



Trinity Multi Academy Trust

<b>Policy:</b>	Performance Management Policy
<b>Date or review:</b>	September 2017
<b>Date of next review:</b>	September 2019
<b>Lead professional:</b>	HR Manager
<b>Status:</b>	Non-Statutory

## **1. Purpose of policy and guiding principles**

- 1.1 Trinity Multi Academy Trust strives to be a centre of excellence for learning, and staff and students aim for the highest standards of attainment and behaviour.
- 1.2 Performance management is a tool to support the improvement of organisations, by supporting and improving staff members' work, both as individuals and as team members. It places the highest standards of teaching and learning, and professionalism at the centre of our performance agenda. It recognises the key role played by both teachers and support staff, the importance of leadership and management at all levels, which will benefit students, staff and the whole organisation.
- 1.3 Performance Management will:
  - be integral to our culture
  - include a commitment by all to raising standards
  - provide opportunities for continuous professional development
  - involve all staff in departmental and pastoral planning and thus enhance the on-going sharing of good practice
  - be consistent, equitable and fair
  - be manageable.
- 1.4 The trust believes that:
  - students will benefit because staff will have a more sharply focused picture of what, with encouragement, support and high expectations, students can achieve
  - staff will benefit because they have the right to expect that their performance will be regularly monitored and assessed, and they will have a proper opportunity for professional discussion with their line manager about their work and their professional development, within the framework of improvement plans
- 1.5 The purpose of this policy is to provide line managers, senior leaders, Governors and Directors with a clear and consistent policy and procedures for a performance management framework, within the context of an academy's improvement plan and individual professional needs. This includes timelines, expected standards, training and monitoring and evaluation strategies.
- 1.6 This policy sets out where staff are eligible for pay progression.
- 1.7 Where there is evidence that leads to concern that an employee is consistently failing to reach professionally acceptable standards through lack of capability, then the Capability policy should be followed.
- 1.8 Misconduct, wilfully deficient performance, refusal to follow instructions, negligence and other similar situations should be dealt with under the Staff Disciplinary policy.
- 1.9 Where ill-health or other health issues are identified as the main cause of a failure in performance the matter should be dealt with under the Sickness Absence Management procedures.
- 1.10 The CEO/Principal has the right to delegate responsibilities to appropriately trained staff, to act as 'line manager'. In the case of a Principal, the CEO will take the role of line manager, and for the CEO a nominated Director will take the role of line manager.
- 1.11 The term 'line manager' has been used throughout this policy, this term can be interchanged with 'reviewer' or 'appraiser'.
- 1.12 This policy applies to all staff in the trust, with the exception of:
  - staff who are employed for less than four months
  - support staff within the contractual probationary period (this should be dealt with in accordance with probationary policy)
  - Specific guidance is in place for newly qualified teachers (NQT's) undergoing their induction period.

## **2. Links with other policies or legislation**

- 2.1. This policy links to the appraisal arrangements as set out in the Education (School Teachers' Appraisal) (England) Regulations 2012 (the Appraisal Regulations).
- 2.2. The trust is not obliged to follow this piece of legislation, but to maintain best practice has written this policy in conjunction with the model policies suggested by the Department of Education.

- 2.3. This policy also links with the trust's Pay Policy, CPD Policy, and Capability Policy.
- 2.4. This policy links to individual job descriptions, person specifications and any national standards of professionalism i.e. teachers' standards, and relevant areas of staff terms and conditions documents.
- 2.5. All relevant legislation applies, such as the Equality Act 2010, the Data Protection Act 2018 and all employment legislation.

### **3. Consultation**

- 3.1. Although there is no statutory requirement the Directors have agreed to put in place a performance management policy. This policy has been developed from the model policy produced by the Department of Education with additions by the trust, in consultation with recognised Trade Unions.
- 3.2. It should be noted that agreement on this policy could not be found through the JCNC arrangements. Directors have been advised of the situation and have agreed to adopt the policy.

### **4. Performance Management year**

- 4.1. Performance management timelines
  - 4.1.1. The performance management period will run for twelve months from 1 September to 31 August.
  - 4.1.2. Performance management objectives will be set for this period of time.
  - 4.1.3. Teachers (not NQT's) who are employed during this period will have objectives set from their first date of employment to 31 August, or the end of their fixed term contract of employment, whichever sooner.
  - 4.1.4. Support staff who complete their probation during the year will have objectives set from the date of completion to 31 August, or the end of their fixed term contract of employment, whichever sooner.
  - 4.1.5. Review meetings need to be held by 31 October annually, with completed and signed paperwork submitted by 30 November.
  - 4.1.6. Objective setting meetings need to be held by 31 October annually, with completed and signed paperwork submitted by 30 November.
- 4.2. Performance management reviewers
  - 4.2.1. Senior Leaders, Managers or Curriculum Leaders will agree annually who is responsible for reviewing performance, and who will set objectives.
  - 4.2.2. This will generally be a leader within the curriculum area, a team leader or manager or a teacher with additional responsibility (because of safeguarded salary arrangements or additional salary payments).
  - 4.2.3. Where possible, the performance review and person setting and agreeing objectives will be the same. This may not always be possible.
  - 4.2.4. Generally a line manager will be responsible for no more than four review meetings and four objective setting meetings.
  - 4.2.5. Where teachers have an objection to the Principal's choice of reviewer, their concerns will be carefully considered and, where possible, an alternative appraiser will be offered.
  - 4.2.6. Generally line managers on MPR/UPR pay scales would have no more than three teaching staff to line manage in the performance management process. This may be more for teachers on Leadership scale, or by agreement with individuals.

## 5. Objective setting

- 5.1. Performance management will be robust and vigorous. Objectives will be set before or as soon as practicable after, the start of each performance management cycle. Individuals are expected to have a maximum of three objectives per cycle.
- 5.2. The objectives set will be Specific, Measurable, Achievable, Realistic and Time-bound. (SMART). They will be appropriate to an individual's role and level of experience. They will also take into account any professional aspirations or development.
- 5.3. All the objectives set will be linked to trust or academy and curriculum area (or team) improvement plans.
- 5.4. All the objectives set will, if achieved contribute to improving student outcomes (academic and pastoral), education provision, reputation and performance.
- 5.5. The line manager and individual will seek to agree the objectives, but, if that is not possible, the line manager will determine the objectives.
- 5.6. For teaching staff only, objective setting for teachers will refer to the standards against which teacher's performance in that appraisal period will be assessed. These are the national Teacher's Standards introduced by the Department of Education from September 2012.
- 5.7. There are no such standards in place for support staff, but objective setting for support staff will refer to key points in their individual job descriptions.
- 5.8. Objectives will be recorded on the individual's planning and review statement.
- 5.9. Performance management objective setting statements need to be completed, signed and submitted to HR by 30 November annually, or within two months of starting a new role/employees start date.
- 5.10. There is shared responsibility with line managers and employees to submit this paperwork on time. Where staff do not submit paperwork by these deadlines then this may impact on the individual's pay progression.
- 5.11. Where a teacher starts their employment part-way through a cycle, the Principal or, in the case where the employee is the Principal, the governing body shall determine the length of the first cycle for that teacher, with a view to bringing their cycle into line with that of other teachers as soon as possible.

## 6. Reviewing performance

- 6.1. Performance will be reviewed throughout the year in the following ways:
  - 6.1.1. Lesson observation (teachers) – details in **Appendix 1**
  - 6.1.2. Work scrutiny
  - 6.1.3. Data assessment
  - 6.1.4. Quality assurance systemsThe definitions of these terms are also included in **Appendix 1**.
- 6.2. Support and training
  - 6.2.1. Performance management is intended to be a supportive process which will be used to inform continuous professional development. The trust aims to foster a culture in which all staff take responsibility for improving their performance through appropriate professional development.
  - 6.2.2. Equally it is the responsibility of the individual to focus their efforts, skills and knowledge to undertake their role to the best of their ability and all staff are expected to access a range of support provided. This is detailed in the CPD policy.
  - 6.2.3. Professional development will be linked to improvement plans and ongoing individual professional development needs and priorities.
- 6.3. Feedback
  - 6.3.1. Individuals will receive constructive feedback on their performance throughout the performance year, and as soon as practicable after an observation has taken place, or when other information/evidence has come to light. (For example, after a data assessment point, work scrutiny or completion of a project).

- 6.3.2. Performance and development priorities should be reviewed and addressed on a regular basis throughout the year in interim meetings which take place at least twice a year (including the annual assessment).
- 6.3.3. Line managers will make comments, challenge, support and provide constructive feedback on an individual's performance with the aim of providing regular feedback and support.
- 6.3.4. Feedback will highlight any areas of strength as well as areas for development. Where there are concerns about any aspect of an individual's performance the line manager will meet the individual to:
  - give clear feedback to the individual about the nature and seriousness of the concerns
  - give the individual the opportunity to comment and discuss the concerns
  - agree any support (e.g. coaching, mentoring, structured observations), that will be provided to help address the concerns
  - make clear how, by who and by when, progress will be reviewed
  - explain the implications and next steps, if no – or insufficient – improvement is made.
- 6.3.5. This meeting is a management meeting, and as such there is no legal right for the individual to be represented by a colleague or trade union representative.
- 6.3.6. Notes should be taken at this meeting for the benefit of both parties, and to record the salient points of the actions agreed.
- 6.4. Interim reviews will be arranged during the performance management year, see **Appendix 3**. This is a scheduled meeting to review progress, ensure objectives are still relevant and agree any further CPD.
- 6.5. When progress is reviewed, if the line manager is satisfied that the individual has made, or is making, sufficient improvement the process will continue as normal. Any remaining issues will be discussed and addressed through the usual performance management process.

## **7. Transition to capability procedures**

- 7.1. In a minority of cases, the line manager will be unsatisfied with the progress made towards the identified improvements. In this case, the individual will be advised in writing that the performance management procedures will no longer apply and that their performance will be managed under the trust's capability procedure.

## **8. Annual assessment**

- 8.1. At the end of each performance management year the line manager will assess individual performance against the objectives agreed at the start of the cycle.
- 8.2. The line manager and individual will meet to discuss the performance review and record the outcomes of the meeting and discussion on the individual's planning and review statement. Individual's are encouraged to provide any evidence which will exemplify their performance against their objectives and Teachers' Standards.
- 8.3. The discussions will be recorded and this record will include:
  - details of the individual's objectives for the period in question
  - an assessment of the individual's performance in their role against the objectives, their responsibilities and Teachers' Standards. (Please refer to **Appendix 2**)
  - an assessment of the individual's training and development needs and any actions that should be taken to address them
  - an assessment of any improvement in the individual's performance (or capability) following the completion of a formal support programme. (Where the individual has had information, in writing, about performance concerns)
  - a recommendation on pay progression (where relevant).
- 8.4. It should be noted that performance against objectives will be on the basis of the performance criteria set at the beginning of the cycle. Good progress towards the achievement of a challenging objective, even if the performance criteria have not been met in full, will be assessed favourably.

- 8.5. If an individual is within an ongoing formal programme of support at the end of the performance cycle, their performance is unlikely to be considered successful. The individual must be made aware of any issues regarding their performance, and this must be documented in writing. Please refer to the capability policy for further information.
- 8.6. This assessment of performance, training and development will inform the planning process for the next performance management cycle.

## **9. Performance management outcomes and links to pay review periods**

- 9.1. The outcome of the performance management cycle will be confirmed in writing, along with confirmation of any pay progression.
- 9.2. Successful performance management will be based on the annual assessment, outlined in above. Please refer to the Pay Policy for further information on pay progression.
- 9.3. In the event of an unsuccessful performance management cycle the effect on pay progression will be discussed with the individual by their line manager, and confirmed in writing. The individual will also be made aware if their performance will be managed under the capability policy and procedure.
- 9.4. Those eligible for increments are those staff who:
  - have completed their induction/probationary period
  - have not reached the top of their salary band
  - have been successful in the annual performance management process
  - are not in any formal support or capability, procedures.
- 9.5. Teachers
  - 9.5.1. Successful performance management periods will be rewarded with pay progression from 1 September annually. Please refer to the Pay policy for further information.
- 9.6. Support staff
  - 9.6.1. Salaries for non-teaching staff should be reviewed annually on 1 April, and annual pay increments will be awarded on 1 April, however they will be based on the previous academic year's performance management outcomes.
  - 9.6.2. The performance management year runs from 1 September – 31 August. Performance management reviews are undertaken by 31 October. When performance is reviewed in September/October the outcome of these reviews will determine the pay increment that will be paid in April.
  - 9.6.3. Usually the employee will move one point along the salary range of their evaluated role.
- 9.7. Completed, signed paper records of reviews need to be submitted by 30 November annually, or within two months of the end of the performance management cycle. This is to ensure that the necessary payroll and administration procedures can be completed.
- 9.8. The responsibility of retaining and submitting performance reviews is the individual's. Where staff do not submit paperwork by these deadlines then this may impact on the individual's pay progression.

## **10. Appeals**

- 10.1. Where an individual wishes to raise an appeal against any of the information recorded in their performance management records (planning and review statements), details of this process are covered in the Pay policy.

## **11. Periods of leave**

- 11.1. If during the performance year there is a period of long term absence (e.g. sickness absence or maternity leave), then the line manager will review performance based on the time that the individual was in work. It may be necessary to arrange observations as part of this review (teachers only).

- 11.2. If during the performance year there is a period of long term absence (e.g. sickness absence or maternity leave), then consideration will be given to an individual's performance, up to two years prior to their long term absence, to provide information on their performance history.
- 11.3. Once the individual returns to work objectives will need to be set for the remainder of the performance management cycle.

## **12. Change of role during the performance management year**

- 12.1. If an individual changes their role or responsibilities between September and May of the performance management year, the line manager for the role they are leaving will conduct a performance review for that period of the year.
- 12.2. The line manager for the post they have moved to will set and agree objectives for their new role. These may be broadly the same, dependant on the change in role.
- 12.3. If an individual moves role between June to August, then the performance review will be the review used for that performance year. Objectives set for the new role will be the objectives for the forthcoming performance management cycle.
- 12.4. The performance management cycle does not begin again for the in the event of a change in leader/manager.

## **13. Roles and responsibilities**

### **13.1. The role of the CEO/Principal**

- 13.1.1. The role of CEO is to ensure that this policy is applied fairly and consistently across the trust.
- 13.1.2. The role of Principal is to ensure that this policy is applied fairly and consistently across an academy.
- 13.1.3. The Principal, with the assistance of other Senior Leadership colleagues, will review performance management records and related information, including the effectiveness of this policy, and where required, report to the Local Governing Body and/or Board of Directors.
- 13.1.4. The Principal will be made aware of pay decisions and recommendations that may have been affected by this process.
- 13.1.5. The Principal is responsible for ensuring appropriate quality assurance systems and practices are in place in their academy and communicating these to their staff.

### **13.2. The role of Directors/Governors**

- 13.2.1. The Board of Directors will approve this policy and is committed to ensuring that this policy is applied consistently and fairly.
- 13.2.2. Directors/Governors will inform all staff of the policy which has been adopted.
- 13.2.3. The Local Governing Body will ensure that all written appraisal records are retained in a secure place for the required period of time and then destroyed.
- 13.2.4. Directors/Governors will monitor, evaluate and review policies in line with statutory and best practice guidelines, including equality legislation.

### **13.3. The role of other leaders**

- 13.3.1. The HR Manager is responsible for ensuring that professional, effective HR advice is provided to line managers and Governor panels.
- 13.3.2. The HR Manager will monitor how the performance management policy has been used and report to the CEO and Local Governing Body, on behalf of their Principal.
- 13.3.3. Senior leaders in an academy are responsible for allocating line managers/reviewers and ensuring those staff have received appropriate training for this area of their role.

### **13.4. The role of the employee/other staff**

- 13.4.1. Line managers are responsible for ensuring they have undertaken sufficient training and have sought advice from HR.
- 13.4.2. HR will ensure there is training provision for this area of people management and coordinate all relevant administration processes.

- 13.4.3. All employees should focus their efforts, skills and knowledge to undertake their role to the best of their ability. All staff are expected to access a range of support provided, as detailed in the CPD policy.

## **14. Monitoring and Evaluation**

- 14.1. This process will be treated with confidentiality. However, the desire for confidentiality does not override the need for the CEO or Principal and a Local Governing Body to quality-assure the operation and effectiveness of the systems. For example, the Principal or an appropriate member of the senior leadership group may review the documents and records taken during the process.
- 14.2. The Principal is required to report to their Local Governing Body on an annual basis a summary of performance management outcomes and related pay decisions.
- 14.3. This policy should be reviewed at least every two years to ensure compliance to legislation, educational needs, national and local terms of employment and good practice.
- 14.4. Any reviews to this policy will be in consultation with staff, including representatives of unions and associations recognised by the trust.



## Appendix 1

This appendix outlines the trust's lesson observation protocol.

### Lesson Observations (teachers)

The trust believes that observing classroom practice and other responsibilities is important as a way of assessing teachers' performance, and to gain an understanding of any particular strengths and areas for development.

Lesson observations also provide Principals and senior leaders with an evaluation of academy improvement strategies and overall performance.

It is recognised that lesson observations can cause apprehension, particularly amongst less experienced staff. However, each academy undertakes to carry out lesson observations in a supportive, constructive manner. See below regarding Learning Walks.

Observations can be undertaken with or without notice. Where notice is given this will be a minimum of two working days.

All teaching staff who have teaching responsibilities will be observed throughout the performance management cycle, irrespective of their role. The amount and type of observation will vary depending on the needs of the academy and the individual needs or circumstances of the teacher.

In addition to formal observation, leaders within an academy or business area (as all leaders have responsibility for teaching and learning outcomes), may 'drop in' in order to evaluate standards of teaching and to ensure high professional standards are established and maintained. The length and frequency of 'drop in' observation will vary depending on individual circumstances.

### Terms used in the performance management cycle

- Lesson observation (teachers) – see above
- Work scrutiny. Used to measure quality, consistency and impact of marking and assessment. Feedback is given following a work scrutiny.
- Quality assurance systems. Planned and systematic approaches that provide holistic evidence to assess an individual's performance. Sources of information include formal lesson observations, work scrutiny, data assessment, information from school improvement professionals and feedback from line managers on areas of strength or concern.
- 'Drop-in'. Used to evaluate standards of teaching and to ensure high professional standards are established and maintained. Drop-ins allow leaders to informally watch lessons and identify good practice, as well as areas where support maybe required. Verbal feedback may be given after drop-ins, particularly when strong practice is observed. The length and frequency of 'drop in' observation will vary. Drop-ins are frequent and intended to be part of academy culture, which has an 'open door' policy across the trust.
- Learning Walk. A planned or unplanned focussed review by leaders to assess the quality of teaching and learning. A learning walk would look at an identified group of staff, e.g. whole teaching staff, learning support staff, a department.

## **Appendix 2**

### **Assessment against Teachers' Standards**

As part of the performance management cycle the appraiser must make a judgement on how the Teacher has performed against the Teachers' Standards.

Assessment against the Teachers' Standards will start from the premise that all teachers are meeting the Teachers' Standards and they will be assessed as meeting the standards unless clear, compelling written evidence to the contrary is provided.

This assessment must be completed on the performance management review statement.

The criteria are as follows:

1. Consistently meets these standards, and displays throughout working practice.
2. Meets the standards securely.
3. The vast majority of standards are met and through CPD and other support, progress is being made towards those not met.
4. Strong evidence to demonstrate that the standards are frequently not met.

## Appendix 3

### Interim Performance Management review

All staff should have regular reviews throughout the performance management year (see the Performance Management policy).

An interim performance management review should be held between February – April each year, about six months after objectives had been agreed. The purpose of the interim review is to:

- consider progress towards objectives
- provide an opportunity to highlight mid-year achievements and offer constructive feedback to support success
- discuss further training needs
- amend or change objectives as appropriate
- identify any unexpected or unplanned issues that may impact the annual performance management review, and therefore need addressing.

The purpose of this guidance is to outline how an interim performance management review should be conducted for **all teaching and support staff** who set performance management objectives for xx/xx review year. (NQTs and support staff who are in their probationary period will continue with those frameworks for reviewing their performance).

A meeting should be planned and prior to the meeting the reviewer and the member of staff should ensure they have copies of the current performance management planning statement.

Brief notes of the meeting should be recorded on the template attached. Detailed below are the areas for discussion:

1. Evidence towards achieving objectives

Review objectives in line with information and evidence available. Teachers - this will include Quality Assurance (QA) window information, student assessment data, lesson observations, learning walks, student voice information and any other relevant information or data.

Support staff – this will include any quality assurance processes, observations, learning walks or other relevant feedback.

2. Commentary on data recorded/learning walks, Teachers Standards and QA information

Teachers - using information gathered record successes or development areas from these evidence sources. It is important that reviewers consider performance within the Teachers' Standards in relation to overall performance and professionalism.

Support staff – from information gathered record successes or development areas from the evidence sources, this should include performance in relation to overall performance and professionalism.

3. Objectives on target?

An assessment on whether current performance is on target to achieve objectives. Where, due to performance issues, an objective is not on target to be achieved, further action is required and a follow up meeting may need to be arranged.

4. Objectives still relevant/achievable?

If, due to unplanned or unexpected reasons, an objective is not likely to be achieved or should be amended action should be taken. Where this is due to reasons, such as absences or changes to timetable/student groups this should be recorded. In the case of changes to timetable or workload new objectives should be discussed and agreed. These should be recorded in a NEW planning statement. **In all cases where objectives are no longer relevant or achievable advice should be sought from SLG links and HR.**

5. Further CPD or training?

Please note any further CPD or training needs that will support achieving objectives.

6. Actions agreed

This space is to agree any actions or next steps.

Reviewers should note that the template is an aide memoir and should be used to prompt discussion and record key information. Reviewers should keep concise, accurate notes of interim reviews. Where there are concerns, it may be necessary to hold a second meeting, or a longer discussion.

There is an opportunity on the form for the reviewee to add any comments. The review template does not need to be submitted to HR, unless there are issues raised which required further discussion.

All interim reviews should be retained by line managers/reviewers, as these will be used in annual performance review discussions.

Any concerns should be discussed with SLG links.

Name:			
PM Reviewer:		Date of meeting:	
<b>The performance management planning statement should be used in this discussion</b>			
<b>Discussion area</b>		<b>Comments</b>	
<p><b>Evidence</b> – Review objectives in line with information and evidence available.            Teachers - This will include QA window information, student assessment data, lesson observations, learning walks, student voice information and any other relevant information or data.            Support staff – This will include any quality assurance processes, observations, learning walks or other relevant feedback.</p>			
<p><b>Comments on data available</b> – Commentary on data recorded/learning walks, Teachers Standards and QA information            Teachers - Record successes or development areas from these evidence sources. It is important that reviewers consider performance within the Teachers’ Standards in relation to overall performance and professionalism.            Support staff – Record successes or development areas from the evidence sources, this should include performance in relation to overall performance and professionalism.</p>			
<p><b>Objectives on target?</b> – an assessment on whether current performance is on target to achieve objectives. Where, due to performance issues, an objective is not on target to be achieved, further action is required and a follow up meeting may need to be arranged.</p>			
<p><b>Objectives still relevant/achievable</b> – if an objective is no longer relevant or there is a reason why an objective is not likely to be achieved action should be taken. Consider new or amended objectives.</p>			
<p><b>Further CPD or training</b> – Are there new training needs, or different needs to ensure success?</p>			
<b>Actions agreed:</b>			
<b>Comments from reviewee:</b>			
Signed member of staff:		Signed interim reviewer:	