

INVICTUS

Education Trust

**SENIOR LEADERS/TEACHERS
APPRAISAL POLICY**

Approved by Board of Trustees
30th September 2019

To be reviewed by Board of Trustees
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1. Introduction

Invictus Education Trust is committed to providing a teaching environment that both students and staff can be proud of, and excel in. Through a skilled and ambitious workforce, we aim to provide a world class education for all our students, whatever their ability. The Trust values its employees and acknowledges that all staff play a crucial role in ensuring that we give the absolute best to our students.

In order to do this, the Trust must:

- Ensure that our workforce is treated fairly, professionally and with respect.
- Provide a working environment that is supportive, understanding of employee's welfare and their physical/ mental wellbeing.
- Understands and is considerate of the work/life balance.
- An organisation that encourages its employees to be aspirational and provides opportunities for training/continued professional development and career progression.
- An organisation that acknowledges the benefits of sharing good practice and when/where necessary seeks professional external advice/support/guidance

Having a supportive and effective performance management process in place across the Trust, is one of the ways we can support our staff. Successful management of performance ensures we identify any issues early and if needed apply strategies/intervention to address those issues.

2. Employment Law

Throughout the application of this policy the Trust will comply with the legal framework of relevant employment legislation that affects teachers and includes:

- Equality Act 2010
- Data Protection Act 1998 GDPR May 2018
- Employment Rights Act 1996
- School Teachers Pay and Conditions/Burgundy Book
- Any other relevant employment legislation

3. Scope and Purpose of Policy

This policy should not be used for:

- Incapability due to ill health, in these circumstances this policy should be read in conjunction with the Trust's Sickness Absence Policy
- Misconduct, in these circumstances this policy should be read in conjunction with the Trust's Disciplinary Policy

This policy should also be read in conjunction with the following Trust policies:

- Pay Policy
- Capability Policy
- Recruitment & Selection Policy

The purpose of this policy is to set out the framework for a clear and consistent approach to performance management of Senior Leaders and Teachers and for supporting their development within the Trust's plan for improving its educational provision.

The Trust regards the Department for Education Teachers' Standards as the baseline of expectations for the professional practice and conduct of teachers, from the point of qualification

This policy applies to Executive Headteacher/CEO, Headteachers, Senior Leaders and teachers, except:

- Those employees on contracts of less than one term
- Those employees who are on a probation period/undergoing induction
- Those who are subject to the Trust's Capability Policy.
- This policy does not apply to agency workers as they are not employees of the Trust.

Where an employee is not covered by this policy as set out above, then their performance will be managed through regular supervision and feedback.

4. Appraisal Period

The appraisal period will run for 12 months from 1st November to 31st October setting of objectives and annual review should be completed by the end of the autumn term.

Employees who are employed on a fixed term basis of less than one year but more than one term, will have their performance managed in accordance with the principles underpinning this policy, but the length of the period will be determined by the duration of their contract.

5. Appointing Appraisers

Board of Trustees

The Executive Headteacher/CEO will be appraised by the Board of Trustees. This will be delegated to a sub-group of two/three Trustees. In appraising the performance of the Executive Headteacher/CEO the Trustees will also consult with an appointed external adviser.

Executive Headteacher/CEO

Headteachers will be appraised by the Executive Headteacher/CEO and the Chair of the School's Governing Body. The Executive Headteacher/CEO may also consult with an appointed external adviser.

Headteachers

Senior Leaders in schools will be appraised by the Headteacher

Senior Leadership Team

Teaching staff may be appraised by either the Headteacher or Senior Leader with delegated responsibility.

Prior to the appraisal meeting, teaching staff will be notified of who their appraiser is. If legitimate concerns are raised about the choice of appraiser, these concerns will be carefully considered by the Headteacher, and if valid, an alternative appraiser may be offered.

The Trust will ensure that each appraiser has a manageable number of Staff to appraise.

6. Appraisal Process

6.1 Arranging the appraisal meeting

Appraisal meetings should take place during normal school day when all parties are able to give their best.

6.2 Setting Objectives

Objectives will be set before, or as soon as practicable after, the start of each appraisal period. Employees will be given between 3 to 5 objectives. As part of the cycle of performance management/appraisal. Objectives will be discussed and set at the start of the appraisal period. When setting objectives, the following will be taken into consideration:

- Ofsted Report
- Trust Strategic Plan
- School Improvement Plan
- Faculty/Department Improvement/Action Plan
- Any development targets that have been identified via school Focus Days/External Advice
- Relevant Teacher Standards
- Employee's own personal development and personal aspirations

The objectives must be SMART:

- Specific
- Measureable
- Achievable
- Realistic
- Time-bound

Ideally at least one objective must be linked to the Trust's Strategic Plan/School Improvement Plan, and at least one objective must be linked to the Faculty/Department Improvement/Action Plan. Where possible one of the objectives needs to be bespoke to the employee's own development needs.

The employee and appraiser will seek to agree the objectives, but if that is not possible, the appraiser will determine the objectives. Objectives may be revised if circumstances change during the appraisal period.

When an employee is absent due to long term sickness/maternity etc. this should be considered when setting objectives to ensure they are reasonable and proportionate to the timescale.

The objectives will be fair, reasonable, aspirational, achievable and appropriate to the employee's role and level of experience and are within the control of the employee.

The objectives set for each employee will, if achieved, contribute to the Trusts/Schools plans for improving teaching and learning and educational outcomes for students.

6.3 Support & Development

Once the objectives have been identified, resources and support may need to be identified. Support may include:

- Mentoring/Coaching
- Additional Training
- An allocation of directed time to enable tasks to be carried out
- Support from Invictus Headquarters – Directors of Subject
- Support and guidance from the Trust's Lead on School Standards – Samantha Carroll Grigg

The Trust encourages a culture in which all employees take responsibility for improving their performance within their role and extending their depth of knowledge through appropriate professional development. Agreed training and professional development will be linked to Trust's improvement priorities and where possible, to the ongoing professional development needs and priorities of individuals. We are committed to supporting appropriate and reasonable development which not only assists the employee in their role but also leads to improvements in performance across the Trust.

The Executive Headteacher/Headteachers will ensure in the budget planning that, as far as possible, appropriate resources are made available in the school budget for any training and support agreed for employees.

An account of the training and development needs of teachers in general, including the instances where it did not prove possible to provide any agreed CPD, will form a part of the Headteacher's annual report to the Governing Body about the operation of the appraisal process in the school.

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

- (a) The CPD identified is essential for an Appraisee to meet their objectives; and
- (b) The extent to which the training and support will help the school to achieve its priorities. The school's priorities will have precedence.

Teachers should not be held accountable for failing to make good progress towards meeting their performance criteria where the support recorded in the planning statement has not been provided.

6.4 Annual Assessment/Reviewing Performance

Each employee's performance will be formally assessed in respect of each appraisal period. 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 year in interim meetings which may take place at the mid-point of the cycle (to be completed by the end of April), or if necessary more frequently. Any concerns will be noted and an appropriate support plan will be put in place for the remainder of the cycle. The support plan will set out what improvement is required and what support will be provided.

The employee will receive a written appraisal report as soon as practicable afterwards and have the opportunity to comment on it in writing. The appraisal report will include:

- Details of the employee's objectives for the appraisal period in question
- An assessment of the employee's performance of their role and responsibilities against their objectives and the relevant standards
- An assessment of the employee's professional development needs and identification of any action that should be taken to address them
- A recommendation on pay where relevant.

Monitoring & Evaluation

During the appraisal period, each employee has a responsibility for gathering evidence of their progress throughout the year in order for them to identify any particular strengths or areas for further development at the interim and annual review meetings. The appraiser will then record the discussion on this evidence and make an assessment in the appraisal report.

Use of Data/Evidence

Objectives and performance management discussions will not be based solely on teacher generated data and predictions, or solely on the assessment data for a single group of students. Objectives will be set in relation to robust assessment data, however, these will not be used in isolation and other factors will also be considered when making decisions about pay progression.

Before or as soon as practicable after, the start of each appraisal period each teacher will be informed of the standards against which that teacher's performance in that appraisal period will be assessed.

The range and level of evidence collected for appraisal and pay determination purposed will always be proportionate and minimise workload.

The Trust also recognises that factors outside of a teacher's control may significantly affect success.

Recommendations on Pay Progression

A recommendation on pay, if relevant, will be in accordance with the Trust's Pay Policy, which will include references to sources of evidence that may be used in assessment of pay progression.

Lesson Observation

Properly conducted classroom observation is a significant tool in the continuing professional development of teachers. It is important that these observations are a planned part of the whole performance management strategy and ideally teachers should be given 5 days' notice. Usually only 3 full lessons observations will be undertaken during an appraisal cycle. However, individual circumstances may determine the need for additional observation.

For drop-ins and observations for other reasons, where practical teachers should be notified that a particular group or subject area may be observed at some point during a week, this will help lessen the disruption to the class.

Feedback

Employees will receive constructive feedback on their performance throughout the year and as soon as practicable after observation has taken place or other evidence has come to light. Feedback will highlight particular areas of strength as well as any areas that require further development. Oral feedback should be within 24 hours of the observation taking place.

Where there are concerns about any aspects of the employee's performance the appraiser will meet the employee formally to:

- Give clear feedback to the employee about the nature and seriousness of the concerns
- Give the employee the opportunity to comment and discuss the concerns
- Set clear objectives for required improvement
- Agree any support 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 sufficient time for improvement. The amount of time is up to the school, but it should reflect the seriousness of the concerns)
- Explain the implications and process, if no, or insufficient improvement is made (impact on pay progression and potential move to formal capability)

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.

Responsibilities outside of the classroom will also be observed and assessed where appropriate.

Observation assess performance to identify strengths and areas for development but also provides a way of gaining useful information which can inform improvements in the Trust more generally.

6.5 Sharing Good Practice

Mutually agreed lesson observations between two colleagues is an excellent way of sharing good practice. Also use of a mentoring/coaching provision is particularly valuable for newly qualified teachers or teachers experiencing difficulty.

6.6 Focus Days

For the development of quality assurance, and to support schools effectively, all schools will have days set aside agreed with Headteacher to focus on areas to develop part of SIP. Format for the days will be agreed between CEO and Headteacher. The school improvement partner, strategic lead for standards and peer heads will support the school in developing areas identified.

6.7 Subject Directors

Subject Directors will be deployed as required/necessary to support curriculum areas identified during focus days. Subject Directors play a key role in consolidating curriculum/exams framework across the trust, which ensures the consistency and quality of education to all our students. The Subject Directors are also responsible for moderation.

6.8 School Lead for Standards

The Strategic Lead for Standards has the MAT overview of strengths and areas to develop thereby deploy the necessary support including directing the best use of Directors of Subjects. The School Lead for Standards plays a key role in determining the training needs to be addressed on Inset Days. To ensure continuous CPD and school improvement targets are met.

7.0 Record/Statement of Meeting

The Trust has developed a CPD Module on the VLE for managing and recording appraisal meetings. The record of the meeting should include:

- The appraiser's assessment of performance against previous objectives and the outcome of their consideration
- Other evidence such as Lesson Observation Feedback
- Particulars of any professional development activities undertaken and how this has contributed to meeting relevant objectives.
- Identify any factors that are affecting performance against the objectives
- Outline any concerns or developmental needs and the strategies to be implemented to address this
- Agree objectives for the next cycle and the relevant success criteria
- The timescales that are applicable
- The types of support offered and agreed
- Any other agreed informal performance review meetings during the appraisal cycle
- The appraiser must provide a recommendation on pay progression based on the appraisal

If a school does not use the CPD Module on the Trust's VLE, then it must have in place another method of accurately recording appraisal meetings and ensuring that all documentation is signed by both parties and confidentially stored.

8. Appeals Process

Employees have a right of appeal against any of the entries in the appraisal report, the appeal must be in writing and lodged within 10 days of receiving their appraisal report. Any appeal lodged should be addressed to the Headteacher.

The Executive Headteacher will notify Headteachers if they have not been recommended for pay progression and their right to appeal.

The Headteacher will notify any teacher who has not been recommended for pay progression and their right to appeal.

9. Sickness

If sickness absence appears to have been triggered by the commencement of monitoring within the appraisal process, the case will be dealt with in accordance with the Trust's Sickness Absence Policy. The teacher will be referred immediately to the Occupational Health Service to assess the employee's health and fitness for continued employment and the appropriateness or otherwise of continuing with monitoring or formal procedures. In some cases, following Occupational Health advice, it may be appropriate for monitoring to continue during a period of sickness absence.

10. Employees with Disabilities

In some cases, an individual may be unable to undertake the full duties of their post due to health-related reasons which may be considered to be a disability under the terms of the Equality Act 2010. The Equality Act 2010 defines that a person has a disability if they have a 'physical or mental impairment that has a substantial and long-term adverse effect on their ability to carry out normal day to day activities'.

If an employee declares a disability or if the Headteacher is aware of a disability, the school will ensure that all reasonable adjustments to the job, training and support have been provided before considering formal entry into capability. Any adjustment to the working conditions must be reasonable; Headteacher's are not expected to make unlimited provision for reasonable adjustments.

11. Transition to Capability

Performance management is an ongoing process. If the appraiser is not satisfied with progress, despite support being provided, the employee will be notified in writing that the appraisal process will no longer apply and that their performance will now be managed under the Trust's Capability Policy and will invited to a formal capability meeting. See Invictus Education Trust Capability Policy.

12. Confidentiality

The appraisal process will be treated confidentially. However, the desire for confidentiality does not override the need for the Headteacher and Governing Body to quality-assure the operation and effectiveness of the appraisal system. In this Trust the Executive Headteacher and Headteachers are responsible for reviewing objectives and written appraisal records, in order to check consistency of approach across the Trust.

13. Consistency of Treatment and Fairness

Invictus Education Trust is committed to ensuring consistency of treatment and fairness. It will abide by all relevant equality legislation, including the duty to make reasonable adjustments for disabled employees. The Trust is aware of the guidance on the Equality Act issued by the Department for Education.

14. Ofsted

Under the current Ofsted framework, an Inspection team can ask for a summary of the Appraisal results for staff in a school. However, this will be done anonymously to maintain confidentiality.

15. Retention and Data Protection

The Executive Headteacher/Headteacher will ensure that all written appraisal records are retained in a secure place in line with the Trust's Retention & Erasure Policy. As part of the application of this policy, the Trust may collect, process and store personal data in accordance with our Data Protection Policy. We will comply with the requirements of Data Protection Legislation

- Unless and until the GDPR is no longer directly applicable in the UK, the General Data Protection Regulation ((EU) 2016/679) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then
- Any successor legislation to the GDPR or the Data Protection Act 1998). Records will be kept in accordance with our Privacy Notice, our Retention and Erasure Policy and in line with the requirements of Data Protection Legislation.

16. Review of Policy

This policy is reviewed every two years by Invictus Education Trust Board of Trustees. We will monitor the application and outcomes of this policy to ensure it is working effectively.