



E09
ESTEEM MULTI-ACADEMY TRUST
PERFORMANCE MANAGEMENT
POLICY

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1 Introduction

- 1.1 Revised appraisal arrangements came into force with effect from 01 September 2012. They are set out in the Education (School Teachers' Appraisal) (England) Regulations 2012 (the Appraisal Regulations.)
- 1.2 This policy covers all staff within Esteem Multi-Academy Trust, regardless of role or leadership status.
- 1.3 The Trustees will review this policy annually in consultation with the Governing Bodies.

2 Purpose

- 2.1 This policy sets out the framework for a clear and consistent assessment of the overall performance of staff members, including the Headteacher/CEO, and for supporting their development within the context of the Trust/school's School Improvement Plan (SIP) for improving educational provision and performance, and the standards expected of teachers. It also sets out the arrangements that will apply when staff fall below the levels of competence that are expected of them.
- 2.2 Where teachers are eligible for pay progression, the assessment of performance throughout the cycle against the success criteria specified in the statement will be the basis on which the recommendation is made by the reviewer.
- 2.3 This policy should be read in conjunction with the Trust's pay policy which provides details of the arrangements relating to teacher's pay in accordance with the School Teachers' Pay and Conditions Document and support staff scales (NJC/LA Single Status).
- 2.4 In addition, all staff (teaching and support) are expected to participate in effective appraisal in order to support their career progression, even though there is no legal framework for support staff.

3 Application Of Policy

- 3.1 The policy applies to the CEO, Trust Leaders, Headteachers, all teachers and support staff employed by the Trust except those on contracts of less than one term, those undergoing induction (i.e., ECTs) and those who are the subject of capability procedures, or whose work causes serious concerns.

4 Link To School Improvement, School Self-Evaluation Form (SEF) And School Improvement Plan (SIP)

- 4.1 To comply with the requirement to show how the arrangements for performance management link with those for school improvement, school self-evaluation and school development planning and to minimise workload and bureaucracy, the performance management process will be the main source of information as appropriate for school self-evaluation and the wider school improvement process to avoid duplication.
- 4.2 Similarly, the School Improvement Plan (SIP) document and the school's self-evaluation form (SEF) are key documents for the performance management process along with the Trust professional learning offer and CPD strategy. In the case of CEO, Trust Leaders, and Services Leader KPI's related to the Trust apply.
- 4.3 All reviewers are expected to explore the objectives with the school's priorities and plans. The objectives should also reflect reviewees' professional aspirations.

5 Consistency of Treatment and Fairness

- 5.1 Performance Management will be a supportive and developmental process designed to ensure that all teachers and support staff have the skills and support they need to carry out their role effectively. It will help to ensure that teachers and support staff are able to continue to improve their professional practice and to develop as teachers and support staff. Esteem MAT is committed to ensuring consistency of treatment and fairness in the operation of performance management.
- 5.2 The Trust Board recognises its legal responsibilities to staff under the Equality Act 2010 and this policy will ensure equality and fairness regardless of a member of staff's protected characteristics. All performance management decisions will be taken in accordance with relevant equalities legislation, the Employment Relations Act 1999, the Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2002. In doing so the Trust and Pay Committee will ensure that performance management processes and decisions, linked to pay are open, transparent and fair.
- 5.3 To ensure this the following provisions are made in relation to moderation, quality assurance and objective setting.

6 The Performance Management Period

- 6.1 The performance management period will run for twelve months from 01 September to 31 August each year for teachers and TAs. For headteachers, the CEO and other Trust central team staff, the period will run from 01 January to 31 December each year.
- 6.2 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.
- 6.3 The period for review for support staff, including Teaching Assistants also runs from 01 January to 31 December each year

6.3 Impact Of Absence During the Performance Management Cycle

- 6.4.1 Where employees have been absent for long periods e.g., due to maternity leave, shared parental leave, long term or disability related sickness absence, appropriate consideration and reasonable adjustments will be made towards the meeting of criteria for pay progression. The headteacher and/or reviewer will take into account the particular circumstances of the case and the exact adjustments will be made on a case-by-case basis. Where other sickness absence occurs during the appraisal cycle for a teacher the Headteacher/CEO will assess the extent to which the teacher has demonstrated that the criteria for pay progression have been met at the annual performance management review.

7 Appointed Performance Management Reviewers

- 7.1 The Trust Board is responsible for the performance management of the CEO.
- 7.2 The task of performance managing the CEO, including the agreeing and setting of objectives, will be delegated to a sub-group consisting of up to three members of the Trust Board. The sub-group may be supported by a suitably skilled and/or experienced external adviser who has been appointed by the Trust for that purpose.

- 7.3 Headteachers in member schools will be performance managed by the CEO and Chief Education Officer. The Director of School Improvement, Director of Partnerships & Provision and Director of Improvement & Development will provide support at interim stages and may act as advisor(s) to the Local Governing Board representatives (Chair of Governors) at the final review.
- 7.4 The Headteachers in member academies will decide who will review the performance management of other leaders, teachers/classroom based or student focused support staff. The School Business Manager will determine the performance reviewers of other non-classroom based or non-student focussed support staff.
- 7.5 The CEO, Deputy CEO and Chief Education Officer will decide who will review the performance management of central team staff.

8 Objective Setting

- 8.1 The CEO's objectives will be set by the Trust representatives after consultation with the external adviser (if required – see 7.2) and the Headteachers' objectives will be set by CEO. The objectives of central team staff will be set by either the CEO, Deputy CEO and Chief Education Officer.
- 8.2 Objectives for each teacher/support staff will be set before or as soon as practicable after, the start of each performance management period. The objectives set for each teacher/support staff member, will be Specific, Measurable, Achievable, Realistic and Time-bound and will be appropriate to the teacher's/staff's role and level of experience. The reviewer and reviewee will seek to agree the objectives but, if that is not possible, the reviewer will determine the objectives. Objectives may be revised if circumstances change.
- 8.3 The objectives set for each teacher/support member will, if achieved, contribute to the schools plans for improving the school's educational provision and performance and improving the education of students within Esteem. This will be ensured by quality assuring all objectives against the SIP and SEF document.
- 8.4 Before, or as soon as practicable after, the start of each performance management period, each staff member will be informed of the standards against which that their performance in that performance management period will be assessed.
- 8.5 For teachers this will be the Teachers' Standards, for headteachers it will be the Headteachers' Standards (2020), for the CEO it will be the Core Responsibilities of a School Trust CEO (CST, 2021).
- 8.6 The headteachers will need to consider whether certain teachers should also be assessed against other sets of standards published by the Secretary of State that are relevant to them.
- 8.7 For support staff, targets with clear success criteria will be determined in line with job descriptions and Tas will be referred to the TA standards for performance. For central team staff, the CEO, Deputy CEO and Chief Education Officer are responsible for reviewing performance will refer to the appropriate sets of standards for performance.

9 Reviewing Performance

9.1 Monitoring

- 9.1.1 Esteem MAT believes that observation of practice and other responsibilities is important both as a way of assessing teachers' and support staffs' 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 observations will be carried out in a supportive

manner.

- 9.1.2 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, the 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 "learning walks" (drop-ins) will vary depending on specific circumstances.
- 9.1.3 Teachers and leaders who have responsibilities outside the classroom should also expect to have their performance of those responsibilities observed and assessed. A range of appropriate monitoring tools will be used e.g., audits, pupil pursuits, work scrutiny and tracking data.
- 9.1.4 Support staff will have their work scrutinised in line with role and job description.

9.2 Development And Support

- 9.2.1 Performance Management is a supportive process which will be used to inform continuing professional development. Esteem MAT wishes to encourage a culture in which all teachers and support staff take responsibility for improving their practice through appropriate professional development. Professional development will be linked to school improvement priorities and to the ongoing professional development needs and priorities of individual staff.

9.3 Feedback

- 9.3.1 Teachers/support staff will receive constructive feedback on their performance throughout the year and as soon as practicable after an observation has taken place or other evidence has come to light.
- 9.3.2 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/support staff's performance the reviewer, Headteachers or a member of the senior leadership team will meet the teacher/staff member formally to:
- Give clear feedback to the teacher/support staff member about the nature and seriousness of the concerns.
 - Give the teacher/support staff member 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 (it may be appropriate to revise objectives, and it will be necessary to allow sufficient time for improvement. The amount of time is up to the Trust but should reflect the seriousness of the concerns).
 - Explain the implications and process if no improvement or insufficient improvement is made.
- 9.3.3 When progress is reviewed, if the reviewer and/or Headteacher is satisfied that the teacher 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.

9.4 Transition To Capability

- 9.4.1 If the reviewer and/or Headteacher is not satisfied with progress, the teacher/support staff will be notified in writing that the performance management 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 the Esteem Capability Policy and Procedure (E04). Please see this policy for more information.

9.5 Annual Assessment

- 9.5.1 Each teacher's/support staff's performance will be formally assessed in respect of each performance management period. In assessing the performance of the CEO, the Trust Board must consult the delegated sub-group consisting of up to three members of the Trust Board.
- 9.5.2 This assessment is the end point to the annual performance management 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 (e.g., priorities will be reviewed and addressed on a regular basis throughout the year at interim meetings.)
- 9.5.3 The teacher/support staff will receive as soon as practicable following the end of each performance management period a written performance management report and have the opportunity to comment in writing on this. Teachers will receive their written performance management reports by 31 October (31 December for headteachers and the CEO). The performance management report will include:
- Details of the teacher's objectives for the performance management 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 (NB – pay recommendations need to be made by 31 December for CEO and headteachers and by 31 October for other teachers);
- 9.5.4 The assessment of performance and of professional development needs will inform the planning process for the following performance management period.
- 9.5.5 Support staff will receive the same entitlement to feedback, support and review.

9.6 Quality Assurance of Appraisal Statements

- 9.6.1 The Trust is committed to ensuring consistency of treatment and fairness in the operation of the Performance Management Policy for all staff. The School Improvement and Development Team has supplied Head Teachers with a Teacher Standards and Expectations overview which schools are to use to ensure staff are aware of the benchmarks they are to meet in accordance with their level of experience in teaching e.g. UPS. Objectives may be moderated across the Trust to ensure that they are consistent between teachers with similar experience and levels of responsibility and the same applies to support staff.

10 Appeals

- 10.1 At specified points in the performance management process a reviewee has a right of appeal against any of the entries in their planning and review statements. Where a reviewee wishes to appeal, on the basis of more than one entry, this would constitute one appeal hearing. Details of the appeals process are covered in the Trust Pay Policy.

11 Training And Support

- 11.1 The Trust's Professional Learning Offer is designed to ensure teachers, leaders and support staff can access high quality training and development which can be linked to the Performance Management process. Esteem Schools are at liberty to source training and development from external providers also to support the Performance Management process.
- 11.2 The Trust will ensure in the budget planning that, as far as possible, appropriate resources are made available in the school budget for any training and support agreed for reviewees.
- 11.3 An account of the training and development needs of teachers in general, including the instances where it did not prove possible to provide any agreed CPD, will form a part of the annual report to the Trust Standards and Achievement Committee about the operation of performance management in the Trust.
- 11.4 With regard to the provision of the CPD in the case of competing demands on the school budget, a decision on relative priority will be taken with regard to the extent to which: (a) the CPD identified is essential for a reviewee to meet their objectives; and (b) the extent to which the training and support will help the Trust to achieve its priorities. The Trust's priorities will have precedence.

12 Managing Capability

- 12.1 There is no automatic transition to the Capability Policy and Procedure. However, where performance concerns emerge, the nature and seriousness of those concerns should be discussed as soon as possible with the member of staff. Every effort should be made to resolve performance concerns within the performance management process through the provision of targeted additional support agreed in discussion, with the member of staff, with regular feedback and review. Where concerns are such that the member of staff is not performing to an appropriate level, the Headteacher or other identified senior leader will be included in these discussions. If the performance concerns are not resolved through a minimum of one cycle of support and feedback, consideration should be given to the application of the capability procedure in consultation with the Head Teacher and Trust School Improvement Team.
- 12.2 Where the reviewer considers that there is insufficient evidence of progress against the objectives based on the evidence available at an interim review meeting and from the additional support cycles, the reviewee will be notified in writing that the performance management process will no longer apply and that their performance will be managed under the capability procedure.
- 12.3 We understand that managing and improving performance not only helps the staff member but also the pupils and ultimately the school community as a whole. It is recognised however, that there are occasions when a member of staff's performance is identified as below an acceptable standard and when normal day-to-day management support has not resulted in satisfactory improvement the Capability Policy would be used to assist this improvement. This procedure will only become 'active' once the normal management processes for discussing performance and providing encouragement, guidance, support and feedback have been provided. This includes any required performance management/supervision and performance management reviews. As such, it is strongly recommended that the Capability Policy and Procedure is read in conjunction with the Performance Management Policy.
- 12.4 Where it becomes necessary to activate the Capability procedure it has been designed to provide the member of staff with the opportunity to understand how and why their performance does not

meet the needs of the school and its children and young people, and to provide a framework to encourage them to improve their performance.

12.5 For further information please see the E04 Esteem MAT Capability Policy and Procedure.

13 Retention of Statements

13.1 Performance management planning and review statements will be retained for a minimum period of 6 years and treated in the strictest of confidentiality at all times. Access is restricted to CEO, Deputy CEO, Chief Education Officer, Directors, , Headteachers, direct line manager, reviewer and the Trust HR team.

14 Review of the Policy

14.1 The Trust Board will review the performance management policy as required, but at least every three years and this will be ratified at a full Trust Board meeting.

14.2 The Trust will take account of the Headteachers/CEO's report in its review of the performance management policy. The policy will be revised as required to introduce any changes in regulation and statutory guidance to ensure that it is always up to date.

14.3 The Trust will seek to agree any revisions to the policy with the recognised trade unions to ensure teachers are fully conversant with the performance management arrangements, all new teachers who join the Trust will be briefed on them as part of their introduction to the school and Trust.

15 Access To Documentation

15.1 Copies of the SIP and SEF can be obtained from Headteachers or the School Improvement Team.