

September 2014

To: Chairs of Governing Bodies, Headteachers of all maintained schools and Heads of Centres and Services

Dear Colleague

PERFORMANCE MANAGEMENT – ADOPTION AND IMPLEMENTATION OF POLICY

1. Introduction

- 1.1 The Education (School Teacher Performance Management) (England) Regulations 2006 state that the individual plan for managing and reviewing the performance of each teacher during the school year 2007-2008 **shall be recorded in a planning and review statement by 31st October** (or 31st December for Headteachers).
- 1.2 Therefore it is **essential for every governing body to adopt its performance management policy early in the autumn term and then for the Headteacher to decide who is to be the reviewer for each teacher in the school and ensure that the reviewers and teachers work together to produce individual plans by 31st October.**
- 1.3 You will recall that last term the authority, after consultation with the teachers' associations, made some small modifications to the model policy published by the Government and published these to schools. This modified model policy for schools has been added to 'Notes for Guidance: Employees in Schools' at http://ebriefing.bgfl.org/index.cfm?p=resources.view_resource&id=3753&zz=20070911134226074 There was an error in the order of two sentences in paragraph 16 of this modified policy and this error has now been corrected.
- 1.4 The new performance management process will prepare for teachers' pay progression in September 2008. For determination of salaries with effect from 1st September 2007, based on performance during 2006-2007, schools should continue to use the established process set out in the annual guidance on the School Teachers' Pay and Conditions Document. We will publish this year's guidance as soon as possible, hopefully later this month. Where the Headteacher is the reviewer under the new Regulations it should be possible to review performance in 2006-2007 at the same time as establishing performance criteria for 2007-2008; otherwise the two processes will have to be separate this year.

Heather Morris
Principal Employee Relations Officer



St. Matthew's CE Primary School **Performance Management Policy**

INTRODUCTION

This is a modified version of the model performance management policy prepared by the Rewards and Incentives Group (RIG) and is recommended to schools in Birmingham to use to support the implementation of the revised performance management arrangements set out in The Education (School Teacher Performance Management) (England) Regulations 2006.

These regulations come into force on 1 September 2007 with the first performance management planning statement under the revised arrangements needing to 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. Schools should ensure that all teachers are briefed on the performance management arrangements.

Regulation 7(9) requires that each governing body shall establish a written policy that shall:

- (a) state what results the policy is intended to achieve and how these will be measured;*
- (b) show how the school's arrangements for school teacher performance management link with those for school improvement, school self-evaluation and school development planning;*
- (c) show how the school will seek to achieve consistency of treatment and fairness between those teachers with similar experience or levels of responsibility;*
- (d) set out the timing of the cycle;*
- (e) include a classroom observation protocol;*
- (f) provide performance management training to be made available as the need arises;*
- (g) state the arrangements for monitoring and evaluating the policy: and*
- (h) specify any ancillary or supplementary procedures necessary for the operation of the performance management of teachers at the school in accordance with these Regulations.*

It may also set out the procedures for moderation.

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. Before establishing or revising the school's performance management policy the Governing Body shall seek to agree the policy with the recognised trade unions, having regard to the results of the consultation with all teachers.

As the school is required to demonstrate the link between performance management, school improvement and its development plan it is good practice to consult all teachers on the school improvement plan and self-evaluation process.

Birmingham Local Authority has inserted the following 2 paragraphs which were originally in the Classroom observation protocol at Annex 1 to avoid any confusion that classroom visits are part of classroom observation.

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. Heads have a right to make classroom visits (referred to as “drop in” in the guidelines) to inform their monitoring of the quality of learning.

Classroom visits will only inform the performance management process where evidence arises which merits the revision of the performance management planning statement, in accordance with the provisions of the regulations.

The performance management policy has been drafted in accordance with the regulations and the ‘Performance Management for teachers and Headteachers guidance’ published by the RIG. The regulatory requirements are stated clearly and where governing bodies are able to exercise discretion, the options available are also identified. In drawing up their performance management policy, schools will need to decide for each area of discretion which option to choose.

The performance management policy applies only to teachers and Headteachers. 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 performance management policy does not duplicate everything that is covered by regulations and guidance, rather it sets out what are considered to be the key points for school policies. For this reason this policy should be read in conjunction with the regulations and the guidance.

Copies of the regulations and the RIG guidance are readily available for reference to all teachers. Copies can be downloaded from <http://www.teachernet.gov.uk/management/payandperformance/performancemanagement>

Hardcopies can be ordered from Prolog (08456 022260) quoting the reference 03984-2006BKT-EN.

This policy has been written in the context of schools, but the same principles apply equally to the performance management of unattached teachers covered by Part 3 of the regulations and local authorities will want to consider this when reviewing their performance management policies.

PERFORMANCE MANAGEMENT POLICY

1. The Governing Body of St. Matthew's CE Primary School adopted this performance management policy on 2nd December, 2009.

APPLICATION OF THE POLICY

2. 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 (*ie NQTs*) and those who are the subject of capability procedures.

PURPOSE

3. *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 recommendation is made by the reviewer.*
4. *This policy should be read in conjunction with the school's pay policy which provides details of the arrangements relating to teacher's pay in accordance with the School Teachers' Pay and Conditions Document.*
5. **This school's performance management policy is designed to raise pupil achievement and attainment by;**
 - **clearly setting out the roles and responsibilities of all participants**
 - **improving teachers' morale and motivation**
 - **providing an entitlement for teachers to engage in professional development as identified in the planning meeting**
 - **being seen as enabling**
 - **encouraging the development of confident and professional judgements amongst teachers**
 - **increasing teachers' participation in decision-making and developing a sense of control over their own work.**

LINKS TO SCHOOL IMPROVEMENT, SCHOOL SELF EVALUATION AND SCHOOL DEVELOPMENT PLANNING

6. *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.*
7. *Similarly, the school improvement and development plan and the school's self evaluation form are key documents for the performance management process.*

8. *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.*

CONSISTENCY OF TREATMENT AND FAIRNESS

9. *The Governing Body is committed to ensuring consistency of treatment and fairness in the operation of performance management.*
10. *To ensure this the following provisions are made in relation to moderation, quality assurance and objective setting.*

Quality assurance

The Headteacher has determined that s/he will:

delegate the reviewer role for some or all teachers for whom s/he is not the line manager. In these circumstances the Headteacher will:

moderate all the 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***

11. **The Governing Body will:**

nominate the Chair of the Governing Body, 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.

13. *The Governing Body will review the quality assurance processes when the performance policy is reviewed.*

OBJECTIVE SETTING

14. *The objectives set will be **concise**, 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 professional duties and the time required to pursue his personal interests outside work, consistent with the school's strategy for bringing downward pressure on working hours. They shall also take account of the teacher's 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.***
15. *The reviewer and reviewee will seek to agree the objectives but **where a joint determination cannot be made the reviewer will make the determination.***
16. *In this school:
all teachers, including the Headteacher, will have no more than **three** objectives*

A reviewee's objectives should reflect any relevant team, year or whole school objectives.

17. *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 provisions of the regulations have been carried out satisfactorily.*

Reviewing Progress

18. *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.*
19. *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.*

APPEALS

20. ***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.

21. *Details of the appeals process are covered in the school's pay policy.*

CONFIDENTIALITY

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

TRAINING AND SUPPORT

23. *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.*
24. *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.*
25. *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.*
26. *With regard 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 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 support recorded in the planning statement has not been provided.*

APPOINTMENT OF REVIEWERS FOR THE HEADTEACHER

Appointment of Governors

27. *In this school:*

The Governing Body is the reviewer for the Headteacher and to discharge this responsibility on its behalf may appoint 2 or 3 governors.

28. **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, s/he may submit a written request to the governing body for that governor to be replaced, stating those reasons.**

29. Appointment of School Improvement Partner or External Adviser

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.

APPOINTMENT OF REVIEWERS FOR TEACHERS

- 30. In the case where the Headteacher is not the teacher's line manager, the Headteacher may delegate the duties imposed upon the reviewer, in their entirety, to the teacher's line manager. In this school the Headteacher has decided that:**

The Headteacher will be the reviewer for those teachers s/he directly line manages and will delegate the role of reviewer, in its entirety, to the relevant line managers for some or all other teachers.

Line managers will be the reviewers for all those teachers they line manage.

- 31. 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.**
- 32. 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, s/he may submit a written request to the Headteacher for that reviewer to be replaced, stating those reasons.**
- 33. 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.**
- 34. A performance management cycle will not begin again in the event of the reviewer being changed.**
- 35. All line managers to whom the Headteacher has delegated the role of reviewer will receive appropriate preparation for that role.**

THE PERFORMANCE MANAGEMENT CYCLE

36. **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.**
37. ***The performance management cycle in this school, therefore, will run termly September to July for teachers, and from October to July for the Headteacher.***
38. *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.*
39. **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 cycle into line with the cycle for other teachers at the school as soon as possible.**
40. **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.**

RETENTION OF STATEMENTS

41. **Performance management planning and review statements will be retained for a minimum period of 6 years.**

MONITORING AND EVALUATION

42. *The governing body will monitor the operation and outcomes of performance management arrangements.*
43. **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;**
 - **teachers' training and development needs.**
44. *The Governing Body is committed to ensuring that the performance management process is fair and non-discriminatory and the following monitoring data should be included in the Headteacher's report because they represent the possible grounds for unlawful discrimination:*
 - *Race*
 - *Sex*
 - *Sexual orientation*
 - *Disability*

- *Religion and belief*
- *Age*
- *Part-time contracts*
- *Trade union membership.*

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

REVIEW OF THE POLICY

46. **The Governing Body will review the performance management policy every school year at its Curriculum Committee meeting.**

47. *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.*

48. **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.**

49. *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.*

ACCESS TO DOCUMENTATION

50. *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.*

CLASSROOM OBSERVATION PROTOCOL

51. **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 1.**

PERFORMANCE MANAGEMENT POLICY

ANNEX 1 - CLASSROOM OBSERVATION PROTOCOL

1. *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.*
2. **The total period for classroom observation arranged for any teacher 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.*
3. *In this school 'proportionate to need' will be determined by: discussion in the planning meeting and will be appropriate to the objectives set and reflect the individuals work pattern (see 6.13 in Guidance).*
4. **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.** *Classroom observations **should** be multi purpose and are only one aspect of effective monitoring.*
5. **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.**
6. *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.*
7. *In keeping with the commitment to supportive and developmental classroom observation those being observed will be notified at least 5 working days in advance. (Local Authority note).*
8. **Classroom observations will only be undertaken by persons with QTS.** *In addition, in this school classroom observation will only 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.*
9. *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.*
10. **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.*

11. *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.*

Signed:
Chair of Curriculum Committee **Date**

Signed:
Chair of Governors **Date**

Date of next Review: **December, 2014**