

# Teachers Performance Management Policy

**Policy Owner:** The Mercian Trust  
People & Culture Committee

**Approved / Ratified:**

**Date Adopted:** This is an interim policy for 23/24 only and  
is an amalgamated version of the Q3 and  
Mercian Trust previous policies

**Review Dates:**

Increasing Opportunities  
Improving Outcomes

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## 1. Purpose

This policy sets out a Mercian Trust framework for a clear and consistent assessment of the overall performance of all teachers across all Trust schools. The performance management process is developmental and supportive and intended to foster professional dialogue between colleagues.

This Policy does not apply to newly qualified teachers.

The policy sets out principles and arrangements which *must* pertain in all Trust schools. It does not, however, preclude variations that reinforce the established identity and ethos of individual schools provided that:

- The School maintains an Ofsted grading of good or better
- Any variation does not contradict any of the procedures or principles set down in this policy

## 2. Principles

The principles and approach within this policy are an interim measure in order to harmonise existing performance policies into one harmonised Trust wide policy which will apply for 2023-2024. There are no significant changes or amendments to that approach in terms of the types or number of targets which teachers and leaders will set.

The performance management process across all schools in the Trust will be conducted in a manner which promotes personal and professional development and completed within the employees working hours. The process will be:

- diagnostic and evaluative
- purposeful and rigorous
- developmental
- supportive and affirmative

It should be seen as an opportunity to celebrate, applaud, and build on good practice in all Trust schools.

Performance Management in Trust schools will foster and provide:

- a sense of identity and belonging
- professional dialogue between colleagues
- access to relevant training opportunities and CPD across the Trust
- effective faculty, departmental and subject teamwork both within individual schools and across the Trust
- the realisation of personal fulfilment and aspirations

### 3. Application of the Policy

The Trust delegates the implementation of the policy to Local Governing Bodies (LGBs)

The policy is in two separate sections:

- Section A: performance management
- Section B: pay progression

Part A of the policy, which covers Performance Management, applies to all staff teachers employed by the Trust, except:

- those on contracts of less than one term
- those undergoing induction (*ie ECTs*)
- those on capability procedures

### 4. Section A: Performance Management

There are two key documents which Headteachers and leaders must refer to during the performance management process. The first, '**Annual Target Setting Protocols in line with Trust objectives and policy for performance management and pay progression**', provides guidance on the approach to be taken along with exemplification of the policy and target setting. The second, '**Paperwork and Proformas for Performance Management**' provides the paperwork to be completed for all appraisals. If a school utilises an online system for performance management, Headteachers must ensure that online paperwork matches the paper provided by the Trust.

#### The performance management period

The performance management period for teachers will run for twelve months from 01 November to 31 October. All teacher and leaders' reviews must take place within the window identified on the ROTY. This between the **25th September 2023 and 20th October 2023**.

Headteachers' appraisals will take place either week commencing **23rd October 2023 or 6th November 2023**.

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

#### Appointing reviewers

The performance of the Chief Executive Officer (CEO) will be assessed and managed by the Board of Trustees, supported by a skilled and experienced external advisor appointed by the Board for that purpose.

The performance management of Headteachers or Principals will be assessed and managed by the CEO supported by members of the LGB.

Where the Headteacher or Principal is of the opinion that any of the governors appointed by the LGB to support the review is unsuitable, he or she may submit a written request for that governor to be replaced, stating the reasons for the request.

Headteachers/Principals will decide who will manage and review the performance of all other members of staff in their school. The reviewer will normally have line management responsibility for the employee whose performance they are reviewing. Where an employee has an objection to the Headteacher/Principal's choice, their concerns will be carefully considered and, where appropriate and possible, an alternative reviewer will be offered.

The CEO will decide who will manage and review the performance of all other members of the Trust central team, the central team's performance management will be conducted using the timeframe, principles and approach outlined within this policy.

### **Expectations of the reviewee**

Each member of staff involved in performance management is expected to be proactive in participating in the process. They share a responsibility for making sure that the appropriate meetings take place according to the schedule. They also carry a responsibility for identifying and collating evidence to support the process during the course of the year.

### **Setting objectives**

The CEO's objectives will be set by the Board of Trustees after consultation with the external advisor.

The Headteacher or Principal's objectives will be set by the CEO and reviewed by the LGB.

Objectives for all other staff will be set before, or as soon as practicable after, the start of each performance management period. The objectives set will be

- Specific
- Measurable
- Achievable
- Realistic
- Time-bound

The objectives set will be appropriate to the employee's role and level of experience as determined in each school in the Trust. The reviewer and reviewee will agree the objectives but, if in exceptional circumstances that is not possible, the reviewer will determine the objectives.

In setting the objectives, reviewers will have regard to what can be reasonably expected in the context of roles, responsibilities and experience, and consistent with any published guidance from the Trust and its over-arching concern for the well-being of all staff.

The objectives set for each employee will, if achieved, contribute to the Trust's over-arching Strategic Plan and the school's SIP and any other plans to increase opportunities and improve outcomes for students.

Objectives may be revised if circumstances change.

Most leaders have 3 objectives, where a 4<sup>th</sup> objective is used this should only be for some senior leaders or for middle leaders with Trust-wide responsibility for which they are remunerated for (e.g. Trust Lead Professionals).

For teachers in all Trust Schools, it is expected that three objectives will be set.

Giving due consideration to guidance provided by the Trust the objectives will be set as follows:

#### *Objective One*

- **Trust-wide Objective**

#### *Objectives Two*

- Is agreed between the reviewer and reviewee in the meeting and is set within the context of **the Quality of Education.**

#### *Objectives Three*

- Is agreed between the reviewer and reviewee in the meeting and is set within the context of **change and innovation.**

The Chief Executive Officer will moderate a sample of objectives from schools across the Trust in order to check that they:

- Comply with the requirements of this policy
- Are consistent between schools for those who have similar experience and levels of authority
- Comply with statutory regulations (including legislation on equality)

It is expected that headteachers/principals will also moderate the objectives within their own school.

In a case where an objective might be deemed more appropriate than one set to adhere to the above principles, this case must be agreed with the CEO.

## Relevant professional standards and behaviours we value

The Trust's Pay Policy sets out the professional standards and our **Trust Blueprint for leaders** has been included within the paperwork for completion. The employee will be assessed against the teacher standards and will be asked to reflect upon their alignment with the Trust Blueprint.

Reflective practice is an essential part of continuous professional development for all staff, and self-evaluation is encouraged in all roles. Teaching staff should consider their development in relation to the Teachers' Standards and may find it helpful to complete a self-evaluation against the Teachers' Standards in anticipation of their annual review.

Reviewers should ensure that all employees are clear about the standards and expectations against which they will be assessed as soon as practicable after the start of each performance management cycle.

## Reviewing Performance

### Observation

The Trust believes that observation of classroom practice and of other responsibilities is important:

- To assess an employee's performance in order to identify any particular strengths and areas for development
- To gaining useful information about good practice which might be shared across the Trust

All observation will be carried out in a supportive fashion.

Observation in the Trust may take the form of:

- Formal observations
- Learning Walks
- Drop-ins
- Peer observations for the purpose of staff development

### Development and support

Performance management is a supportive process which will be used to inform continuing professional development. The Trust wishes to encourage a culture in which all colleagues take responsibility for improving their practice through research, discussion and appropriate professional development.

The Trust will provide different opportunities for professional development linked to Trust and school improvement priorities and to the ongoing professional development needs and priorities of individual staff.

### Feedback

All staff will receive constructive feedback on their performance throughout the year and as soon as practicable after observation has taken place or other evidence has come to light. Feedback will highlight particular areas of strength as well as any areas that need attention.

Where there are concerns about any aspects of the employee's performance the reviewer will meet the member of staff to:

- give clear feedback about the nature and seriousness of the concerns
- give the employee 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 reviewer will review progress
- explain the implications and process if no – or insufficient – improvement is made.

When progress is reviewed, if the reviewer is satisfied that the employee has made, or is making, sufficient improvement, the performance management process will continue as normal, with any remaining issues continuing to be addressed through that process.

#### Informal Capability Process / Informal Support Plans

Where a reviewer has a concern about performance there will normally be an informal period to improve performance. The purpose of this is to identify and examine any areas of support and guidance, to ensure that the colleague understands any future expectations of performance and, where appropriate, to develop a capability improvement plan / informal support plan leading to improvements in performance.

Although this may result in a note of the discussion and any follow-up correspondence being kept on file, this will not be considered to be a sanction under the formal Capability procedure.

The employee should be asked to confirm that they agree with any action plan they are signing up to, that it is achievable and realistic, and they should raise any concerns that they have about the action plan with their reviewer.

In the event that the matter cannot be resolved informally within a reasonable timescale or the matter is too serious for the informal approach to be applied, the formal capability process detailed in the capability policy will commence.

### **5. Section B: Pay Progression**

The Trust delegates decisions on pay progression within its schools to the LGBs provided that they adhere to the following principles:

- Decisions on staff pay will be taken in accordance with the Nolan principles of public life relating to objectivity, openness and accountability
- Decisions will ensure equality of opportunity for all staff and compliance with discrimination legislation
- Pay decisions will be taken in the context of the school and the Trust as a whole
- The LGB will use fair, transparent and objective criteria
- The LGB will have due regard to statutory guidance, conditions of service for staff and recommendations made by government agencies (such as the ESFA) and inspectorates (such as Ofsted)
- The LGB will pay due regard to the outcomes of the performance management process described in Section A
- The LGB will take into account recommendations that are based on:



- All of the performance management objectives (and not exclusively the objective relating to pupil progress data)
- Employee performance demonstrating the behaviours we value (in the Trust as a whole and in the individual school)
- For teachers, performance relating to statutory teacher standards
- The quality of the evidence provided by the reviewee in demonstrating his or her contribution to the wider life of the school or Trust.

The CEO (or his delegate) will moderate the pay recommendations made by headteachers/principals to the LGBs to ensure consistency across the Trust.

Further information with regards to pay progression can be found within the Trusts Pay Policy.

## **6. General Principles underlying this policy**

### Confidentiality

The performance management process will be treated with confidentiality. However, the desire for confidentiality does not override the need for the headteacher/principal and governance board to quality-assure the operation and effectiveness of the appraisal system.

### Consistency of Treatment and Fairness

The Trust 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 employees. The Trust is aware of the guidance on the Equality Act issued by the Department for Education.

### Sickness Absence during the Capability Process

Absence which is triggered by the capability procedure, and which management believe is likely to be long term, should be referred immediately to the occupational health adviser to assess whether the employee is fit for continued employment.

Short absences should not delay any part of the formal stage of the capability procedure. Reasonable steps should be made to enable the employee to attend evaluation meetings, but where the employee is unable to attend, these may proceed if the absence is protracted and the operation of this procedure is a substantial factor in the illness. In such cases the failure to meet targets will not be discounted because of illness.

If the employee is absent from such meetings a full account of the evaluation should be provided in the letter confirming the decision taken.

### Action against a Trade Union Official

Although normal capability standards apply to the performance of trade union officials who are employees of the Trust, no action under the formal procedure should be taken until the circumstances of the case have been discussed with a more senior trade union representative or full time official.

### Monitoring and Evaluation

The Trust and Headteacher/Principal will monitor the operation and effectiveness of the school's performance management arrangements. This will include ensuring that the arrangements minimise the impact on workload for all parties involved.

### Retention

The Trust board and Headteacher/Principal will ensure that all written performance management records are retained and stored in a secure place in line with their Retention and Disposal Policy.