

PERFORMANCE MANAGEMENT POLICY (PM) FOR TEACHERS

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SECTION 2 – PERFORMANCE MANAGEMENT POLICY (PM) FOR TEACHERS

The Governing Body of **Bebington High Sport College** has adopted this Performance Management Policy on _____

1. LEGAL FRAMEWORK

The Education (School Teacher Performance Management)(England) Regulations 2006 come into force on 1 September 2007. The first Performance Management planning statement under the revised arrangements should be completed by 31 October 2007 for teachers and 31 December 2007 for Headteachers. The revised regulations will apply for pay progression purposes from 1 September 2008.

The Regulations require that the Governing Body shall ensure that the performance of teachers and the Headteacher is managed and reviewed in accordance with the regulations and the school's Performance Management Policy.

The Local Authority has consulted on this document with Wirral's Teacher Professional Association representatives and it has been agreed by the Headteachers' and Teachers' JCC. Teachers within the school have been consulted on any items specific to this school.

The PM Policy applies only to teachers and the Headteacher. There are no national performance management regulations which apply to support staff and there is no national agreement on performance management with support staff Unions.

The PM Policy does not duplicate the regulations and therefore it should be read in conjunction with the regulations and the guidance.

2. APPLICATION OF THE POLICY

The Policy applies to the Headteacher and to all teachers employed by the school except teachers on contracts of less than one term, those undergoing induction (i.e. NQTs) and those who are the subject of capability procedures.

3. PURPOSE

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

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

4. **LINKS TO SCHOOL IMPROVEMENT, SCHOOL SELF EVALUATION AND SCHOOL DEVELOPMENT PLANNING**

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

Similarly, the school Improvement Development Plan and the school's self evaluation form are key documents for the Performance Management process.

All reviewers are expected to explore the alignment of reviewees' objectives with the school's priorities and plans. The objectives should also reflect reviewees' professional aspirations.

5. **CONSISTENCY OF TREATMENT AND FAIRNESS**

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

The PM policy is designed to:-

- improve teacher morale and motivation;
- lead to an entitlement to professional development according to identified needs;
- be seen by staff as enabling;
- encourage the development of professional judgements;
- identify the resources and facilities needed to support teachers;
- be manageable and not introduce bureaucratic burdens; and
- have regard to the necessity of achieving work/life balance for all teachers

The Governing Body believes that the Policy will create:-

- an atmosphere of trust between teachers, Reviewers and the Headteacher; and
- an opportunity for teachers to engage in professional discussion with their Reviewers about their work and their professional development.

6. **THE ROLE OF THE HEADTEACHER IN QUALITY ASSURANCE**

YOU MUST DECIDE WHICH OF THE FOLLOWING OPTIONS TO INCLUDE IN YOUR SCHOOL'S POLICY DOCUMENT.

The Headteacher has determined that he/she will delegate the Reviewer role for some or all teachers for whom he/she is not the line manager. In these circumstances the Headteacher will,

moderate a sample of planning statements to check that the plans recorded in the statements of teachers at the school:

- are consistent between those who have similar experience and similar levels of responsibility;

- comply with the school's Performance Management Policy, the regulations and the requirements of equality legislation

7. **PERFORMANCE MANAGEMENT OF THE HEADTEACHER**

(YOU MUST DECIDE WHICH OF THE FOLLOWING OPTIONS TO INCLUDE IN YOUR SCHOOL'S POLICY DOCUMENT. THERE SHOULD BE CONSISTENCY BETWEEN THE CHOICE MADE FOR THE MODERATION OF TEACHERS' STATEMENTS AND THE QUALITY ASSURANCE OF THE HEADTEACHER)

Nominate three governors who will not be involved in the Headteacher's performance management or any appeal regarding the Headteacher's performance management to ensure that the Headteacher's planning statement is consistent with the school's improvement priorities and complies with the school's Performance Management Policy and the Regulations.

The Governing Body will review the quality assurance process when the Performance Management Policy is reviewed.

8. **OBJECTIVE SETTING**

The objectives set will be rigorous, challenging, achievable, time-bound, fair and equitable in relation to teachers with similar roles/responsibilities and experience, and will have regard to what can reasonably be expected of any teacher in that position given the desirability of the reviewee being able to achieve a satisfactory balance between the time required to discharge his/her professional duties and the time required to pursue his/her personal interests outside work, consistent with the school's strategy for achieving a work/life balance for all staff.

They shall also take account of the teacher's job description, professional aspirations and any relevant pay progression criteria. They should be such that, if they are achieved, they will contribute to improving the progress of pupils at the school.

The Reviewer and reviewee will seek to agree the objectives but where a joint determination cannot be made the Reviewer will make the determination.

In this school all teachers, including the Headteacher, will **NORMALLY** have three, and no more than four objectives. All teachers, including the Headteacher, will have a whole school objective, thus making a direct and shared link with school improvement planning.

Though Performance management is an assessment of overall performance of teachers and the Headteacher, objectives cannot cover the full range of a teacher's roles/responsibilities. Objectives will, therefore, focus on the priorities for an individual for the cycle. At the review stage it will be assumed that those aspects of a teacher's roles/responsibilities not covered by the objectives or any amendment to the statement which may have been necessary in accordance with the provision of the regulations have been carried out satisfactorily.

9. **REVIEWING PROGRESS**

At the end of the cycle assessment of performance against an objective will be on the basis of the performance criteria set at the beginning of the cycle. Good progress towards the achievement of a challenging objective, even if the performance criteria have not been met in full, will be assessed favourably.

The performance management cycle is annual, but on occasions it may be appropriate to set objectives that will cover a period over more than one cycle. In such cases, the basis on which the progress being made towards meeting the performance criteria for the objective will be assessed at the end of the first cycle and will be recorded in the planning and review statement at the beginning of the cycle.

10. **APPEALS**

At specified points in the Performance Management process teachers and Headteachers have a right of appeal against any of the entries in their planning and review statements. Where a reviewee wishes to appeal on the basis of more than one entry this would constitute one appeal hearing.

The Appeals process with regard to objectives and timescales is as set out in Appendix 1 of this document.

The Appeals process with regard to pay progression is as set out in the school's Whole School Pay Policy. The Headteacher will notify any teacher who has not been recommended for pay progression of the date when the Governing Body will meet to consider pay recommendations.

11. **CONFIDENTIALITY**

The whole Performance Management process and the statements generated under it, in particular, will be treated with strict confidentiality at all times. In addition to the Headteacher, only the reviewee's line manager or, where he/she has more than one, each of his/her line managers will be provided with access to the reviewee's plan recorded in his/her statement, upon request, where this is necessary to enable the line manager to discharge his/her management responsibilities. Reviewees will be told who has requested and has been granted access.

The process of gathering evidence for a Performance Review will not compromise normal professional relationships between teachers. The Governing Body recognises that the Reviewer will consult with and seek to secure the agreement of the reviewee before seeking information from other colleagues about the work of the reviewee.

12. **TRAINING AND SUPPORT**

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

The Governing Body 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 reviewees that is consistent with the SDP and SEF and DDP.

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 Performance Management in the school.

With regard to the provision of CPD in the case of competing demands on the school budget, a decision will be made by the Headteacher on relative priority with regard to the extent to which: (a) the CPD identified is essential for a reviewee to meet their objectives; and (b) the extent to which the training and support will help the 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 relevant support recorded in the planning statement has not been provided.

13. **APPOINTMENT OF REVIEWERS FOR THE HEADTEACHER**

(i) Appointment of Governors

The Governing Body is the Reviewer for the Headteacher and to discharge this responsibility on its behalf it will appoint three Governors.

Where a Headteacher is of the opinion that any of the Governors appointed by the Governing Body under this regulation is unsuitable for professional reasons, he/she may submit a written request to the Governing Body for that Governor to be replaced, stating his/her reasons.

14. **APPOINTMENT OF SCHOOL IMPROVEMENT PARTNER (SIP)**

The Local Authority has appointed a School Improvement Partner for the school, who will provide the Governing Body with advice and support in relation to the management and review of the performance of the Headteacher.

15. **APPOINTMENT OF REVIEWERS FOR TEACHERS**

In the case where the Headteacher is not the teacher's line manager, the Headteacher may delegate the duties imposed upon the Reviewers in their entirety (this includes pay recommendations for teachers eligible for progression during the PM cycle), to the teacher's line manager.

In this school the Headteacher has decided that the Headteacher will be the Reviewer for those teachers 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 teachers. The maximum number of reviews that any line manager will be expected to undertake per cycle will normally be 6 .

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

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

Where it becomes apparent that the Reviewer will be absent for the majority of the cycle or is unsuitable for professional reasons the Headteacher may perform the duties himself/herself or delegate them in their entirety to another teacher. Where this teacher is not the reviewee's line manager the teacher will have an equivalent or higher status in the Staffing Structure as the teacher's line manager.

A Performance Management cycle will not begin again in the event of the Reviewer being changed.

All line managers to whom the Headteacher has delegated the role of reviewer will receive appropriate preparation for that role and wherever possible will first have attended a Reviewer training session organised by the Local Authority.

The Governing Body note that PPA time and lunch breaks cannot be used for activities related to Performance Management. Performance Management should take place within directed time (1265 hours)

16. THE PERFORMANCE MANAGEMENT CYCLE

The performance of teachers must be reviewed on an annual basis. Performance planning and reviews must be completed for all teachers **by 31 October** and for Headteachers **by 31 December**.

The Performance management cycle in this school therefore, will run from **September to September** for teachers, and from **September to September** for the Headteacher .

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

Where a teacher starts their employment at the school part-way through a cycle, the Headteacher or, in the case where the teacher 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 other teachers at the school as soon as possible.

Where a teacher transfers to a new post within the school part-way through a cycle, the Headteacher or, in the case where the teacher is the Headteacher, the Governing Body shall determine whether the cycle shall begin again and whether to change the Reviewer.

17. THE TIMING AND PREPARATION FOR PLANNING AND REVIEW MEETINGS

Planning and Review meetings will be scheduled as far in advance as possible. There will be at least five working days' notice prior to any Planning meeting.

Where some of the five annual professional development days are used for Performance Management Planning meetings, the use of the days will not be at the expense of other important activities.

18. **RETENTION OF STATEMENTS**

Performance management planning and review statements will be retained for a minimum period of 6 years, this takes account of the fact that the Performance Planning and Review Statements will be part of the evidence for threshold assessment and other pay progression.

19. **MONITORING AND EVALUATION**

The Governing Body will monitor the operation and outcomes of Performance Management arrangements.

The Headteacher will provide the Governing Body with a written report on the operation of the school's Performance Management Policy annually. The report will not contain any information which would enable any individual to be identified. The report will include:-

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

The Governing Body is committed to ensuring that the Performance Management process is fair and non-discriminatory. Accordingly, the Governing Body will ensure the Headteacher conducts an audit of the outcomes of each Performance Management cycle after the ending of the first cycle in Autumn 2008 and after each further cycle.

It is committed to investigating any evidence which suggests inequalities in the application of Performance management or consequent decisions on the allocation of professional development provision or pay determination. The following monitoring data will be included in the Headteacher's annual report to Governors because they represent the possible grounds for unlawful discrimination:-

- Race
- Sex
- Sexual orientation
- Disability
- Religion and belief
- Age
- Part-time contracts
- Trade union membership.

The Headteacher will also report on whether there have been any appeals or representation on an individual or collective basis on the grounds of alleged discrimination under any of the categories above.

20. **REVIEW OF THE POLICY**

The governing Body will review the Performance Management Policy every school year at its **first annual** meeting

The Governing Body will take account of the Headteacher's report in its review of the Performance Management Policy. The Policy will be revised as required to introduce any changes in regulation and statutory guidance to ensure that it is always up to date.

The Governing Body will seek to agree any revisions to the policy with the recognised trade unions having regard to the results of the consultation with all teachers. They will also give due consideration to any revisions consulted on by the Local Authority with teacher Professional Association representatives on their behalf.

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

21. **ACCESS TO DOCUMENTATION**

Copies of the School Improvement and Development Plan and SEF are published on the school's Intranet and/or can be obtained from the school office.

Copies of the Whole School Pay Policy, Performance Management Policy and School's Staffing Structure can be obtained from Deputy Headteacher Personnel and School Improvement.

22. **CLASSROOM OBSERVATION PROTOCOL**

All classroom observation will be undertaken in accordance with the Performance Management Regulations, the associated guidance published by the Rewards and Incentives Group and the Classroom Observation Protocol that is appended to this policy in Annex 2.

APPEALS PROCESS (REVIEWEE'S OBJECTIVES)

The following process only applies to appeals against a reviewee's objectives. Appeals against pay decisions will be as set out in the school's Whole School Pay Policy document. Appeals against the Planning and Review process should be through the school's Grievance Procedure.

The Governing Body strongly encourages the resolution of any issues through the informal procedure.

1. SCOPE

The following process covers all teachers including Headteachers.

2. STATUTORY RIGHT OF APPEAL

Teachers and Headteachers have a statutory right of appeal.

There may be more than one issue in the Planning and Review statement on which the reviewee wishes to appeal, but these will be dealt with in **one** appeal hearing.

If the Planning statement is amended during the cycle, in accordance with the provisions of the Regulations, the reviewee has a right of appeal at that stage on any entry made.

3. THE PROCESS

Informal Procedure

The reviewee must first of all endeavour to resolve the matter with his/her Reviewer. If appropriate the reviewee should involve his/her professional association representative.

Where the reviewee is dissatisfied with the outcome of his/her direct approach to the Reviewer, the matter should be referred in the first instance to the Headteacher (if the Headteacher is not the teacher's Reviewer). If the reviewee remains dissatisfied the matter should be referred to the **formal stage** of the process.

N.B.: No formal appeal can be made until after the reviewee has exhausted the Informal Procedure.

Formal Procedure

This should be to the Headteacher or the school's Appeal Committee. **(Schools need to determine the make-up of the Appeals Committee at the start of each academic year)**. The teacher must stipulate which option he/she wishes to choose.

In respect of a Headteacher, this should be to the school's Appeal Committee.

(i) **Initial Action in respect of an appeal to the Headteacher**

- The reviewee must submit a formal **written** notice, clearly setting out the reasons for his/her appeal to the Headteacher.
- The Headteacher shall within ten working days of receipt of the written appeal (see Timings) arrange to meet with reviewee.
- The reviewee shall have the opportunity to make an oral representation to the Headteacher.
- Copies of documents which are submitted to the Headteacher by the reviewee or the Reviewer must be sent to the other party **not less than three working days before the Hearing.**
- Both the reviewee and the Reviewer are entitled to be represented by a teacher professional association representative or friend, if they so wish.

(ii) **During the Hearing in respect of an appeal to the Headteacher**

The following procedure should be followed at the Hearing:-

- The reviewee (or his/her representative) puts the case in the presence of the Reviewer.
- The Reviewer (or his/her representative) and the Headteacher may question the reviewee.
- The Reviewer (or his/her representative) puts his/her case in the presence of the reviewee.
- The reviewee (or his/her representative) and the Headteacher may question the Reviewer.
- The reviewee and the Reviewer (or their representative) have the opportunity to sum up their cases if they so wish.
- The reviewee and the Reviewer (and their representatives) withdraw.
- The Headteacher deliberates upon the case with only appropriate advisers in attendance.
- If there is a need to recall either party to clarify points of uncertainty, then both parties must return not withstanding only one is concerned with the points giving rise to doubt.

(iii) **Decision of the Headteacher**

The decision of the Headteacher should be in writing and is final.

(iv) **Initial Action in respect of an appeal to the School's Appeal Committee**

- The reviewee must submit a formal **written** notice, clearly setting out the reasons for his/her appeal to the Appeal Committee.
- The Chair of the Appeal Committee shall within ten working days of receipt of the written appeal (see Timings) arrange for a meeting of the Appeal Committee.
- The reviewee shall have the opportunity to make an oral representation to the Appeal Committee.

- Copies of documents which are submitted to the Appeal Committee by the reviewee or the Reviewer must be sent to the other party not less than **three working days** before the Hearing.
- Both the reviewee and the Reviewer are entitled to be represented by a teacher professional association representative or friend, if they so wish.

(v) **During the Hearing in respect of an appeal to the Appeal Committee**

The following procedure should be followed at the Hearing:

- The reviewee (or his/her representative) puts the case in the presence of the Reviewer.
- The Reviewer (or his/her representative) and the members of the Appeal Committee may question the reviewee.
- The Reviewer (or his/her representative) puts his/her case in the presence of the reviewee.
- The reviewee (or his/her representative) and the members of the Appeal Committee may question the Reviewer.
- The reviewee and the Reviewer (or their representative) have the opportunity to sum up their cases if they so wish.
- The reviewee and the Reviewer (and their representatives) withdraw.
- The Appeal Committee deliberate upon the case with only appropriate advisers in attendance.
- If there is a need to recall either party to clarify points of uncertainty, then both parties must return not withstanding only one is concerned with the points giving rise to doubt.

(vi) **Decision of the Appeal Committee**

The decision of the Appeal Committee should be in writing and is final.

4. **TIMINGS** (See Timeline at Appendix 3)

- The appeal timescale for a Formal Appeal against a submitted signed statement is within 20 working days of the Planning meeting.
- The appeal timescale for a Formal Appeal against a Revised Statement is within 30 working days of the Planning Meeting.
- The appeal timescale for an amendment to a previously agreed PM objective is 10 working days from the date of amendment.

N.B.: No Formal Appeal can be made until after the reviewee has exhausted the Informal Procedure.

CLASSROOM OBSERVATION PROTOCOL

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

- Carry out the role with professionalism, integrity and courtesy;
- Evaluate objectively;
- Report accurately and fairly; and
- Respect the confidentiality of the information gained.

The total period of classroom observation arranged for any teacher for the statutory purposes of Performance Management will not exceed three hours per cycle having regard to the individual circumstances of the teacher. There is no requirement to use all of the three hours. The amount of observation for each teacher should reflect and be proportionate to the needs of the individual.

In this school 'proportionate to need' will be determined by the Headteacher in discussion with the Reviewer prior to the Planning and Review meeting and as appropriate to the objectives set and whether the teacher works part or full time.

Classroom observations for the purpose of Performance Management will be limited to no more than two observations per term and normally to a maximum of three observations per cycle, subject to the reviewee choosing to request a further observation.

Information gathered during the observation will be used, as appropriate, for a variety of purposes including to inform school Self Evaluation and School Improvement strategies in accordance with the school's commitment to streamlining data collection and minimising bureaucracy and workload burdens on staff.

The arrangements for classroom observation will be included in the plan in the Planning and Review statement and will include the amount of observation, specify its primary purpose, any particular aspects of the teacher's performance which will be assessed, the duration of the observation, when during the Performance Management cycle the observation will take place and who will conduct the observation.

In keeping with the school Governing Body's commitment to supportive and developmental classroom observation, those being observed will be notified of their observation conducted for the purposes of Performance Management at least five working days in advance.

Where evidence emerges about the reviewee's teaching performance which gives rise to concern during the cycle classroom observations may be arranged in addition to those recorded at the beginning of the cycle subject to a revision meeting being held in accordance with the Regulations.

Classroom observations will only be undertaken by persons with qualified teacher status. In addition, in this school, classroom observation will only be undertaken by those who have had adequate preparation and the appropriate professional skills to undertake observation and to provide constructive oral and written feedback and support, in the context of professional dialogue between colleagues.

Oral feedback will be given as soon as possible after the observation and no later than the end of the following working day. It will be given during directed time in a suitable, private environment. PPA and break times must not be used.

Written feedback will be provided within five working days of the observation taking place. If issues emerged from an observation that were not part of the focus of the observation as recorded in the Planning and Review statement these should also be covered in the written feedback and the appropriate action taken in accordance with the regulations and guidance.

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

Teachers will have access to all written accounts of the observations after their lessons.

A Headteacher has a duty to evaluate the standards of teaching and learning and to ensure that proper standards of professional performance are established and maintained. Headteachers have a right to 'drop-in' to inform their monitoring of the quality of learning.

Clearly the Performance Management arrangements are integral to fulfilling this duty and Headteachers may consider the classroom observations they have agreed for Performance Management are sufficient and that 'drop-ins' will not be needed.

N.B.: Visits to classrooms by Headteachers or senior staff in order to support teachers or talk to pupils are separate from this Classroom Observation Protocol.