

The **co-operative** academies trust

Performance Management Policy 2015/16

Teaching Staff

Approved by the Trust Board on 09 September 2015
Implementation from 1st September 2015

Performance Management Policy

Teaching Staff

Contents	Page Number
1.0 Who does this policy apply to?	2
2.0 Purpose	2
3.0 The Performance Management Cycle	2
4.0 Appointment of Reviewers	3
4.1 For the Headteacher/Principal	3
4.2 For Teachers	3
4.3 Training Reviewers	4
5.0 Preparation for the Planning & Review meeting	4
6.0 Planning & agreeing performance criteria	5
6.1 Teachers' Standards	5
6.2 Objectives	5
6.3 Completion of professional development	6
6.4 Co-operative values	6
7.0 Agreeing support and development needed	6
8.0 Reviewing performance during the year	6
8.1 Classroom observations	6
8.2 Where there are concerns about the level of performance	7
9.0 At the end of the year	7
10.0 Pay progression	8
11.0 Appeals	8
12.0 Continuing professional development	8
13.0 Use and retention of the Planning & Review Report	8
14.0 Monitoring, Evaluation and Review	9
Annex 1a – Planning & Review Form (2014/15 end of year review)	10
Annex 1b – Planning & Review Form (2015/16 academic year)	11
Annex 1c – Training & Development Annex	15
Annex 2 – Effective preparation & support of reviewers	16
Annex 3 – Setting objectives	17
Annex 4 – Co-operative Values	18
Annex 5 – Classroom Observation Protocol	19
Annex 6 – Manager guidance on managing under-performance	20
Annex 7 – Appeal process	21

The Co-operative Academies Trust

Performance Management Policy - Teaching Staff

1.0 Who does this policy apply to?

1.1 The policy applies to the Headteacher/Principal and to all qualified and unqualified teachers employed in Co-operative Academies Trust (CAT) academies, except teachers on contracts of less than one term, those undergoing induction (i.e. NQTs) and those who are the subject of capability procedures.

1.2 This version of the policy should be used from September 2015 onwards; for the 2015/16 planning cycle (pay recommendations in Autumn 2016).

2.0 Purpose

2.1 CAT is committed to ensuring consistency of treatment and fairness in the operation of performance management.

2.2 This policy sets out the framework of a clear and consistent assessment of the overall performance of teachers and the Headteacher/Principal within the Trust's plan for improving educational provision and performance and the standards expected of teachers, and for supporting their development needs within the context of an Academy's improvement plan and their own professional needs.

2.3 The planning & review process will be a supportive and developmental process designed to foster professional dialogue between colleagues and ensure that all teachers have the skills and support they need to carry out their role effectively. It will help to provide teachers with real clarity around what is expected of them in their role, and help ensure that teachers are pro-active in continuing to improve their professional practice.

2.4 Whilst this policy sets out the formal performance management process, in the same way that we aim for all our pupils/students to strive to improve their performance and to maximise their potential, so we expect all our staff to work towards improving their individual performance, the work of their team and their contribution to the academy's overall performance, and will support and encourage them in doing so throughout the year.

2.5 The assessment of performance throughout the cycle against the performance criteria agreed will be the basis on which the recommendation is made by the reviewer with regard to performance related pay.

2.6 Each Academy is expected to exercise professional judgement within the framework provided by this policy. It is intended that the performance management process will inform each Academy's self-evaluation and wider Academy improvement process; and similarly, that the Academy Improvement Plan will inform the objectives set through the performance management process.

3.0 The Performance Management Cycle

3.1 Performance management should be a regular cycle of 'plan', 'do' and 'review', and performance of teachers must be formally reviewed on an annual basis. Performance planning for the forthcoming academic year, and reviews of performance during the last academic year, should be completed for all teachers by 31st October, and for the Headteacher/Principal by 30th September, at the latest.

3.2 The Planning & Review Forms at **Annex 1** should be used to record the process.

3.3 There is an expectation that at least one informal meeting to review progress will take place during the year. This will help to ensure that staff remain on track to meet their objectives and that appropriate support and

development is being provided. It is expected that a brief note of the purpose & outcome of the meeting will be created. Additional ad hoc discussions may take place at any time during the cycle, at the request of either party if they think that this would be helpful.

3.4 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.

3.5 Where a teacher starts their employment at the Academy part-way through a cycle, the objectives set should be appropriate to bring their cycle into line with the cycle for other teachers at the Academy as soon as possible.

3.6 Similarly, where a teacher transfers to a new post within the Academy part-way through a cycle, a decision should be taken as to whether it is appropriate to change the reviewer and/or update the objectives. In this case, the end of year review will need to take account of both parts of the cycle and a meeting should take place to discuss the changes, with a written addition being made to the Planning & Review Report.

3.7 Other circumstances where it may be appropriate to agree and document changes might be due to a disability requiring a reasonable adjustment, or a long period of absence due to maternity.

3.8 Where an employee is going on maternity leave, consideration should be given to completing the end of year review (review of objectives) prior to the maternity leave commencing so that the pay recommendation can be made at the appropriate time.

3.9 Staff employed via an agency are not covered by this policy, however, if they are working with us for an extended period we would expect them to have agreed performance objectives and have their performance managed in accordance with the principles set out in the policy. However, this would not directly impact on pay at a later date, as this is a matter between the individual and the agency who employs them.

3.10 The Headteacher/Principal will provide the Trust Board and Governing Body with an annual written report on the operation of the Performance Management Policy in their Academy.

4.0 Appointment of Reviewers

4.1 For the Headteacher/Principal

- The Director of the Trust is accountable for the performance management of the Headteacher / Principal. The Director of the Trust (and/or designated Academy Improvement Manager) and the Chair of the Governing Body will be jointly responsible for reviewing the performance.

4.2 For Teachers

- Each member of staff will have a designated reviewer. The Headteacher/Principal will be responsible for the allocation of reviewers, and may delegate the role of reviewer to the relevant line manager.
- Where a teacher has more than one line manager the Headteacher/Principal will determine which line manager will be best placed to manage and review the teacher's performance. In this instance, the 'lead' line manager should seek input from the other line managers when setting objectives, development planning, and conducting the end of year review.
- If circumstances arise in which, for professional reasons, a teacher wishes to request a change of reviewer, they may submit a written request to the Headteacher/Principal for that reviewer to be replaced, stating the reasons. Where the request is not accepted, the reasons for the refusal should be explained in writing and appended to the Planning & Review Form report along with a copy of the original request.
- Where it becomes apparent that the reviewer will be absent for the majority of the cycle or is unsuitable for professional reasons the Headteacher/Principal 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.

4.3 Training of reviewers

It is the responsibility of the Headteacher/Principal to ensure that all reviewers are appropriately trained. The effective preparation and support of reviewers is central to realising the benefits of the planning & review process, and reviewers are responsible for making sure that the key elements of the process are undertaken fairly and consistently. Headteachers/Principals should ensure that all reviewers have received appropriate training for, and are clearly briefed on their role. Further guidance is given at **Annex 2**.

5.0 Preparation for the Planning & Review Process

5.1 The planning & review meeting which ends and begins the annual performance management cycle is the most critical part of the process. This meeting will include:

- a review of the previous 12-month cycle, including a recommendation with regard to pay
- making clear the factors against which performance will be reviewed at the end of the next 12-month cycle, including the standards against which performance will be assessed, and objective setting
- a discussion of development requirements and any support needed to facilitate achievement of objectives and continuing professional development

5.2 The Planning & Review meeting should be scheduled as far in advance as possible, with a minimum of 5 working days' notice given, and sufficient uninterrupted time put aside to enable a meaningful discussion. Usually all matters will be dealt with in one meeting; however, the review of the last year, and objective setting / development planning for the forthcoming year may be split in to two meetings with the agreement of those involved.

5.3 The meeting should be a professional two-way dialogue between the reviewer and the reviewee, and both parties are expected to prepare appropriately ahead of the discussion. The teacher is expected to play an active part in the meeting, clearly and confidently putting forward their views about their performance and future development.

5.4 With this in mind, both the reviewer and reviewee should undertake appropriate preparation and reflection. ***Documentation to be referred to should be shared in advance of the meeting to enable an informed discussion to take place.*** This might include:

- reviewing the previous Planning & Review Form / objectives set (including any revisions made during the year)
- reviewing the training, professional development, and support needs documented at the start of the cycle, and considering the training, development and support provided during the cycle against this
- sharing information on performance during the year, such as written feedback on any classroom observation, and any other information relating to agreed objectives.
- having relevant documents such as the relevant job description, Teachers' Standards, academy improvement plan and a copy of this policy to hand
- familiarising themselves with the relevant CAT pay policy and potential eligibility / criteria for pay progression and/or performance related pay [the CAT pay policy relating to pay decisions to be made in Autumn 2016].

And:

Reviewer (manager, must hold QTS)	Reviewee
- ensuring the reviewee has all the documentation to be used at the meeting. - consider the priorities for the next cycle / possible objectives to be discussed - if not the direct/only line manager, seek input from other managers involved on	- reflect on achievements in last cycle - identify any issues which impacted positively or adversely on their performance - consider the impact of any training & development undertaken on their own performance (or the performance of those

performance in previous cycle and priorities for next cycle	they have supported) - considering professional aspirations - identifying any support or development required to further develop their practice
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6.0 Planning & agreeing performance criteria

Each Academy is responsible for setting the performance criteria for its teachers within the broad framework set out below:

- Teachers' Standards
- Objectives
- Professional Development

6.1 Teachers' Standards

6.1.1 It is the responsibility of each Academy to ensure that reviewees understand the expectations in relation to the Teachers' Standards within the individual context / approach of their establishment and in relation to their Academy's development plan. Individual Academies may produce and circulate additional documentation to help explain this.

6.1.2 Performance management of Headteachers/Principals should include reference to the "national standards of excellence for headteachers" published in January 2015, in addition to the Teachers' standards.

6.2 Objectives

6.2.1 The objectives set should be stretching but achievable, and commensurate with the employee's role and level of seniority. They should be in line with an Academy's plan and contribute to improving the progress of pupils/students and, as far as is reasonably possible, be fair and equitable in relation to teachers with similar roles/responsibilities and experience.

6.2.2 They should also take account of the teacher's professional aspirations and any relevant pay progression criteria.

6.2.3 All teachers, excluding the Headteacher/Principal, will generally have **no more than three objectives**.

These may include, but are not limited to:

- Quality of teaching & learning (e.g. improving quality of planning/preparation/assessment; to demonstrate consistently "good" teaching & learning)
- Overall pupil/student progress (e.g. levels of progress, attainment, attendance, behaviour; either individual objectives, or contribution to whole academy or department targets)
- Contribution to wider academy life / implementing policy/practice (e.g. research and share ideas on a wider ranges of approaches to assess reading; successfully lead literacy group; support monitoring of SEN children)
- Leadership/management if applicable (e.g. if hold TLR should have objective linked to that area of work; or might be objective linked to working with other classroom staff)

6.2.4 Objectives should relate to activities that are part of a teacher's contractual duties under STPCD; they may include additional voluntary activities only if the teacher suggests these, but objectives of this nature should not be imposed.

6.2.5 It is for each Academy to decide the detail of these objectives and the extent to which they want to include generic objectives for all or groups of staff e.g. all key stage one teachers or all English teachers might have a shared objective, and to agree them at an individual level.

6.2.6 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 circumstance the reviewee should document their concerns/objections on the PRP form.

6.2.7 Where the role of the reviewer has been delegated, the Headteacher/Principal will be responsible for moderating Planning & Review Forms to check that the plans recorded for a teacher are consistent with those who have similar experience and similar levels of responsibility, and that they comply with CAT's performance management policy.

6.2.8 Further guidance on objective setting is included in **Annex 3**.

6.3 Completion of professional development

6.3.1 Plans for professional development should be realistic, commensurate with the experience of the reviewee and the next steps of their teaching career, and in line with the Academy's improvement plan.

6.3.2 Whilst the Academy may not be able to support all requests for professional development (see section 12.0 for further details), there is an expectation that the reviewee will undertake the development actions that are approved, unless there are mitigating factors.

6.3.3 Where a teacher wishes to apply for UPS in the future, they and their reviewer should ensure that the objectives set in preceding performance management cycles are at an appropriate level to provide evidence to support progression once completed. For further information on progression to the Upper Pay Scale please refer to the CAT pay policy.

6.4 Co-operative Values

Although it is not an explicit part of the performance management process, there is an expectation that all staff will work in line with Co-operative values at all times see **Annex 4**.

7.0 Agreeing support & development needed

7.1 A key part of the Planning & Review discussion should also include agreeing and documenting any support, training and/or development that the reviewee will need in order to meet the performance criteria and achieve the agreed objectives (over & above any more general continuing professional development, see 6.3 & 12).

7.2 Training & development may include attending a particular training course, but not necessarily. It may also involve coaching or mentoring, team teaching, observing demonstration lessons, or working with other teachers with pupils/students in the classroom.

7.3 To maintain confidentiality, all training & development needs should be recorded in a separate annex.

8.0 Reviewing performance during the year

Evaluation of performance should be holistic, and evidence can come from a number of avenues during the course of the year which will have been agreed by the reviewee and the reviewer at the planning & review meeting. This may include, but is not limited to:

- Classroom observations
- Task observations relevant to the objective (e.g. leading a meeting or inset day)
- Work sampling (review of lesson / subject planning records)
- Outcomes (pupil / student progress, attainment, behaviour, attendance, engagement)
- If directly relevant to the agreed objective and included as an agreed measure, feedback from pupils/student and/or parents (e.g. if a senior leader has an objective to organise parents' evenings, or a teacher agrees an objective to organise educational visits as part of the national curriculum)

8.1 Classroom observations

8.1.1 The Trust is committed to ensuring that all observations are 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

- Respect the confidentiality of the information gained

8.1.2 Classroom and task observations will be carried out in accordance with the protocols operational in each individual Academy. A recommended protocol is included at **Annex 5**.

8.1.3 Where an observation is taking place for formal Planning & Review purposes, it should be carried out by a qualified teacher who has the appropriate skills to observe, evaluate and give feedback. The reviewee should be given advance notice, and verbal feedback should be provided afterwards in a suitable private environment. Written feedback should be provided within five working days. The reviewee has the right to append written comments to the feedback document.

8.1.4 It is the responsibility of the Reviewer to decide how much observation is necessary for them to form an accurate assessment of a teacher's performance; the focus and timing of reviews to be agreed at the planning meeting. A maximum of three observations will be timetabled for all purposes at the start of the planning & review cycle. Where evidence emerges during the cycle about the reviewee's performance which gives rise to concern and support under the terms of para 8.2, or where the reviewee requests additional observations to be made in support of their ongoing development, additional observations may be arranged.

8.2 Where there are concerns about the level of performance

8.2.1 If there are concerns about a teacher's level of performance or progress at any time during the year, these should be raised with the teacher at the earliest opportunity. This will enable a discussion to take place about any additional support that may be required to get things 'back on track'. There should be no surprises when it comes to the end of year review.

8.2.2 It is expected that, in the majority of cases, concerns about under-performance will be addressed through informal discussion, additional support and usual monitoring through the Planning & Review process (see **Annex 6** for guidance, and also the Trust's Capability Procedure).

9.0 At the end of the year

9.1 At the end of the cycle, the reviewer and reviewee should review performance during the preceding 12 months. The Planning & Review report, which will be the outcome of the meeting, should be discussed between the reviewer and reviewee and they should seek to agree the content. The final report should not be produced until both parties have had input.

9.2 The dialogue should be open and two-way, focused on seeking to achieve a shared understanding of progress towards meeting the performance criteria and exploring any issues that may have impeded progress. The reviewer and reviewee should seek to agree an overall assessment of performance, and record this in the report.

9.3 As objectives set should be achievable, the expectation is that all objectives will be met unless there are strong and well evidenced mitigating reasons as to why this has not been possible. However, recognising that objectives should be stretching, if good progress towards the achievement of a particularly challenging objective has been made, even if the performance criteria have not been met in full, this may be assessed favourably..

9.4 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 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 & Review form at the beginning of the second cycle.

9.5 If no agreement of the overall assessment can be reached, the reviewer should record their view and the reviewee should add their comments (see also Section 11.0 on Appeals).

10.0 Pay progression

10.1 Where teachers are eligible for performance related pay progression, a recommendation will be made by the reviewer based on performance against the agreed objectives, and those relevant teacher standards used to inform them, and any other agreed performance criteria.

10.2 Recommendations will be moderated by the Headteacher/Principal to ensure fairness and consistency. Recommendations with regard to pay for Headteachers/Principals will be moderated by the Director of the Trust.

10.3 Any recommendations for accelerated pay progression, or not to award pay progression where this would otherwise be expected, will be moderated by a panel of Headteachers/Principals, Head of HR and Director of the Trust, with the aim of ensuring fairness and consistency across the Trust following the closure of the review window and prior to the recommendations going to the Governing Body of the individual academy.

10.4 Following moderation, all recommendations will be considered for approval by an Academy's Governing Body (which may delegate this to a committee dealing with pay and remuneration).

10.5 For further information regarding pay progression, please refer to CAT's Pay Policy.

11.0 Appeals

11.1 Both the reviewer and reviewee should make a genuine attempt to resolve disagreement by discussion rather than appeal. A reviewee who is dissatisfied should have the opportunity to discuss the matter with the reviewer and/or Headteacher/Principal; this stage in the process will help to ensure that decisions are transparent and fair and may also help to mitigate the need for a more formal appeal.

11.2 If it is not possible to resolve matters in this way, the reviewee has the right to raise an appeal against any entry on their Planning & Review form, the overall assessment of their performance, the pay recommendation, and/or any aspect of the planning for the next cycle. Where a reviewee wishes to appeal on more than one point, this would still constitute one appeal hearing.

11.3 Details of the appeals process are covered in the **Annex 7**.

12.0 Continuing professional development

12.1 Each Academy will put in place a Continual Professional Development (CPD) programme, which will be informed by the training and development needs identified in the training annex of reviewees' planning and review statements and any wider development needs identified within the Academy.

12.2 Each Governing Body will ensure in the budget planning that, as far as possible, appropriate resources are made available in the academy budget for any training and support agreed for reviewees.

12.3 With regard to the provision of CPD in the case of competing demands on the academy 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 Academy to achieve its priorities.

13.0 Use and retention of the Planning & Review Form

13.1 The performance management process and the form generated under it, in particular, will be treated with strict confidentiality at all times.

The reviewee will be provided with a copy of their Planning & Review form, and a copy will be stored securely by the Headteacher/Principal. The allocated reviewer and the reviewee's line manager(s) will have access to the

reviewee's objectives and development plan to enable the review to take place and line manager(s) to discharge her/his line management responsibilities.

13.2 Planning & Review forms will be stored securely and retained by Academies for a minimum period of 6 years from the date on which the cycle to which it relates started.

13.3 Where electronic systems such as SIMS or Blue Sky are used to support the performance management process, access levels should be set in line with this policy.

14.0 Monitoring, Evaluation and Review

14.1 The policy will be promoted and implemented throughout CAT Academies. The Co-operative Academies Trust and its Governing Bodies will monitor the outcomes and impact of this policy on a regular basis in conjunction with trade union representatives to assess its implementation and effectiveness.

14.2 An annual written report on the operation of the policy (in conjunction with the Trust's pay policy, and including an equality impact) will be conducted and the outcomes shared with union representatives through the JCNC.

The **co-operative** academies trust

Planning & Review Form (review of 2014/15 year)

CONFIDENTIAL

Reviewee's name:

Reviewer's name:

End of year review meeting date:

Where am I now?

Use this space to record an assessment of performance for the Planning & Review cycle just ended:

Teachers' Standards:

Objectives:

- 1.
- 2.
- 3.

Completion of professional development:

Performance related pay progression

Is the reviewee eligible for pay progression as part of this process? YES / NO

Is pay progression recommended? YES / NO

If 'No', or if accelerated progression is recommended, please attach a separate sheet outlining reasons.

Reviewee signature: _____ Date: _____

Reviewer signature: _____ Date: _____

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Planning & Review Form (for 2015/16)

CONFIDENTIAL

Planning your performance management criteria for 2015/16

a. Teachers' Standards

It is expected that all teachers will work in line with and meet the Teachers' Standards and that performance will be reviewed at the end of the year.

b. Objectives

Use this space to document the objectives, including performance criteria / measures and when it will be completed by.

	Objective and success criteria	By when?
1		
2		
3		

c. Development, support and classroom observation

	Development or support needed to successfully achieve these objectives	By when?
	Other continuing professional development	By when?
	Use this space to document plans for classroom observation	

Sign here to indicate that these objectives have been agreed:

Reviewee signature: _____ Date: _____

Reviewer signature: _____ Date: _____

Mid-year interim review (2015/16)**Teachers' Standards**

Comment:

Personal objectives**Comment**

1.

2.

3.

Development, support & classroom observation

Comment:

Additional comments**Sign here to indicate that notes of meeting are agreed:**

Reviewee signature: _____ Date: _____

Reviewer signature: _____ Date: _____

Reviewee comments – optional

End of year review (2015/16)**Teachers' Standards**

Comment:

Personal objectives**Comment**

1.

2.

3.

Development, support & classroom observation

Comment:

Additional comments

Reviewee comments – optional

Performance related pay progression
Is the reviewee eligible for pay progression as part of this process? YES / NO Is pay progression recommended? YES / NO If eligible but not recommended, or if accelerated (two-step) progression is recommended, please document reasons:

Sign here to indicate that notes of meeting are agreed:

Reviewee signature: _____ Date: _____

Reviewer signature: _____ Date: _____

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Training and Development Annex **CONFIDENTIAL**

Where training & development is identified and needs to be communicated to others so that this can be organised, a copy of this annex should be completed and sent to the CPD Co-ordinator.

Reviewee's name:

Reviewer's name:

Date of planning meeting:

Training and Development needs

Action to be taken

Annex 2**Effective preparation and support of reviewers****Key points**

The effective preparation and support of reviewers is central to realising the benefits of performance management, as they are responsible for making sure that key elements of the process are undertaken fairly and consistently. These include setting objectives, agreeing performance criteria and using them to assess progress, determining the reviewee's support, training and development needs and how these will be met and, where an reviewee is eligible, making a pay recommendation.

Academies, therefore, will need to make sure that reviewers have the specific knowledge, skills and understanding they need to carry out their responsibilities effectively. They will also need to consider the overall burden on each reviewer in terms of the number of reviewees for whom they are responsible, and how many reviews an individual reviewer can undertake effectively.

Considerations

Academies will need to make sure, for example, that all those acting as reviewers:

- understand the Trust's policies and procedures, and how performance management fits into the wider context of teachers' professional development;
- have copies of all the relevant documents;
- understand the impact and implications of equal opportunities on the performance management process;
- are confident in evaluating evidence, including through classroom observation;
- have access to any statistical data that both reviewer and reviewee consider important;
- are able to provide constructive feedback and engage in positive dialogue with the reviewee;
- are aware of the resources available to support teachers' development both within and beyond the academy;

There are opportunities for reviewers, during directed time, to share knowledge, learn from each other and align practice. It is recommended that arrangements are put in place to make use of the expertise of current reviewers to prepare and support those taking on this role.

If additional support is required in preparing reviewers for their role, please contact the Head of HR.

Objective Setting

The setting and agreement of objectives is fundamentally important and is a key factor underpinning the effective operation of the performance management process.

Whilst the planning & review process includes an assessment of overall performance of teachers and the Headteacher/Principal, the agreed 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 and teachers will have no more than three objectives. These may include a whole-academy objective shared by all teachers or a key stage, year, team or departmental objective shared with other colleagues.

Objectives should be "SMART"

Specific	It should clearly & concisely set out expectations and what needs to be achieved.
Measurable	Objectives need to be capable of measuring performance (the inputs) as well as the results (the outputs). What are the milestones (inputs) do you expect to see completed? What will success look like and how will it be measured / assessed? How will you know if it has or hasn't been achieved? How will you assess the contribution made towards achieving a target? It is important to be clear about this at the outset.
Achievable	There must be a reasonable expectation that the reviewee will be able to achieve the objective, but at the same time it should stretch / challenge the reviewee to improve their performance. Where staff work part time, or in a cover role, this should be taken in to account so that objectives are achievable within this context.
Relevant	The objectives must be relevant to the role performed by the reviewee and should also reflect their level of experience and professional aspirations. Equally, they should underpin the Academy's priorities and plans, and contribute to the improvement of an Academy's educational provision and performance.
Time-bound	The date by which the objective is to be completed should be documented.

Examples

I will contribute towards my class making accelerated progress in reading, writing and maths, with progress consistent across the cohort and a predicted target of 3.8 in all areas (with SEN children removed from the average), by doing a, b & c.

To develop the quality of my teaching to an outstanding standard by the end of the year, so that all aspects of Teachers' Standards are met at a secure level. This will be measured through observation, evidence against core standards and achievement data.

To plan and deliver two successful Enterprise days throughout the year, working with heads of department to implement cross-curricular enterprise. To be measured by student attendance at the events, and colleague and student feedback.

I will contribute towards achieving the predicted target of xx% A*-C in year 11 (subject) by doing x, y & z.

Annex 4

Our co-operative values

- **Self-help:** we help people to help themselves.
- **Self-responsibility:** we take responsibility and answer for our actions.
- **Democracy:** we give our members a say in the way we run our business.
- **Equality:** no matter how much money a member invests in their share account, they have one vote.
- **Equity:** we carry out our business in a way that is fair and unbiased.
- **Solidarity:** we share interests and common purposes with our members and other co-operatives.

Our ethical values

- **Openness:** no one's perfect and we won't hide it when we're not.
- **Honesty:** we are honest about what we do and the way we do it.
- **Social responsibility:** we encourage people to take responsibility for their own community and work together to improve it.
- **Caring for others:** we regularly fund charities and local community groups from the profits of our businesses.

Classroom Observation Protocol

1. The Trust 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 arrangements for classroom observation will be included in the plan in the Planning & Review form and will generally 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 cycle the observation will take place and who will conduct the observation.
3. 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 and these changes documented.
4. Information gathered during the observation will be used, as appropriate, for a variety of purposes including to inform Academy self-evaluation and Academy improvement strategies in accordance with the Academy's commitment to streamlining data collection and minimising bureaucracy and workload burdens on staff.
5. In keeping with the commitment to supportive and developmental classroom observation those being observed will be notified in advance (usually at least five working days).
6. Classroom observations will only be undertaken by persons with QTS. In addition, 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.
7. Oral feedback will be given as soon as possible after the observation and in all cases within two working days. It will be given during directed time in a suitable, private environment.
8. 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 & Review form these should also be covered in the written feedback and the appropriate action taken. 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 v be kept.
9. A Headteacher/Principal has a duty to evaluate the standards of teaching and learning over time and to ensure that proper standards of professional performance are established and maintained. Clearly the performance management arrangements are integral to fulfilling this duty and Headteachers/Principals may consider using classroom observations to assist in this process.

Manager guidance on managing under-performance

This guidance is intended to help support managers who are managing concerns around an employee's performance through usual performance management procedures. If subsequently entering a formal capability procedure it is important that the Manager can evidence the steps taken "pre-capability" to try and support the required improvement.

Any concerns regarding an employee's performance should be discussed at the earliest opportunity, and Managers should try to resolve issues of minor incapability informally and in a supportive manner.

Employees should receive constructive feedback on their performance throughout the year, as part of the Performance Management process, and as soon as practicable after agreed lesson observation has taken place. Feedback should highlight particular areas of strength as well as any areas that require support.

Appropriate action should be taken promptly as soon as it is noticed that an employee is not performing certain aspects of their job satisfactorily. Delaying or doing nothing may cause the performance problem to escalate and cause delay in providing the necessary support to the individual.

The employee should be advised to seek professional advice from their trade union representative; the Trust acknowledges that this may help to expedite resolution. However, there is no right to be accompanied to meetings taking place as part of the usual performance management process.

It should be recognised that capability problems may be related to issues outside the employee's direct control and may be symptomatic of underlying work problems or other personal issues. Particular care should be taken when disability or health issues are involved and advice should be sought from HR / Occupational Health Service as appropriate.

Where there are concerns about any aspects of an employee's performance, the manager should meet with them to:

- Give clear feedback about the nature and seriousness of the concerns
- Give the employee the opportunity to comment and discuss the concerns and provide information on any issues impacting on the situation
- Agree any support (e.g. coaching, mentoring, structured observations, training, professional courses) that will be provided to help address those specific concerns
- Make clear how, and by when, progress will be reviewed (it may be appropriate to revise objectives and/or agree other appropriate & clear targets, and it will be necessary to allow sufficient time for improvement. The amount of time will need to reflect the seriousness of the concerns)
- Explain the implications and process if no – or insufficient – improvement is made (i.e. entry in to the formal capability procedure).

It is recommended that a note of the discussion is confirmed in writing (e.g. by email).

If the discussion outlined above results in the required improvement, it would be helpful to 'draw a line under it' by confirming that the issue(s) have been addressed and the performance management process will continue as normal.

Where this informal approach has been tried and has not succeeded in improving performance, or where the underperformance is more serious, formal action should be taken by organising a Stage One Capability Meeting.

Appeal process

Introduction

The Trust is committed to ensuring that appeals against pay decisions are appropriately considered. As the Planning & Review process is closely related to decision making around pay, the same appeals process applies to both and the content of the process below – whilst it may not be explicit in the wording – should be taken to include appeals that may arise with regard to the conduct, wording, or content of the performance management process, including but not limited to the setting of objectives and review criteria, and the summary / assessment of performance.

Step One: Informal resolution

A reviewee who is dissatisfied with a performance rating / pay recommendation should have the opportunity to discuss the recommendation with the reviewer and/or Headteacher/Principal **before** the recommendation is made to the local governing body (LGB). This stage in the process will help to ensure that pay decisions are transparent and fair. The opportunity to discuss a pay decision before it is made may also help to mitigate the need for a more formal appeal.

Step Two: Formal representations

If it is not possible to resolve matters informally and the reviewee believes that an incorrect pay recommendation has been made, s/he may make a formal representation to the LGB (or relevant sub-committee thereof) who will be making the decision. If they wish to do this, the reviewee should submit a formal written statement to the LGB setting out the grounds for not agreement with the pay recommendation and including any evidence / witness statements that they wish the LGB to consider prior to making their determination.

Step Three: Formal appeal

Once a pay determination has been made and communicated, the reviewee has the right to raise an appeal against any determination in relation to their pay or Planning & Review statement by the LGB (or a committee or individual acting with delegated authority). The right of appeal exists whether or not the reviewee chooses to make formal representations (step two).

Note: in the context of the Planning & Review report, the appeal should be heard by an individual more senior than the reviewer.

The following list, which is not exhaustive, includes the usual reasons for seeking a review of a pay determination: That the person or committee by whom the decision was made:

- a) incorrectly applied any provision of the performance management or pay policy (as applicable);
- b) failed to have proper regard for statutory guidance;
- c) failed to take proper account of relevant evidence;
- d) took account of irrelevant or inaccurate evidence;
- e) was biased; or
- f) otherwise unlawfully discriminated against the teacher.

Order of proceedings

1. The teacher receives the written Planning & Review report / written confirmation of the pay determination and where applicable the basis on which the decision was made.
2. The teacher should set down in writing the grounds for the appeal and send it to the person (or committee) who made the determination, within ten working days of the notification of the decision being appealed.
3. For appeals against pay determinations, the appeal should be heard by a panel of three governors who were not involved in the original determination, normally within 20 working days of the receipt of the written appeal notification. Where the appeal relates to the content of a Planning & Review statement it will be heard by a more senior manager than the one making the original determination, or a panel of three governors if applicable.

4. The teacher will be given the opportunity to make representations in person, to call witnesses and to ask questions (see below). The decision of the appeal panel will be given in writing, and where the appeal is rejected will include a note of the evidence considered and the reasons for the decision.
5. The appeal panel's decision is final and there is no recourse to the general staff grievance procedure.

Notes

- For any formal meeting the teacher is entitled to be accompanied by a colleague or union representative; this person may help to present the case but should not answer questions on behalf of the employee.
- Each step and action of this process must be taken without unreasonable delay.
- The timing and location of formal meetings must be reasonable.
- Formal meetings must allow both parties to explain their cases.

Suggested procedure for conduct of formal meetings

The outline below is intended as guidance only, and should be adapted depending on circumstances.

Chair introduces everyone and what their role is:

- Purpose of the meeting
- Self as Chair and other panel member(s) (if applicable)
- employee and employee representative, and any witnesses for the employee side
- management representative who will state the management case, and any witnesses for the management side
- person who will clerk the meeting, and HR manager to give advice to the panel

Chair goes over the order of the hearing:

- Employee will state their case
- Chair asks questions of the employee, and then invites panel (if applicable) to ask questions
- Management will state their case
- Chair asks questions of the management, and invites panel (if applicable) to ask questions
- Chair to sum up both sides
- Chair to adjourn hearing to deliberate

Employee (or their representative) presents employee case:

- what is the evidence that supports their case
- introduces any witnesses
- Chair asks questions, then opens the discussion to the panel (if applicable).

Management representative presents management case:

- what is the evidence that supports the disputed pay / performance management decision
- introduces any witnesses
- Chair asks questions, then opens the discussion to the panel (if applicable).

End of hearing

- If appropriate, the Chair can sum up the key points on both sides.
- Chair ends the hearing and advises employee that will let him/her have the panel's decision in writing within timescale
- If applicable (only for appeal heard by original decision maker) advise employee that s/he has a right of appeal and that the letter will contain full details

Decision-making

- Clerk notes main points of panel discussion and their decision
- Panel obtains HR advice if required to inform their decision making
- Employee is notified of decision; decision and reason for the decision confirmed in writing.