

## The Evolution Centre policy for appraising teacher performance, awarding pay and dealing with capability issues

### Purpose

This policy sets out the framework for a clear and consistent assessment of the overall performance of teachers, including the headteacher, and for supporting their development within the context of the school's plan for improving educational provision and performance, and the standards expected of teachers. It also sets out the arrangements that will apply when teachers fall below the levels of competence that are expected of them.

### Application of the policy

The policy is in two separate sections.

**Part A of the policy, which covers appraisal, applies to the headteacher and to all teachers employed by New Reflexions, except those on contracts of less than one term, those undergoing induction (*ie* NQTs) and those who are subject to Part B of the policy.**

Part B of the policy, which sets out the formal capability procedure, applies only to teachers (including the headteacher) about whose performance there are serious concerns that the appraisal process has been unable to address.

## Part A – Appraisal

Appraisal at the Evolution Centre will be a supportive and developmental process designed to ensure that all teachers have the skills and support they need to carry out their role effectively. It will help to ensure that teachers are able to continue to improve their professional practice and to develop as teachers.

### The appraisal period

**The appraisal period will run for the school year** from the start of the Autumn term to the end of the Summer term.

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

### Appointing appraisers

**The headteacher will be appraised by his/her line manager.**

In this school the task of appraising the headteacher, including the setting of objectives, will be delegated to the director with line management responsibilities in liaison with the board.

The headteacher or a suitably experienced senior member of staff will appraise other teachers.

### Setting objectives

**The headteacher's objectives will be set by the proprietors**

**Objectives for each teacher will be set as soon as practicable after, the start of each appraisal period.** The objectives set for each teacher, will be Specific, Measurable, Achievable, Realistic and Time-bound and will be appropriate to the teacher's role and level of experience. The appraiser and teacher will seek to agree

the objectives but, if that is not possible, the appraiser will determine the objectives. Objectives may be revised if circumstances change.

**The objectives set for each teacher will, if achieved, contribute to the school's plans for improving the school's educational provision and performance and improving the education of pupils at that school.** This will be ensured by quality assuring all objectives against the school improvement plan.

**As soon as practicable after the start of each appraisal period, each teacher will be informed of the standards against which that teacher's performance in that appraisal period will be assessed. These standards will be those laid out in the current "School Teachers Pay and Conditions" document and the detail recorded in Appendix 1.**

## Reviewing performance

### Observation

The Evolution Centre believes that observation of classroom practice and other responsibilities is important both as a way of assessing teachers' performance in order to identify any particular strengths and areas for development they may have and of gaining useful information which can inform school improvement more generally. All observation will be carried out in a supportive fashion, with prior agreement and to an agreed set of expectations.

At the Evolution Centre teachers' performance will be regularly observed but the amount and type of classroom observation will depend on the individual circumstances of the teacher and the overall needs of the school. Classroom observation will be carried out by those with QTS. In addition to formal observation, headteachers or other leaders with responsibility for teaching standards may "drop in" in order to evaluate the standards of teaching and to check that high standards of professional performance are established and maintained. The length and frequency of "drop in" observations will vary depending on specific circumstances.

Peer observation, coaching and team teaching are all recognised as supportive processes for teacher development and will be encouraged and facilitated at the Evolution Centre.



Teachers (including the headteacher) who have responsibilities outside the classroom should also expect to have their performance of those responsibilities observed and assessed.

## **Development and support**

Appraisal is a supportive process which will be used to inform continuing professional development. The school wishes to encourage a culture in which all teachers take responsibility for improving their teaching through appropriate professional development. Professional development will be linked to school improvement priorities and to the ongoing professional development needs and priorities of individual teachers.

## **Feedback**

Teachers 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. Where there are concerns about any aspects of the teacher's performance the appraiser will meet the teacher formally to:

- give clear feedback to the teacher about the nature and seriousness of the concerns;
- give the teacher 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, including whether objectives need to be revised.
- explain the implications and process if no – or insufficient – improvement is made.

When progress is reviewed, if the appraiser is satisfied that the teacher 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 teacher will be notified in writing that the appraisal system will no longer apply and that their performance will be managed under the capability procedure, and will be invited to a formal capability meeting. The capability procedures will be conducted as in part B of this policy.

## Annual assessment

**Each teacher's performance will be formally assessed in respect of each appraisal period. In assessing the performance of the headteacher, the board must consult the external adviser.**

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 which will take place *once a term*, supported by regular liaison meetings which will take place more frequently.

**The teacher 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**. In this school, teachers will receive their written appraisal reports by 31 October (30<sup>th</sup> November for the headteacher). **The appraisal report will include:**

- details of the teacher's objectives for the appraisal period in question;
- **an assessment of the teacher's performance of their role and responsibilities against their objectives and the relevant standards;**
- **an assessment of the teacher's professional development needs and identification of any action that should be taken to address them;**
- **a recommendation on pay where that is relevant using the Evolution Centre's own pay structure and descriptions for teachers, see Appendix 1.**

The assessment of performance and of professional development needs will inform the planning process for the following appraisal period.

## Part B – Capability Procedure

This procedure applies only to teachers or headteachers about whose performance there are serious concerns that the appraisal process has been unable to address.

At least five working days' notice will be given of the formal capability meeting. The notification will contain sufficient information about the concerns about performance 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 teacher of their right to be accompanied by a companion who may be a colleague, a trade union official, or a trade union representative who has been certified by their union as being competent.

### Formal capability meeting

This meeting is intended to establish the facts. It will be conducted by a member of the Board (for headteacher capability meetings) or headteacher (for other teachers). The meeting allows the teacher, accompanied by a companion if they wish, 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.

The person conducting the meeting may conclude that there are insufficient grounds for pursuing the capability issue and that it would be more appropriate to continue to address the remaining concerns through the appraisal process. In such cases, the capability procedure will come to an end. The person conducting the meeting may also adjourn the meeting *for example if they decide that further investigation is needed, or that more time is needed in which to consider any additional information.*

In other cases, the meeting will continue. During the meeting, or any other meeting which could lead to a formal warning being issued, the person conducting the meeting will:

- identify the professional shortcomings, for example which of the standards expected of teachers are not being met;
- give clear guidance on the improved standard of performance needed to ensure that the teacher can be removed from formal capability procedures, this may



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include the setting of new objectives focused on the specific weaknesses that need to be addressed, any success criteria that might be appropriate and the evidence that will be used to assess whether or not the necessary improvement has been made;

- explain any support that will be available to help the teacher improve their performance;
- set out the timetable for improvement and explain how performance will be monitored and reviewed. The timetable will depend on the circumstances of the individual case but should be reasonable and proportionate, but not excessively long, and should provide sufficient opportunity for an improvement to take place); and
- warn the teacher 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 teacher will be informed in writing of the matters covered in the bullet points above and given information about 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 give details of the time and place of the meeting and will advise the teacher of their right to be accompanied by a companion who may be a colleague, a trade union official, or a trade union representative who has been certified by their union as being competent.



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If the person conducting the meeting is satisfied that the teacher 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 teacher 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 and given information about the handling of the further monitoring and review period and the procedure and time limits for appealing against the final warning. The teacher 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 give details of the time and place of the meeting and will advise the teacher of their right to be accompanied by a companion who may be a colleague, a trade union official, 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 Board, will be made that the teacher should be dismissed or required to cease working at the school.

The teacher 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 decide that members of staff should no longer work at the Evolution Centre has been delegated to the headteacher in consultation with the Directors of New Reflexions.

## **Dismissal**

Once the decision to dismiss has been taken, the headteacher will dismiss the teacher with notice.

## **Appeal**

If a teacher 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 decision, setting out at the same time 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 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 teacher.

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

The teacher will be informed in writing of the results of the appeal hearing as soon as possible.

## **General Principles Underlying This policy**

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

Part B 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. However, the desire for confidentiality does not override the need for the headteacher and board to quality-assure the operation and effectiveness of the appraisal system.

## Consistency of Treatment and Fairness

New Reflexions is committed to ensuring consistency of treatment and fairness. It will abide by all relevant equality legislation, including the duty to make reasonable adjustments for disabled teachers. The board is aware of the guidance on the Equality Act issued by the Department for Education.

## Definitions

Unless indicated otherwise, all references to “teacher” include the headteacher.

## 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 New Reflexions’ personnel policies and a referral will be considered to occupational health to assess the member of staff’s health and fitness for continued employment and the appropriateness or otherwise of continuing with monitoring or formal procedures. 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 headteacher will monitor the operation and effectiveness of the school’s appraisal arrangements.

## Retention

The governing body and headteacher will ensure that all written appraisal records are retained in a secure place for six years and then destroyed.

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Updated September 2018

### Appendix 1: The Evolution Centre Qualified Teacher's Pay Scale 2019/2020

Teacher and experience gainer			Accomplished Teacher and developer			Expert Teacher and leader		
1	2	3	4	5	6	7	8	9
(£24,194)	(£25,589)	(£26,986)	(£28,381)	(£29,777)	(£31,172)	(£32,568)	(£33,964)	(£35,361)

Pay progression from September 2020 will be based upon an assessment of the teacher's progress and competencies described below;

#### Teacher and Experience Gainer:

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**Scale points 1 to 3:** This teacher makes increasingly good progress towards basic, core targets focussed on developing their core teaching tasks and supporting their role at school. Lesson observations indicate improving teaching with many good elements and creative ideas will be used to more and more good effect. Understanding of whole school approach develops over time and there is evidence that these are beginning to be applied effectively across this teacher's work. Schemes of work, lesson planning and syllabus knowledge are developing and will eventually become good. Students start to make good progress within this teacher's lessons, eventually achieving two sub levels a year where their mental health allows them to. Systems for recording and reporting are being put in place and become effective and regularly completed. This teacher is setting up tutor records and is further improving his/her skills for tutoring young people. Team support is enthusiastic and this teacher will become able to contribute effectively in team situations. There is a log of training with increasing thought for the application of this knowledge, a reflective style of working is becoming evident and this teacher is gradually developing the ability to self correct and track his/her own development. Initially this teacher is unable to focus on additional interests which may support the curriculum, however this will improve over time and there

will eventually be considerable scope for them to bring extra interests to support the school curriculum. This teacher is finding out about the additional responsibilities that others at school take on.

### **Accomplished Teacher and Developer**

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**Scale Point 4 to 6:** This teacher makes good and often excellent progress towards their targets which focus on whole school development as well as professional development. Lesson observations indicate good as well as outstanding teaching and lessons are well paced, engaging and effective. There is embedded evidence of the use of whole school approaches. Schemes of work, lesson planning and syllabus knowledge are all in place and understanding is excellent. This teacher can take on additional areas of the syllabus, showing an increasing ability to develop their understanding and ability to deliver these effectively. Students make good and outstanding progress within this teacher's lessons, where their mental health and well being allow them to. Systems for recording and reporting are sound and this teacher writes well informed reports. This teacher has good tutor records and is working creatively to support his/her tutor group. Team support is very effective and this teacher works well as part of the team, contributing ideas and occasionally taking the lead where appropriate. There is a log of training and this teacher is keen to further his/her professional development. This teacher often contributes to the curriculum by bringing his/her own interests and skills to sessions. This teacher is contributing to the development of the whole school.

### **Expert Teacher and Leader**

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**Scale Point 7 to 9:** This teacher makes excellent progress towards their targets which now focus on their professional development beyond classroom teaching and significant whole school development projects. Lesson observations indicate good and often outstanding teaching and lessons are extremely well planned to meet the needs of each individual student and ensure progress. Whole school approaches are part of this teacher's everyday functioning and s/he can make useful suggestions about further whole

school developments. Schemes of work, lesson planning and syllabus knowledge are regularly updated and understanding is excellent. This teacher can take on appropriate additional areas of the syllabus with ease, completing planning and delivery effectively. Students make good and often outstanding progress within this teacher's lessons, where their mental health and wellbeing allow them to. Systems for recording and reporting are very good and this teacher writes excellent reports. This teacher has very good tutor records and provides outstanding support for his/her tutor group. This teacher is capable of leading the school team for training elements and often makes suggestions to the head teacher about appropriate areas for focus. This teacher has a detailed log of their professional development and is considering taking on significant further training to improve his/her skills for the future. This teacher always contributes to the curriculum by bringing his/her own interests and skills to sessions. This teacher is a key player in the development of the whole school.

*Assessment should be made around a "best fit" description of the teacher's performance.*

**Appendix 2: The Evolution Centre Teaching Assistant, Higher Level Teaching Assistant and Tutor Pay Scale 2019/2020**

Unqualified Teaching Assistant		Qualified Teaching Assistant		Training as HLTA and Qualified HLTA				Tutor		
1	2	3	4	5 +6	7+8	9+10	11	12	13	14
£15,482	£16,106	£16,507	£16,994	£17,688	£18,683	£19,676	£20,998	£21,956	£22,478	£23,152
				£18,363	£19,179	£20,172				

Pay progression from September 2019 will be based upon an assessment of the teaching assistant's progress and competencies described below.

**Unqualified Teaching Assistant:**

**Scale points 1 + 2:** This teaching assistant supports teachers in their role by for example, creating resources that have been requested and supporting teachers to prepare for lessons. This is always under the guidance of a teacher and this teaching assistant is still developing the skills to be more independent and self-managing. This teaching assistant works effectively with individual students to support tasks set by the teacher and can provide the student and teacher with basic feedback about how the task has been attempted. This teaching assistant has the skills and confidence to take/work with students off site to complete activities and tasks effectively. This teaching assistant can write basic reports under the guidance of another member of staff and contributes to various tracking systems at school. This teaching assistant is beginning to develop their knowledge of the education system, assessment and tracking

systems which is allowing them to gradually increase their support of the curriculum. S/he is able to contribute to staff meetings but in a supportive role rather than taking the lead. S/he is developing systems for recording their own work and interactions with students and is keen to develop their understanding by getting involved with other elements of work in school such as projects, trips and ASDAN.

### **Qualified Teaching Assistant:**

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**Scale points 3 + 4:** This teaching assistant has achieved an appropriate qualification which is relevant to education and their work with young people. This teaching assistant supports teachers in their role by for example, creating resources that have been requested and supporting teachers to prepare for lessons. This does not always need to be under the guidance of a teacher and this teaching assistant has the skills to be more independent and self-managing. This teaching assistant works very effectively with individual or small groups of students to support tasks set by the teacher and can provide the student and teacher with good feedback about how the task has been attempted. This teaching assistant has the skills and confidence to take/work with students off site to complete activities effectively, which they may have planned following direction from the teacher. S/he has developed their knowledge of SEND and can provide effective support to the SENCo in delivering SEN interventions. This teaching assistant can write good quality reports with minimal guidance and contributes to various tracking systems at school. This teaching assistant has a good basic overview of the education system, assessment and tracking systems which is allowing them to support the curriculum effectively. S/he is able to contribute to staff meetings occasionally taking the lead within discussions. S/he has robust systems for recording their own work and interactions with students, which can be easily accessed when information is needed. This teaching assistant is keen to get involved with many elements of work in school such as projects, trips and ASDAN and can now offer ideas and support the planning of these activities.

### **Training as a HLTA and Qualified HLTA:**

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**Scale points 5 -11:** This teaching assistant supports teachers in their role by taking responsibility for developing resources, sometimes off their own back and supporting teachers to prepare for lessons through collaborative planning sessions. This teaching assistant has the skills to be independent and self-managing, ensuring that their time is well managed and shared amongst their responsibilities. This teaching assistant works very effectively with individual students and can evidence progress, providing objective feedback to teachers, which helps to provide evidence for the graduated approach. This teaching assistant has the skills and confidence to take/work with students off site to complete activities effectively, which they have often planned following direction from the teacher. S/he is also confident in providing whole class cover in the absence of a teacher, including pulling together work/content at sometimes short notice. On occasion this HLTA may cover short term absence taking responsibility for the delivery for an element of a scheme of work as agreed with his/her line manager to cover temporary absence. S/he has developed their knowledge of SEND and can provide very effective support to the SENCo in delivering SEN interventions. This teaching assistant can write good quality reports with minimal guidance and contributes well to various tracking systems at school. This teaching assistant has a sound overview of the education system, assessment and tracking systems which is allowing them to support the curriculum effectively. S/he is able to contribute to staff meetings supporting the review of school development and future planning. S/he has robust systems for recording their own work and interactions with students, which they can present when information is needed. This teaching assistant gets involved with many elements of work in school such as projects, trips and ASDAN and can lead elements of these sessions with confidence. This teaching assistant takes on additional areas of responsibility and ensures that these are progressed and monitored. S/he is a reflective practitioner using liaison effectively to consider professional and skills development, accepting constructive criticism to develop further.

## **Tutor**

**Scale points 22 - 24:** In addition to the responsibilities detailed above, this tutor is responsible for the planning and delivery of an area of the curriculum (not a core subject) and is expected to create and maintain detailed schemes of work relating to the delivery of this curriculum area, possibly including a qualification, with support from qualified teachers as appropriate. This may require developing and maintaining specialist subject knowledge relating to this curriculum area. The tutor will also be expected to report on student progress and ability within the subject area using the school's assessment and tracking systems. This tutor also has responsibility for delivering one to one teaching to students who have difficulty with being taught as part of a group, with the aim of developing the skills and understanding they need to transfer into a teaching group. This work may be carried out in school, at other appropriate venues or in the student's home depending on the most appropriate environment for the young person. In carrying out this element of their role the tutor should work collaboratively with core subject teachers to plan appropriate content that supports students to catch up and develop their skills across the curriculum. This work may also involve developing bespoke pieces of work/projects which target specific deficits in student skills, whether this is social, emotional, behavioural or academic. This tutor may support individual students in classes in order to observe and further identify the skills that need to be developed. This tutor will also support various projects and activities across the school, having the confidence to lead some elements of these as appropriate to his/her skills and interests.