



# **Dixons Allerton Academy**

## **Appraising Staff Performance and Capability**

**Responsibility for Review: Senior Leadership Team**

# Statement of intent

This policy sets out the framework for a clear and consistent appraisal for the overall performance of teachers (except those who are undergoing NQT induction or those who are on contracts of less than one Academy term) and the Principal in order to maximise professional development and the Academy’s drive for improvement as detailed in the Academy Development Plan. It also sets out the procedures that will apply when staff fail below the level of competence expected of them.

This policy should be read in conjunction with the Academy’s policies on:

- Pay
- Staff Attendance
- Disciplinary & Grievance
- Professional Development
- Monitoring, Self-Evaluation and Securing Improvement

**Signed by :**.....

**Date:**.....

**(Principal)**

**Signed by :**.....

**Date:**.....

**(Chair of Governors)**

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## Statement of Policy:

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## The Aims are to:

- ensure teachers continue to develop their professional practice and develop as teachers
- embed a direct and transparent link between the Academy's drive for improvement (exemplified in the Development Plan & Self Evaluation documents) and the appraisal process
- ensure objectives are appropriate to improving the performance of the individual and the Academy
- ensure the identification of the appropriate individual and collective training and development needs to maximise and personalise professional development opportunities
- focus attention on more effective teaching and learning for the benefit of all students
- embed a shared commitment to the highest professional standards
- meet the legal requirements of the revised statutory School Teachers' Appraisal Regulations 2012 (with effect from 1<sup>st</sup> September 2012)

## Procedures:

As with all existing policies, the Governing Body has a strategic role in agreeing the Academy's Appraisal Policy, ensuring that the performance of teachers at the Academy is regularly reviewed and for monitoring the appraisal process. The Governing Body is committed to ensuring consistency of treatment and fairness in the operation of processes established by the avoidance of unconscious discrimination and unsupported assumptions about individual performance. All teachers will be encouraged to achieve their potential through a cycle of agreeing objectives, undertaking relevant development and the review and assessment of their performance.

## Appraisal Period

The appraisal period will run for twelve months from **31<sup>st</sup> October to 31<sup>st</sup> October**. All appraisal reviews should be completed by the end of Term 1 in any academic year. 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 this policy but the process will reasonably reflect the contract length. Mid academic year starters are expected to join the procedure in order to set out expectations for performance and agree targets as appropriate to the length of time left in the appraisal period.

## Appointing Appraisers

The Principal will be appraised by the Executive Principal and Chair of Governors, supported by a suitably skilled and/or experienced external adviser. The Principal will decide who will appraise other teachers and this cascade will be published at the start of each academic year. Appraisers will be either middle or senior managers from the Academy's staffing structure.

## Setting Objectives

The Principal's objectives will be set by the Executive Principal and Chair of Governors. Objectives for each member of staff will be set before or as soon as practicable after, the start of each appraisal period.

The objectives set will:

- address the needs of the teacher as identified through analysis of the relevant **monitoring data** e.g. observations, student progress data, departmental monitoring and assessment against the relevant Standards
- be rigorous, challenging, specific, measurable, achievable, realistic and time-bound and will be appropriate to the member of staff's role, level of experience and current performance
- take account of the teacher's professional aspirations and any relevant pay progression criteria
- contribute to the Academy plans for improving the educational provision, performance and education of pupils through cross referencing all objectives to the Academy Priorities which underpin the Academy's Development Plan
- ensure there are three objectives :
  1. Relating to student achievement
  2. Professional development objective to improve the Appraisee's skills in an area of benefit to themselves and the Academy
  3. Broader departmental or whole Academy development (as stated in bullet point one, where there are any concerns with a member of staff performance then appraisal objectives must address this explicitly).

Before, or as soon as practicable after the start of each appraisal period, each member of staff will be informed of the standards against which their performance in that appraisal period will be assessed. The appraiser and appraisee will seek to

agree the objectives but where a joint determination cannot be made the appraiser will make the determination.

## **Reviewing Performance**

Appraisal is a supportive process which will be used to inform continuing professional development. The Academy wishes to encourage a culture in which all staff take responsibility for improving their performance through appropriate professional development and complete a Self-Review at least once a year at the end of the cycle **(see Appendix A)**. Professional development will be linked to Academy improvement priorities and to the ongoing professional development needs and priorities of individual staff.

Staff performance will be regularly observed to ensure that strengths and areas for development are identified over the period of the appraisal period. The data from various observations is instrumental in informing Academy improvement more generally. The amount of observation will depend on the circumstance of the member of staff and the overall needs of the Academy. All teaching staff will be observed teaching at least three times per year but no more than 3 hours in total. All observations will be carried out in a supportive fashion by Academy trained observers who have QTS. In addition to formal observations, leaders with responsibility for teaching and learning in the Academy will conduct Learning Walks at any time in order to evaluate standards of teaching and ensure that a high standard of professional conduct is maintained, something which is central to the Dixons Difference.

It is important to note that staff performance will be continually monitored throughout the academic year. There are many other tools which will be used to monitor staff performance against the teaching standards, including examining how productive relationships are with other colleagues, parents and students. Work scrutiny will be conducted throughout the year to evaluate how consistent and effective a teacher's marking and feedback is. It is also a useful activity as it gives a flavour of the type of activities done in lessons. Departmental and Pastoral teams will also be reviewed on a 2 – 3 year cycle as part of the Academy's Quality Assurance process. Information gathered during these reviews will be available to the appraiser.

Staff 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 need attention. If there are any areas of concern, an Improvement Action Plan will be generated by the appraiser in order to ensure that improvement takes place in any given area. If there is a serious concern then an appraisal concern meeting will be instigated. Improvement Action Plans will be monitored at regular periods to ensure progress.

## **Annual Assessment**

All 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. It is the responsibility of the appraisee to make appointments with the appraiser at key milestones to review progress.

The member of staff will receive, as soon as practicable following the end of each appraisal period, and have the opportunity to comment in writing on, a written appraisal report which will be informed by an accurate self-review. The appraisal report will include:

- key performance data including staff attendance;
- an assessment of performance in the role and responsibilities against their objectives and the relevant standards;
- an assessment of training and development needs and identification of any action that should be taken to address them;
- a recommendation on pay where applicable.

The assessment of performance and of training and development needs will inform the planning process for the following appraisal period and the cycle begins again with objective setting.

## **Cause for Concerns and support**

Where there are serious concerns about any aspects of performance, the line manager (which is not always the appraiser) will meet with the member of staff formally along with the relevant SLT member to:

- give clear feedback about the nature and seriousness of the concerns;
- give the opportunity to comment and discuss the concerns;
- agree any support (e.g. 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 six weeks for improvement; (except in the case of marking)
- explain the implications and process if no or insufficient improvement is made;
- create an action plan reflecting the above.

If the line manager is satisfied that the member of staff 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.

## **Transition to Capability**

If the appraiser is not satisfied with progress, the member of staff will be notified in writing that the appraisal system will no longer apply; their performance will be managed under the capability procedure and will be invited to a formal capability meeting.

## **Capability Procedure**

It is hoped that the Academy's appraisal procedures and CPD programme will support all staff to carry out their duties and responsibilities as a teacher.

The Academy has a clear emphasis on staff development and training.

Wherever possible, staff issues will be dealt with in an informal manner, with a supportive approach through the appraisal process.

Lack of capability is defined as a situation in which a member of staff fails consistently to perform his/her duties to a professionally acceptable standard. The prime aim of the capability procedure is to achieve an improvement to an acceptable standard in the performance of a member of staff with regard to work standards, quality, productivity, or other factors which affect efficiency.

At least five working days' notice will be given of the formal capability meeting. The notification will contain sufficient information about the performance concerns and their possible consequences to enable the teacher to prepare to answer the case at a formal capability meeting. It will also contain copies of any written evidence, the details of the time and place of the meeting and will advise the member of staff of their right to be accompanied by a colleague or trade union representative who has been certified by their union as being competent.

### **Formal Capability Meeting**

This meeting is intended to establish the facts. The launch meeting will be chaired by the Principal. The meeting allows the member of staff, accompanied by a companion if they wish (a union representative is recommended), to respond to concerns about their performance and to make any relevant representations. This may provide new information or a different context to the information/evidence already collected.

Towards the start of the meeting, the Principal will decide whether to address the concern through the appraisal process (for example when there is insufficient grounds for pursuing capability procedures), adjourn the meeting (for example when further investigation is needed) or carry on with the meeting. During the meeting, or any other meeting which could lead to a formal warning being issued, the Principal will:

- identify the standards expected which are not being met;
- give clear guidance on the improved standard of performance needed to ensure that the member of staff can be removed from formal capability procedures. This will involve the formulation of an action plan created by a member of SLT (which will include success criteria, support

and details of how and when progress will be reviewed. This is often started by the setting of new objectives focused on the specific weakness). The timetable will depend on the circumstances of the individual case but could be between a minimum of four weeks and a maximum of ten weeks. It is for the Principal to determine the set period. It should be reasonable and proportionate, but not excessively long, and should provide sufficient opportunity for an improvement to take place;

- warn the member of staff formally that failure to improve within the set period could lead to dismissal. In very serious cases, this warning could be a final written warning.

Notes will be taken of formal meetings and a copy sent to the member of staff. Where a warning is issued, the member of staff will be informed in writing of the matters covered in the bullet points above, the timing and handling of the review stage and the procedure and time limits for appealing against the warning.

### **Monitoring and Review Period following a Formal Capability Meeting**

A performance monitoring and review period will follow the formal capability meeting. Formal monitoring, evaluation, guidance and support will continue during this period. The member of staff will be invited to a formal review meeting unless they were issued with a final written warning, in which case they will be invited to a decision meeting (see below).

### **Formal Review Meeting**

As with formal capability meetings, at least five working days' notice will be given and the notification will include details of the time and place of the meeting and will advise the teacher of their right to be accompanied by a colleague or a trade union representative who has been certified by their union as being competent.

If the person conducting the meeting is satisfied that the member of staff has made sufficient improvement, the capability procedure will cease and the appraisal process will re-start. In other cases:

- If some progress has been made and there is confidence that more is likely, it may be appropriate to extend the monitoring and review period;
- If no, or insufficient, improvement has been made during the monitoring and review period, the member of staff will receive a final written warning.

As before, notes will be taken of formal meetings and a copy sent to the member of staff. The final written warning will mirror any previous

warnings that have been issued. Where a final warning is issued, the member of staff will be informed in writing that failure to achieve an acceptable standard of performance within the set timescale may result in dismissal. They will be given information about the handling of a further monitoring and review period and the procedure and time limits for appealing against the final warning. The member of staff will be invited to a decision meeting.

### **Decision Meeting**

As with formal capability meetings and formal review meetings, at least five working days' notice will be given and the notification will include details of the time and place of the meeting and will advise the teacher of their right to be accompanied by a colleague or a trade union representative who has been certified by their union as being competent.

If an acceptable standard of performance has been achieved during the further monitoring and review period, the capability procedure will end and the appraisal process will re-start. If performance remains unsatisfactory, a decision, or recommendation to the Governing Body, will be made for the member of staff to be dismissed.

The member of staff will be informed as soon as possible of the reasons for the dismissal, the date on which the employment contract will end, the appropriate period of notice and their right of appeal.

### **Decision to Dismiss**

The power to dismiss staff in this Academy rests with the Principal supported by the Governing Body.

### **Appeals**

If a member of staff feels that a decision to dismiss them or other action taken against them is wrong or unjust, they may appeal in writing against the decision within five days of the date of the decision setting out the grounds for appeal. Appeals will be heard without unreasonable delay and where possible, at an agreed time and place. The same arrangements for notification and the right to be accompanied by a companion will apply as with formal capability and review meetings and as with other formal meetings, notes will be taken and a copy sent to the member of staff.

The appeal will be dealt with impartially and wherever possible, by managers or Governors who have not previously been involved in the case.

The member of staff will be informed in writing of the results of the appeal hearing as soon as possible

## **Quality Assurance**

In order to ensure the Appraisal procedures at Dixons Allerton Academy are fairly and consistently carried out, the Principal will:

- ensure that all Appraisers are fully aware of the policy and the National Teacher Standards;
- moderate and comment on all teaching staff appraisal reports;
- give clear guidance on what should be expected of different teachers at different stages in their career;
  - personalise professional development to ensure all training is appropriate to staff needs;
  - follow national guidelines and regulations for the Appraisal and Capability policies.

### **The Governing Body will:**

- ensure that the Principal's planning statement is consistent with the Academy's improvement priorities and complies with the Academy's Appraisal and Capability Policy and the Regulations;
- review the quality assurance processes when the Appraisal and Capability Policy is reviewed

## **General Principles Underlying This Policy**

### **ACAS Code of Practice on Disciplinary and Grievance Procedures**

The capability section of the policy will be implemented in accordance with the provisions of the ACAS Code of Practice.

### **Confidentiality**

The appraisal and capability processes will be treated with confidentiality. Appraisers and the Principal will have access to the full Appraisal documentation. Relevant members of SLT will have access to objectives in order to plan the Academy's CPD programme. However, the desire for confidentiality does not override the need for the Principal and Governing Body to quality-assure the operation and effectiveness of the appraisal system.

### **Consistency of Treatment and Fairness**

The Governing Body is committed to ensuring consistency of treatment and fairness and will abide by all relevant equality legislation.

## **Grievances**

Where a member of staff raises a grievance during the capability procedure the capability procedure may be temporarily suspended in order to deal with the grievance. Where the grievance and capability cases are related it may be appropriate to deal with both issues concurrently.

## **Sickness**

If long term sickness absence appears to have been triggered by the commencement of monitoring or a formal capability procedure, the case will be dealt with in accordance with the staff attendance policy. In some cases, it may be appropriate for monitoring and/or formal procedures to continue during a period of sickness absence.

## **Monitoring and Evaluation**

The Governing Body and Principal will monitor the operation and effectiveness of the Academy appraisal arrangements.