will decide who will appraise other teachers.

Quality Assurance of Appraisal Statements

8.1 The governing body is committed to ensuring consistency of treatment and fairness in the operation of the Appraisal Policy for all staff. The school operates a system of moderation to ensure that all appraisers are working to the same standards. Objectives will be moderated across the school to ensure that they are consistent between teachers with similar experience and levels of responsibility. The following provisions have therefore been put in place in relation to moderation, quality assurance and objective setting in the appraisal process:

8.2 Headteacher Appraisal - the Governing Body will nominate up to 3 governors – (state the number and exclude staff governors) who will not be involved in the head teacher's appraisal or any appeal regarding the head teacher's appraisal to ensure that the appraisal statement:

- Is consistent with the school's improvement priorities and complies with the School's Appraisal Policy and the Appraisal Regulations; and
- Assesses the head teacher's performance of their role and responsibilities against the relevant head teacher standards.

8.3 Other Teacher Appraisal - Where appraisal is delegated to line managers for some or all teachers the head teacher will appraise those teachers they directly line manage and will delegate the role of appraiser, in its entirety, including recommendations on pay progression, to the relevant line managers for some or all other teachers. Line managers will appraise all of those teachers they line manage.

The Headteacher will moderate all the appraisal planning statements to check that the plans recorded in the statements:

- Are consistent in the degree of challenge between those who have similar experience and responsibility;
- Comply with the School's Appraisal Policy, the Appraisal Regulations and relevant equality legislation;
- Assess the teacher's performance of their role and responsibilities against the relevant Teacher Standards and the PRP criteria as set out in Toolkit Appendix 3 and 3a of the Pay Policy;
- Ensure that the objectives set for each teacher, will, if achieved, contribute to the school's plans for improving its educational provision and performance and improving the education of pupils at that school; and
- Set out the level of performance required to achieve pay progression and ensure that objectives are more challenging of teachers and schools leaders as they gain experience and who are paid on higher pay ranges.

Setting Objectives

- 9.1 The headteacher's objectives will be set by the governing body after consultation with the external adviser and the headteacher.
- 9.2 Objectives for each teacher will be set before, or as soon as practicable after, the start of each appraisal period. The objectives set for each teacher, will be (SMART) Specific, Measurable, Achievable, Realistic and Time-bound and will be appropriate to the role of the headteacher / teacher and level of experience. The performance related pay (PRP) progression impact criteria as set out in the Toolkit Appendix 3 and 3a of the School Pay Policy should be used as an additional framework for the setting of appraisal objectives so that teachers and leaders are clear about the level of performance required for pay progression to be considered. The objectives will clearly set out the level of performance required so that the teacher understands what needs to be achieved in order to be considered for pay progression at the end of the appraisal cycle. The School Pay Policy Appendix 3a, paragraph 4(a) – (b) sets out the governing body's decision in relation to performance pay progression for 2017 – 18. **(Schools need to review this policy in combination with the School Pay Policy)**
- 9.3 The objectives will be more challenging and have higher expectations of teachers and school leaders as they gain experience and progress through the relevant pay scales. The objectives will have regard to what can reasonably be expected of the teacher in the context of their role, responsibilities and experience consistent with the principle of achieving a satisfactory work/life balance. The appraiser and appraisee will seek to agree the objectives but, if that is not possible, the final decision on the allocation of objectives rests with the headteacher. Objectives may be revised if circumstances change, such that the objectives set are no longer a priority for the individual's professional development.
- 9.4 The objectives set for each teacher will, if achieved, contribute to:
- improving the education of pupils at the school; and
 - the implementation of any plan of the governing body designed to improve the school's educational provision and performance.

This will be ensured by quality assuring all objectives against the school improvement plan, the individual teacher's assessment against the relevant Teachers' Standards¹, the National Standards of Excellence for Head Teachers and class targets taking into account the age, capability and prior attainment of pupils in each teacher's class(es) and national expectations of pupil progress). The agreed objectives set will contain a description of what success may look like and identify the support/professional development required.

- 9.5 Before, or as soon as practicable after, the start of each appraisal period, each teacher will be informed of the standards against which his / her performance in that appraisal period will be assessed. All teachers, including the head teacher, will be assessed against the 'Teachers' Standards' September 2012. For head teachers and

• ¹ Please note in paragraph 9.4 above, in September 2013, the DfE issued a set of [Teachers' Standards \(Early Years\) September 2013](#). These standards apply only to teachers who work in Early Years settings working with 2 years olds. Teachers working in FS1 or FS2 should be working to the Teachers' Standards 2012.

other senior leaders the governing body will also set objectives taking into account the National Standards of Excellence for Head Teachers.

- 9.6 For teachers who are qualified teachers by virtue of holding QTS status, it is for the governing body or headteacher to decide which of the teacher standards are most appropriate. Such teachers may be assessed against the Teachers' Standards, any other relevant standards issued by the Secretary of State, or any other professional standards relevant to their performance or any combination of those three.

The Objectives

- 10.1 In this school:

All teachers including the headteacher will normally have a maximum of no more than **3** objectives, but by agreement this may be varied.

- 10.2 Teachers, including the headteacher, will not necessarily have the same number of objectives and, where teachers work part time, objectives should be set taking into account their hours of work and their part time status. Where members of staff have returned to work following a period of extended absence, objectives and timescales may need to be adjusted as part of the reintegration to work and account may need to be taken when setting objectives for teachers who have a disability. All teachers in school should have equal access to the support required in the areas identified for development. For further guidance in relation to absence and the impact on PRP progression decisions see the Pay Policy and Guidance.

- 10.3 All teachers, including the headteacher, will have a whole school / team objective.

- 10.4 All teachers, including the headteacher, will have an objective related to the Teachers' Standards and National Standards of Excellence for Head Teachers as appropriate. Where they are required to satisfy relevant criteria associated with pay progression they should be used in the formulation of appraisal objectives.

- 10.5 All teachers including the headteacher will have a pupil progress objective.

- 10.6 With regard to the head teacher and other relevant senior leaders, appraisal should be used as an opportunity to ensure that robust child protection procedures and safer working practices are securely in place.

- 10.7 All teachers are responsible for providing evidence to support their meeting of objectives.

Reviewing Performance

Reviewing Progress

- 11.1 Progress will be reviewed during and at the end of the appraisal cycle. Assessment of performance against all objectives will be based on the success criteria set at the beginning of the cycle or in line with any in-year adjustments to objectives which take place as part of an interim review.

Evidence, Monitoring and Evaluation

- 11.2 This school believes that monitoring and evaluation of classroom practice and other responsibilities is important both as a way of assessing teachers' performance in

order to identify any particular strengths and areas for development they may have and of gaining useful information which can inform school improvement more generally. All monitoring and evaluation will be carried out to support the individual to achieve the agreed objectives and achieve pay progression or address any performance concerns at the earliest opportunity, which will be delivered in a supportive fashion. Monitoring and evaluation will be conducted in line with the school's agreed Monitoring and Evaluation, Quality Assurance Policy and where it is separate, the Classroom Observation Policy.

- 11.3 Teachers' performance will be regularly monitored and evaluated but the form and frequency of monitoring and evaluation will depend on the individual circumstances of the teacher and the overall needs of the school. Lesson observation within the context of the appraisal process will be carried out by qualified teachers. In addition to lesson observations, head teachers or other leaders with responsibility for teaching standards may use a range of other appropriate monitoring tools in order to evaluate the standards of teaching and to check that high standards of professional performance are established and maintained. This may include the use of learning walks, pupil pursuits, work scrutiny and progress tracking data, self assessment, peer reviews and the views of pupils and parents. The evidence required and the length and frequency of any monitoring activity will depend on specific circumstances. The school will need to decide the frequency and form of monitoring and evaluation activities per cycle which all teachers will have as part of the appraisal process as a minimum requirement. This should include provision for exceptional circumstances where concerns have been raised about a teacher's performance, or where the teacher requests additional observation visits. The school will ensure that any monitoring and evaluation activity integrates with other management requirements (for example subject reviews) to minimise duplication and additional workload.
- 11.4 Teachers (including the headteacher) who have responsibilities outside the classroom should also expect to have their performance of those responsibilities observed and assessed in line with their objectives.
- 11.5 With regard to appraisal for all staff, including the head teacher, the governing body, the school leadership team and other appraisers should take the appraisal process as an opportunity to create the right culture and environment so that all staff feel comfortable, where it is appropriate, to discuss matters in work and outside of work, which have implications for the safeguarding of children in the workplace. These discussions can also help schools safeguard their employees' welfare and contribute towards their duty of care towards their staff and pupils at the school.

Appeals

- 12.1 At specified points in the appraisal process the headteacher and other teachers have a right of appeal against entries in their appraisal statement relating to pay progression following the completion of the quality assurance process, if applicable. Where a teacher wishes to appeal on the basis of more than one entry on the appraisal statement this would constitute one appeal hearing. See Appendix 1.

Confidentiality and Retention of Records

- 13.1 The appraisal process and the statements generated within it will be treated with the strictest confidentiality at all times. The governing body will ensure that access to appraisal records is restricted to enable the line manager to undertake his / her line management responsibility and that the appropriate arrangements are in place for all

appraisal records to be retained securely and confidentially for a minimum period of 6 years. The governing body recognises that OfSTED will ask the school to provide anonymised information of the outcomes of the most recent appraisal of all teachers. Where the application of the capability process is required, an individual teacher's appraisal information will be made available but restricted to those staff and named governors as required by the procedures.

Development and Support

14.1 The governing body recognises the importance of appraisal and that it is a supportive process which will be used to inform continuing professional development of all teachers. The school wishes to encourage a culture in which all teachers take responsibility for improving their teaching through appropriate professional development. Professional development will be linked to school improvement priorities and to the ongoing professional development needs and priorities of individual teachers. CPD and other professional development activities will be subject to the Standards for teachers' professional development 2016 and the accompanying implementation guidance issued to all schools by the DfE in July 2016.

Feedback

15.1 For the purpose of professional development, the appraisee (headteacher and other teachers) will receive constructive developmental feedback on their performance throughout the appraisal period. This will also include feedback, as soon as practicable, after any monitoring and evaluation activity has taken place or other evidence has come to light. Feedback will highlight particular areas of strength as well as any areas of concern that need attention. Written feedback should normally be provided within 5 working days. Where there are concerns about any aspects of the teacher's performance, the appraiser will meet the headteacher or the teacher formally to:

- Give clear feedback to the appraisee (headteacher / teacher) about the nature and seriousness of the concerns;
- Give the headteacher / teacher the opportunity to comment and discuss the concerns and the specific targets for improvement (with associated success criteria);
- Agree any additional support (eg coaching, mentoring, structured observations); that will be provided to help address those specific concerns;
- Make clear how, and by when, the appraiser will review progress. It may be appropriate to revise objectives, and it will be necessary to allow reasonable time for improvement. The amount of time should reflect the seriousness of the concerns; and
- Explain the implications and process if no – or insufficient – improvement is made including any potential impact on pay progression at the end of the appraisal cycle.

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

Annual Assessment

- 16.1 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.
- 16.2 This assessment is the end point to the annual appraisal process, but performance and development priorities will be reviewed and addressed on a regular basis throughout the appraisal period in interim meetings which will take place normally no more than once a term and where appropriate, as part of an INSET day.
- 16.3 The teacher will receive a written appraisal report as soon as practicable following the end of each appraisal period and have the opportunity to comment in this in writing. The assessment of performance will be made against the agreed objectives and in line with paragraphs 9.4 and 9.10 of the School Pay Policy. In this school, teachers will receive their written appraisal reports by **31st October** and by **31st October** for the headteacher. The appraisal report will include;
- Details of the teacher's objectives for the appraisal period in question;
 - An assessment of the teacher's performance of their role and responsibilities against:
 - a) Their agreed objectives;
 - b) The Teacher Standards and where appropriate, the National Standards of Excellence for Head Teachers; and
 - c) The PRP progression criteria as set out in Toolkit Appendix 3 and 3a of the School Pay Policy.
 - 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 within the Appraisal Regulations 2012, the School Teachers' Pay and Conditions Document (STPCD) and the School Pay Policy. The decision on pay will need to take into account the statutory criteria and guidance as set out in the STPCD. Pay recommendations need to be made by **31st October** for headteachers and by **31st October** for all other teachers so they can be presented at the Autumn Term Full Governors Meeting; and
 - A section for the teacher and appraiser to add their own comments.
- 16.4 The assessment of performance and of training and development needs will inform the planning process for the following appraisal period.

Monitoring and Evaluation of the Policy

- 17.1 The governing body will put in place appropriate arrangements for the appraisal policy to comply with the Equality Act 2010 and to be monitored and evaluated. The headteacher will provide the governing body with a written report on the operation of the school's appraisal policy on an annual basis. The report will not contain information that would enable any individual to be identified and will include the following information:
- An overview of the operation of the appraisal policy based on feedback from all staff;
 - Progress made and an assessment of the effectiveness of the policy (including details of any appeals or representations);
 - An overall summary of all teachers' CPD training and development needs;

- A summary of CPD delivered and impact;
- A review of the quality assurance/ self evaluation process and any changes required; and
- Any equality issues arising from the policy and in particular any issues arising related to equal pay, race, sex, sexual orientation, disability, religion or belief, age, part-time contract or trade union membership.

17.2 The report will be presented to the **Spring Term** governing body meeting

Review of the Policy

18.1 The Governing Body will review the appraisal policy every school year at its **Autumn Term Governing** body meeting. The governing body will take account of the head teacher's report in the review of the appraisal policy. All new teachers appointed to the school will be briefed on the appraisal policy and pay arrangements as part of their induction.

Access to Documentation

19.1 Copies of relevant documents are published on the schools intranet and/or can be obtained from the school office. These may include the school's improvement plan, training plans and the latest self evaluation reports.

Transition to Capability

20.1 There is no automatic transition to the school's Disciplinary (Capability) Procedure. However, where performance concerns emerge, the nature and seriousness of those concerns should be discussed as soon as possible with the teacher. Every effort should be made to resolve performance concerns within the appraisal process through the provision of formal targeted additional support agreed in discussion with the teacher and regular feedback and review. Where concerns are such that the teacher is not performing to an appropriate level, the headteacher or other identified senior leader will be included in these discussions. If the performance concerns are not resolved through a minimum of two cycles of additional formal support and feedback within appraisal, consideration should be given to the application of the capability procedure.

20.2 Where the appraiser considers that there is insufficient evidence of progress against the objectives based on the evidence available at an interim review meeting and from the additional support cycles, the appraisee will be notified in writing that the appraisal process will no longer apply and that their performance will be managed under the capability procedure.

References

21.0 The School staffing (England) (Amendment) Regulations effective from 1 September 2012 require governing bodies of maintained schools to confirm, if asked for a reference by a prospective employer, whether or not a member of the teaching staff has, within the last two years, been the subject of capability procedures. This places a statutory responsibility on the governing body to provide prospective employer with teacher references which comply with this requirement.

Reference documents

Lambley Primary School, Appraisal Policy- September 2018

- School teachers' pay and conditions document 2017
- Teachers' Standards 2012
- Teachers' Standards (Early Years) September 2013
- National standards of excellence for headteachers 2015
- Standards for teachers' professional development and the implementation guidance 2016

Appendix 1 – The Education (School Teachers’ Appraisal) Regulations 2012 - Appeals Procedure

- 1.1 The arrangements for considering appraisal appeals for eligible teachers are as follows:
- Stage One – Informal
 - Stage Two – Formal Hearing
 - Stage Three – Formal Appeal
- 1.2 An eligible teacher may appeal against an entry in their appraisal document at specific points, namely:
- i. Where in exceptional circumstances it has not been possible for the appraiser and appraisee to agree objectives, the appraisee may submit a written statement with the appraisal document and if necessary may submit an appeal to the head teacher (chair of governors for head teacher) who will make a final decision; and
 - ii. If objectives are revised after moderation by the head teacher or governing body; or
 - iii. Against any recommendation relating to pay made by the appraiser at the annual appraisal review meeting at the end of the appraisal cycle. Any appeal against pay progression will be heard in line with the Pay Appeals Procedure set out in the School Pay Policy.
- 1.3 The procedure for resolving matters within 1.2 in the application of the appraisal policy has three distinct stages as set out below. Where a teacher appeals on the basis of more than one entry in the appraisal statement this will constitute one appeal and will be dealt with in one appeal hearing.

Stage One – Informal Stage

- 2.1 The appraiser prepares an appraisal document and provides it to the appraisee within 5 working days of the initial appraisal meeting. If the appraisee objects to an entry in the document relating to the objectives comments may be added to it by the appraisee within the next 5 working days before submission to the head teacher for moderation. Simple disagreements should be capable of being resolved by discussion between the reviewer and the reviewee without recourse to referral to the head teacher. Within 10 working days of receipt of the appraisal document the head teacher may review the document and may require the appraiser to make changes.
- 2.2 If at this stage the head teacher requires the appraiser to make changes, then within 5 working days of this requirement, the appraiser should immediately consult again with the appraisee so that within 5 days a new appraisal document is prepared and copy provided to the appraisee. The appraisee may add any comments and within 5 working days submit this to the head teacher.
- 2.3 The appraisee may formally appeal to the head teacher against the final copy of the appraisal document if the matter cannot be resolved informally.

Review Meeting(s)

- 2.4 Where during the course of an appraisal cycle there is a need for the objectives to be reviewed, this should be arranged as soon as possible and within 10 working days. Where there is no agreement and the appraiser is not the head teacher both parties should seek to informally resolve the matter with the head teacher. Where the appraisee is the head teacher and the review meeting is conducted with individual governors both parties should seek to resolve the matter informally with a governor, nominated for appeals, who has had no prior involvement in the process.

Annual Review Meeting

- 2.5 At the end of the appraisal cycle the assessment at the annual appraisal review meeting forms the basis for recommendation for pay progression for all teachers paid on the MPR, UPR, LPR, UTR and Leadership Pay Range. Within 5 working days of the annual appraisal meeting taking place the appraisee and appraiser should seek to informally resolve any disagreements about the results of the review and / or any recommendations on pay progression.
- 2.6 The appraisee may appeal formally at this point if they remain dissatisfied with the outcome. Where the appeal relates to a recommendation on pay progression this should be dealt with under the Pay Appeals Procedure as set out in the School's Pay Policy.

Stage Two – Formal Hearing

- 3.1 Where in 2.5 above it has not been possible to resolve the matter informally or where the member of staff continues to be dissatisfied he/she is entitled to follow a formal process of appeal and set out, in writing, the reasons for questioning the application of the appraisal policy and / or the pay decision, the remedy sought and the grounds of the appeal. Any formal appeal must be submitted in line with the Pay Appeals Procedure as set out in the School Pay Policy.
- 3.2 Following receipt of the written notification of the formal complaint, the head teacher / chair of governors will convene a Stage Two meeting to discuss the matter with all parties involved on receipt of the formal written appeal notification as set out in the Pay Appeals Procedure as set out in the School Pay Policy.
- 3.3 In accordance with normal school procedures the hearing will provide an opportunity for the individual to make representations in person and they will be entitled to be represented by their Trade Union representative or colleague. Following the hearing the individual will be informed in writing of the decision within three working days and where appropriate given the right of appeal.

Stage Three – Formal Appeal

- 4.1 If the individual considers that the matter has not been resolved, the employee may exercise their right to appeal against the decision at Stage 2.
- 4.2 The appeal must be submitted in writing to the head teacher within 5 working days of the outcome letter as set out in the Pay Appeals Procedure as set out in the School Pay Policy. The written appeal must reaffirm the grounds of the appeal and the remedy(ies) sought.

4.3 In accordance with the Pay Appeals Procedure as set out in the School Pay Policy, the appeal will be heard by a panel of 3 Governors.

JCNP Staffing Regulations Working Party	6 September 2016
Lead HR Business Partner	Andy Wilson
Date policy updated	21 September 2018
Review date	September 2019
Adopted by Lambley Primary School Governing Body on 2nd October, 2018	

Document ends