



**BIRMINGHAM CITY COUNCIL**

**TEACHER APPRAISAL**

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## INTRODUCTION

### 1. Government policy

- 1.1 As part of its aim of improving teaching and learning in schools, the Government has a policy of requiring teachers' performance to be assessed not only against objectives which contribute to improving the education of pupils but also against national standards for teachers. It gives effect to this policy in statutory regulations for the appraisal of teachers in maintained schools effective from 1<sup>st</sup> September 2012 - <http://www.legislation.gov.uk/ukxi/2012/115/contents/made> .
- 1.2 In addition to requiring schools to appraise teachers in accordance with specified standards and set objectives the **Regulations state that governing bodies “must adopt and make available to teachers employed at the school a document which sets out the appraisal process for such teachers.”** There is no requirement for schools to have a separate policy in addition to a process document, as the policy has been set by the Government, but schools are recommended to adopt a policy on how they implement the Regulations, as the way in which they do so is an expression of their ethos and affects the professional development of teachers.
- 1.3 Both the Government and teachers' associations have published model policies which include an appraisal process and which they commend to schools for adoption.
- 1.4 Birmingham's guidance to schools is set out in this document which includes a recommended model policy statement and appraisal process.

### 2. National model appraisal policies

- 2.1 There are currently three national model appraisal policies available
  - The Government has published a model appraisal policy and a model capability procedure (non-statutory) as parts A and B respectively of a single document ([https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/786143/Teacher\\_appraisal\\_and\\_capability-model\\_policy.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/786143/Teacher_appraisal_and_capability-model_policy.pdf)).
  - Two of the teachers' associations, NEU and NAHT, have jointly published a model policy Link <https://neu.org.uk/advice/appraisal-model-policy>
  - NASUWT has published a separate model performance management policy - <https://www.nasuwt.org.uk/advice/performance-management.html>

- 1.6 ASCL has not issued a model policy, but has provided guidance to its members.

### **Local authority model policy and process**

- 1.7 There is much that is good in the three national model policies, but there are certain matters in which they fall short, particularly aspects of assessing teachers' performance which Birmingham regards as fundamental to good practice. It is not only about what schools do but how they do it. The authority has engaged in wide-ranging consultations and discussions with the teachers' associations, head teachers and groups of teachers.
- 1.8 The Birmingham local authority is therefore commending its own model policy and process to schools in the city – including academies and free schools who purchase the authority's HR services - to be used in the context of the following information and guidance on the Regulations. The model policy statement and appraisal process are appended.

### **The Regulations – principal requirements**

- 1.9 The 2012 Appraisal Regulations state that the head teacher **must**
- **“inform the teacher of the standards against which the teacher’s performance in that appraisal period will be assessed and set objectives for the teacher in respect of that period.” The standards are the “Teachers’ Standards published by the Secretary of State in July 2011 and any other set of standards relating to teachers’ performance published by the Secretary of State” as the head teacher may determine are applicable to that teacher. There is an exception for teachers qualified through QTLS and membership of the Institute for Learning; head teachers may apply the QTLS standards or the other standards or a combination of them.**
  - **set objectives which “must be such that, if they are achieved, they will contribute to improving the education of pupils at that school and the implementation of any plan of the governing body designed to improve that school’s educational provision and performance”**
  - **“appraise the performance” of every teacher in respect of each appraisal period and in that appraisal assess the teacher’s performance of his or her “role and responsibilities during the appraisal period in question against the standards applicable to that teacher and the teacher’s objectives”**
  - **“assess the teacher’s professional development needs and identify any action that should be taken to address them”**

- where relevant under the School Teachers' Pay and Conditions Document, **“include a recommendation relating to the teacher's pay”** and
  - **“provide the teacher with a written report of the teacher's appraisal in respect of that appraisal period”**.
- 1.10 These regulatory requirements include two new features – annual assessment against the relevant teachers' standards, and an entitlement to assessment of professional development needs.
- 1.11 The definition of teacher in the Regulations covers all teachers, including unqualified teachers. The Regulations do not apply to teachers undergoing statutory induction or teachers subject to capability procedures or teachers employed for less than one school term.

### **Duty to comply with appraisal**

- 1.12 The School Teachers' Pay and Conditions Document requires all teachers to “participate in arrangements for the appraisal and review of their own performance, and, where appropriate, that of other teachers and support staff.”

## **MODEL APPRAISAL POLICY AND PROCESS**

The Governing Body of Elms Farm Primary School will ensure that the Government's Appraisal Regulations are implemented in this school in accordance with the principles set out in the following policy statement and appraisal process and having regard to the guidance issued by the local authority from time to time.

### **1 Purpose and commitment**

- 1.1 The governing body accepts that the purpose of appraisal is to provide a clear and consistent assessment of the overall performance of teachers, including the head teacher, and for supporting their development within the context of the school's plan for improving educational provision and performance and the standards expected of teachers.
- 1.2 The Governors are committed to ensuring high quality and supportive performance appraisal aligned to their aims and objectives for the school and linked where appropriate to other policies and procedures and their duties under equality legislation.

### **2 Principles**

- 2.1 Appraisal in this school should be a supportive and developmental process, designed to ensure that all teachers have the skills and support they need to perform their roles and responsibilities effectively. It should help to ensure that teachers are able to continue to improve their professional practice and development.
- 2.2 Appraisal should be based on the principles of
  - clarity of expectation
  - fairness and reasonableness
  - consistency
  - balance
  - enablement including supportive development
  - confidentiality
- 2.3 Teachers must know what is expected of them in order to support the school improvement plan as well as to benefit from the appraisal process.
- 2.4 The methods of assessment against standards and objectives should be fair, thorough and non-discriminatory. A variety of methods should be used and discussed with teachers in the school.
- 2.5 To ensure consistency any teacher to whom the appraisal of other teachers is delegated should be suitably prepared to discharge that responsibility, not only through knowledge of the appraisal regulations

and process but also with the appropriate skills and confidence, whether by training within the school or by a suitable external organisation. Appraisers should be qualified teachers with relevant experience.

- 2.6 Consistency and balance should also be achieved by appropriate moderation and monitoring for quality assurance. The head teacher should report to the governing body annually on the appraisal process.
- 2.7 An assessment of a teacher's professional development needs, and any action which should be taken to address them, should be an integral part of the assessment and used to enable teachers to achieve their professional potential.
- 2.8 The records of each teacher's appraisal will be confidential. The use of information from appraisal reports to monitor fairness, inform the planning of professional development, ensure overall quality and report to the governing body should not compromise individual confidentiality.
- 2.9 If it becomes apparent during or at the end of the appraisal period that the teacher's overall performance is below accepted standards the head teacher should address the situation **without delay**, as described in the appraisal process, with a thorough assessment of the apparent deficiencies and possible causes (including any personal circumstances) and implement any necessary support. There should be a clear explanation to the teacher of what will happen if the necessary improvement does not take place.

## **APPRAISAL PROCESS**

The Governing Body has adopted the following process for implementing the Appraisal Regulations in this school.

### **Publication of the process**

- 1.1 The Head Teacher will be responsible for publishing this process to all teachers in the school, together with the Teachers' Standards and any other standards to be used in accordance with the Appraisal Regulations. The Head Teacher will also be responsible for ensuring that the appraisal process is sent to each teacher newly appointed to the school.

### **Committee for appraising the head teacher**

- 1.2 The Governing Body will appoint a committee to appraise the head teacher and delegate to this committee the responsibility to appoint an external adviser for the purposes of providing it with advice and support in relation to the appraisal of the head teacher. It will expect the committee to choose an adviser who is suitably skilled and experienced, ideally someone who has leadership experience in a school in the same phase but is not personally connected with the head teacher.

### **The appraisal period**

- 1.3 The Governing Body has agreed that there will be a common twelve-month appraisal period for teachers in this school and that it will run from September to September each year.

### **Allocation of appraisers**

- 1.4 The Head Teacher will decide to whom to delegate the role of appraiser in respect of each teacher in the school and notify that decision to both the appraiser and the teacher. If a teacher is dissatisfied with the choice of appraiser he or she should explain those concerns to the head teacher, who, if he or she considers them to be valid, will appoint an alternative appraiser. If the appraiser is unable to conduct an appraisal (for example, due to sickness), the head teacher will appoint an alternative appraiser.
- 1.5 The head teacher may make representations to the committee of the governing body if he or she has valid concerns about the choice of external adviser and the committee may then appoint a different adviser.

### **Preparation**

- 1.6 The head teacher will ensure that each appraiser is suitably prepared in accordance with the principles set out by the governing body and will ensure that the preparation includes discussion of moderation and

quality assurance. The head teacher will also ensure that all teachers understand their own responsibilities and prepare for the first meeting, through self-reflection and evaluation of their own performance and development needs.

### **Meeting to start the appraisal process**

- 1.7 Shortly before or after the start of the appraisal period the designated appraiser will meet with each teacher to consider objectives, the way in which those objectives are to be achieved, assessment criteria, the teacher's professional development needs and how they should be addressed. The appraiser will inform the teacher of the relevant standards against which the teacher's performance in that appraisal period will be assessed and the objectives which have been set for the teacher in respect of that period. A written statement will be provided including this information and the sources of evidence for assessment. The school may devise a form for the written statement if it wishes. The appraiser and the teacher will also agree arrangements for professional discussions during the appraisal period which may include a meeting for a review approximately midway through the appraisal process.

### **Collection of information and evidence**

- 1.8 During the appraisal period monitoring through a range of work-related activities will be used to provide balanced information on the teacher's performance. These will include pupil progress data analysis and evidence presented on the Blue Sky portal by staff.

### **Observation**

- 1.9 The means of assessment will include arrangements for observation, including the amount of observation, its purpose(s), any particular aspects of the teacher's work to be assessed during observation, its expected timing and duration, and who is likely to undertake the observation. Observation will be undertaken by people who have qualified teacher status, are adequately prepared and have the appropriate professional skills. It should be explained that if at any point during the appraisal cycle it is considered that the teacher needs or the teacher seeks extra support, additional observation may be arranged. The teacher will be notified of an observation in advance, although short visits to classrooms will not be specifically notified.
- 1.10 The appraiser will give oral comments to the teacher as soon as possible, preferably on the day of the observation and otherwise within one working day. The appraiser will follow this with a written report, including the date and duration of the observation and the lesson or task observed, within five working days of the observation. The teacher will be given the opportunity to add written comments to each report. The head teacher may at that stage ask to see for moderation purposes the information given to each teacher and the evidence used for assessment.

## **Revision meeting**

- 1.11 If appropriate a 'revision meeting' can be requested by the appraiser or the teacher and, if appropriate, objectives can be changed or adjusted.

## **Preparation of the appraisal report**

- 1.12 At the end of the appraisal period the appraiser will meet with the teacher to prepare the appraisal report.
- 1.13 The appraiser will give the teacher the appraisal report. The teacher may add comments. If there are no objections to the report the appraiser will forward it to the head teacher who will moderate the report and consider any recommendations for professional development and pay.

## **Review of appraisal report**

- 1.14 If the teacher is dissatisfied with any aspect of the appraisal report that teacher should discuss the objection(s) with the appraiser. If that discussion does not resolve the objections the teacher may submit a written request to the head teacher to review the appraisal report. In cases when the head teacher is the appraiser the teacher may submit a written request to the clerk to the governing body for the appropriate committee (depending on the governing body's delegations) to review the appraisal report.
- 1.15 If the head teacher has any concerns about the appraisal report he or she will discuss it with the appraiser in the first instance. The head teacher will then decide whether any action is needed about the quality of the report or the performance of the teacher.

## **Performance below acceptable standards**

- 1.16 If it becomes apparent during or at the end of the appraisal period that the teacher's overall performance is below acceptable standards the head teacher or a member of the leadership team will meet with the teacher to discuss the nature and level of the concerns. The head teacher will then confirm the content of the discussion in writing and give the teacher the opportunity to reflect on it before another meeting, arranged with adequate notice, to determine what increased support will be given to the teacher, the kind of improvement required, the period within which the improvement should take place, how improvement will be assessed and when the situation will be reviewed. The head teacher will explain to the teacher what is likely to happen if the required improvement is not achieved. A written record of this meeting will also be given to the teacher.

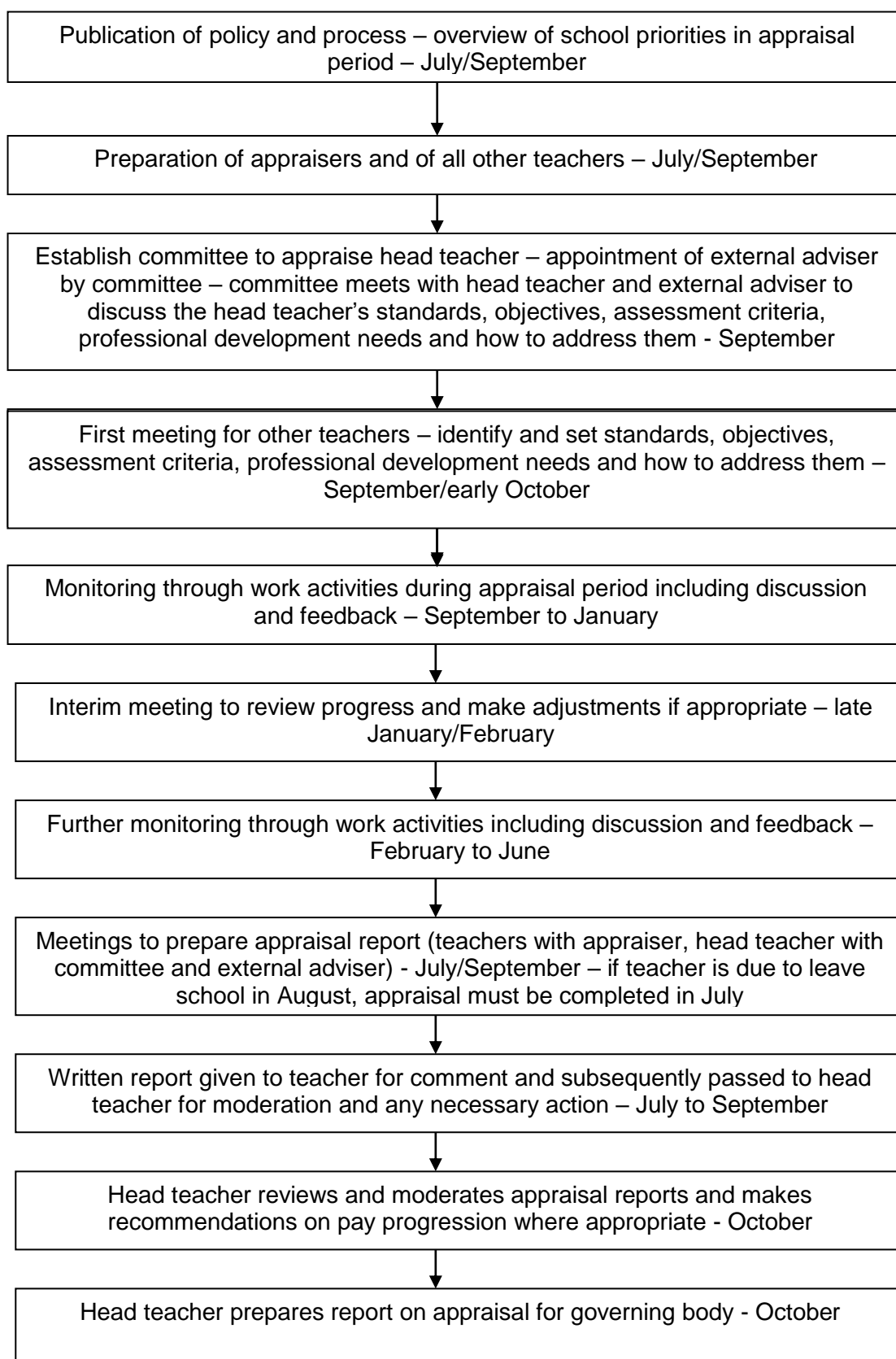
### **Confidential storage**

- 1.17 Once appropriate actions have been taken on professional development and pay the head teacher will arrange for confidential storage of the report for a period of six years.

### **Head teacher's report to governing body**

- 1.18 The head teacher will use the information in the appraisal reports, with due regard to confidentiality, to prepare the annual report on appraisal for the governing body.

## FLOW CHART



## **GUIDANCE TO SCHOOLS**

### **1 Preparation for implementation**

- 1.1 Head teachers are recommended to involve teachers when preparing their advice to the governing body on the appraisal process for their school.

### **2 Consistency, clarity and fairness in practice**

- 2.1 Schools should ensure that the whole process is fair, thorough and non-discriminatory.
- 2.2 For a fair process, teachers must be told clearly what is expected of them. This prevents mistaken assumptions.
- 2.3 Head teachers should ensure that any teacher to whom the appraisal of other teachers is delegated is suitably prepared to discharge that responsibility, not only through knowledge of the appraisal regulations and process but also with the appropriate skills and confidence, whether by training within the school or by a suitable external organisation. Appraisers should be qualified teachers with relevant experience. Arrangements should take account of the provision in the School Teachers' Pay and Conditions Document that "A teacher with leadership and management responsibilities is entitled, so far as is reasonably practicable, to a reasonable amount of time during school sessions for the purpose of discharging those responsibilities."

### **3 Balanced assessment**

- 3.1 The regulatory requirements for appraisal are far fewer than for the old performance management regulations. They make no reference to classroom observations or other methods of assessment; these are left to schools to determine as part of the process for the school. The model policies produced by the Department for Education and teachers' associations concentrate on classroom observation, whereas Birmingham has consistently and repeatedly advised that methods of assessment should draw on a variety of evidence. The Appraisal Regulations specify that assessment should be of the teacher's role and responsibilities, which will cover extra responsibilities for which teaching and learning responsibility payments are awarded or which belong to posts on the leadership spine.
- 3.2 Teachers should be consulted on the methods of assessment in the school, including the nature of the objectives set and the way in which their performance is assessed against the relevant standards and objectives. They should feel comfortable in discussing the process and assessment with their appraiser.
- 3.3 Head teachers are advised to involve their teachers fully in discussing with them not only 'what a good job looks like' in relation to the teacher standards but also 'what a good assessment of a teacher's

performance looks like' and the various ways in which the quality of teaching and learning should be assessed. They should also be guided by the specification in the OFSTED framework for leadership and management to monitor the quality of teaching and learning.

- 3.4 An assessment should be fair, consistent, and supportive and based on clear expectations described at the beginning of the appraisal period. The methods of assessment should build on the good practice already established in schools. They should be formative and summative, relevant, proportionate, and based on strong evidence drawn from a balanced variety of sources, including planning and work scrutiny, observation and visits to classrooms, assessment data and information from surveys, school councils etc. It is expected that schools' systems and records are accurate and strong enough to provide sufficient valid evidence to support the appraisal process and outcomes. Teachers may also gather their own evidence. The appraisal report at the end an assessment, as a summative assessment of a formative process, should never be a surprise to the teacher.
- 3.5 Assessment of teachers against the prescribed standards should relate to the absolute standards required and not to years of experience or particular pay points on the main scale. There is no basis for this in the School Teachers' Pay and Conditions Document, nor will OFSTED inspectors enquire about the stage which a teacher has reached in his or her career when making their own judgements about a teacher.

## 4 Objectives

- 4.1 Objectives should describe the essential outcomes of provision and performance required of the teacher, aligned to the current School Improvement Plan, the Teachers' Standards, and the individual teacher's job description. They should enable the teacher to focus on his or her particular contributions to overall school improvement and most urgent development needs, the addressing of which will benefit the pupils and support the teacher's career aspirations. Objectives should concentrate on pupil progress and achievement and the quality of learning and teaching. The fewer the objectives the easier it is to clarify priorities. Objectives set should be specific, measurable, achievable, realistic and time-bound, whether short-term or long-term, and appropriate to the teacher's role and responsibilities. It is essential that they should be clear and precise, setting out the aim and relating it to specified groups in the context of the school and its needs. Careful consideration should also be given to the way in which objectives are worded. For example, in order to be realistic and achievable, an objective relating to improvement of teaching skills should recognize that teachers can be asked to **enable** other teachers to achieve targets but that it is for those other teachers to respond to the strategies and support offered to them; a teacher cannot be expected to **ensure** that the other teachers achieve the targets.

- 4.2 Two examples of objectives are given below. They must be made specific according to the needs of the school development plan and the role and responsibilities of the particular teacher.
- **Class teacher** - to enable pupils in specified class/group to make the progress and meet the targets required in a specified curriculum area or subject as identified and agreed through accurate assessment of pupils
  - **Class teacher** – increase his or her knowledge and understanding in a specified subject or aspect of the curriculum and apply this knowledge and understanding when teaching specified pupils
- 4.3 Objectives should have regard to what can reasonably be expected of that teacher consistent with the school's strategy for achieving a work/life balance for all teachers as required under the School Teachers' Pay and Conditions Document and any individual circumstances, such as a disability or part-time working, for which a reasonable adjustment should be considered. Appraisers and those being appraised should seek to agree individual objectives, with teachers having the opportunity to make written comments about their objectives. Each objective should include the sources of evidence by which achievement will be assessed; this should also have been discussed with the teacher.
- 4.4 Provision should be made for revision of objectives during the appraisal period should this be considered appropriate.

## **5 Observation**

- 5.1 Observation, whether in lessons or in respect of work outside the classroom, is an important method of assessment which should be undertaken fairly and in a supportive way. It should be a confidential process of constructive engagement conducted with professionalism, integrity and courtesy, with an acknowledgement that unforeseen circumstances may from time to time affect a particular lesson or task, and resulting in a report which is objective, accurate and fair. It is recognised that in schools where performance management has been effective existing arrangements for observation have been adequate for the purposes of helping to assess teachers' performance, so the amount of lesson or task observation should not normally exceed previous levels. Between them the head teacher and the appraiser should be familiar enough with the teacher's work to be able to recognise the odd occasion when a lesson or task has not been as good as it would normally be and assure with confidence both the teacher and any inspector that the standard of the lesson or task in question was not typical. Arrangements for observation should be discussed with teachers and should be set out for them as part of the appraisal process. The arrangements for observation should be included in the appraisal process.

## **6 Enablement**

- 6.1 The entitlement in the regulations to an assessment of a teacher's professional development needs and any action which should be taken to address them should be an integral part of the appraisal.

## **7 Confidentiality**

- 7.1 Confidentiality is essential to the effective operation of the appraisal process. Where it is necessary to share information with the governing body or senior management team for purposes such as planning professional development and quality assurance data will be presented with due regard to confidentiality. Teachers should be informed of any request to see the report on their individual appraisal.

## **8 Teachers dissatisfied with aspects of the appraisal process or report**

- 8.1 Neither the Appraisal Regulations nor the model appraisal policy from the Department for Education make any reference to what should happen if a teacher is dissatisfied with any aspect of the appraisal process or report.
- 8.2 The model policy from ATL, NAHT and NUT provides for an appeal against any entries in the written appraisal report at the end of the appraisal process. The model policy from NASUWT provides for appeals at "specified points in the performance management process", including what the NASUWT calls the 'planning statement', which corresponds to the information which the head teacher is required to give to every teacher on the standards and objectives set for that teacher.
- 8.3 Although the Appraisal Regulations make no reference to appeals, the School Teachers' Pay and Conditions Document requires the governing body to "establish procedures for addressing teachers' grievances in relation to their pay in accordance with the ACAS Code of Practice". Where an appraisal report makes recommendations about pay - which it must do "where relevant under the Document" - teachers will have the right to raise grievances if they consider that the appraisal report has affected their pay. Birmingham's model pay policy makes separate provision for this.
- 8.4 Having regard to the principle of fairness, Birmingham's model process provides that teachers dissatisfied with their appraisal report for reasons not related to their pay should be able to make representations about the content of the appraisal report to the head teacher. If the head teacher is the appraiser, the teacher should be able to make representations to the appropriate committee of the governing body (in accordance with the governing body's delegations).

## **9 Performance below acceptable standards**

- 9.1 The Appraisal Regulations are silent on what happens if the appraisal report shows that the teacher's performance is below acceptable standards. There is no mention of capability procedures in the Regulations.
- 9.2 The Government's model appraisal policy provides for 'transition to capability' if the appraiser is not satisfied with progress, preceded by a formal meeting to discuss the nature and seriousness of any concerns and agree any support to be provided to address those concerns and a subsequent review of progress.
- 9.3 The model policy from ATL, NAHT and NUT includes a section on teachers experiencing difficulties which are such that, if not rectified, could lead to capability procedures. That section makes provision for support for such teachers and a "transition meeting to determine whether formal capability proceedings need to be commenced or the appraisal process remains in place".
- 9.4 The NASUWT model policy states that "The performance management process will not be used as a substitute for the informal stage of the capability procedure."
- 9.5 Birmingham's model appraisal process includes a section on what should happen if at any point in the appraisal period it appears that the teacher's performance is below acceptable standards.

## **10 Capability procedure**

- 10.1 The School Staffing Regulations require governing bodies of maintained schools to establish procedures for dealing with lack of capability on the part of staff at the school.
- 10.2 Following discussions with the teachers' associations the authority recommends that an appraisal policy should be separate from capability procedures. Any school which may be considering adoption of the Government's model appraisal policy is advised to omit the paragraphs which commit the governing body to adopting the Government's model capability procedure.
- 10.3 The current model capability procedure provides for its use "if a teacher fails, on a regular basis, to perform his or her duties to an acceptable professional standard in accordance with the duties set out in the School Teachers' Pay and Conditions Document." The reference to professional standards matches the provision in the Appraisal Regulations for appraisal against the national standards.
- 10.4 In all cases of employee capability, head teachers should take early advice from Employee Relations. The City Council meets the costs of successful claims to an employment tribunal in respect of maintained schools (i.e. excluding academies and free schools), subject to the

appropriate policies and procedures having been followed, the presence of a City Council representative at all stages when dismissal is under consideration and the authority's advice having been followed. Otherwise any such costs will be charged to the school's budget share.

## **11 Other policies and procedures**

- 11.1 Part two of the teachers' standards deals with 'personal and professional conduct'. Head teachers will consider whether inappropriate personal or professional conduct can be managed informally or should be investigated as potential misconduct under the school's disciplinary procedure.