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# Performance management for teachers

Revised performance management arrangements 2012



## Guidance

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# Performance management for teachers

<b>Audience</b>	Local authorities, governing bodies of maintained schools, institutions within further education sector, headteachers, teachers and other interested parties.
<b>Overview</b>	This guidance document outlines the School Teacher Appraisal (Wales) Regulations 2011 that came into force on 1 January 2012 in order to strengthen performance management arrangements for headteachers, teachers and unattached teachers.
<b>Action required</b>	All schools are required to move to the revised performance management arrangements by 31 December 2012.
<b>Further information</b>	Enquiries about this document should be directed to: Learning Improvement and Professional Development Division Welsh Government Cathays Park Cardiff CF10 3NQ e-mail: <a href="mailto:PracticeReviewandDevelopment@wales.gsi.gov.uk">PracticeReviewandDevelopment@wales.gsi.gov.uk</a>
<b>Additional copies</b>	This document can be accessed from the Welsh Government's website at <a href="http://www.wales.gov.uk/educationandskills">www.wales.gov.uk/educationandskills</a>
<b>Related documents</b>	<p>The existing performance management guidance and procedures relating to the 2002 regulations may still be used until schools move to the revised arrangements but no later than 31 December 2012. They can be accessed from the following link: <a href="http://www.wales.gov.uk/topics/educationandskills/publications/guidance/performance-man-for-teachers?lang=en">www.wales.gov.uk/topics/educationandskills/publications/guidance/performance-man-for-teachers?lang=en</a></p> <p>The new regulations that came into force on 1 January 2012 are The School Teacher Appraisal (Wales) Regulations 2011 No.2940 (W.316) and can be found following this link: <a href="http://www.legislation.gov.uk/wsi/2011/2940/contents/made">www.legislation.gov.uk/wsi/2011/2940/contents/made</a></p>

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## Introduction

Performance management helps schools to improve by supporting and improving the work of teachers as individuals and in teams. It sets a framework for teachers and leaders to agree and review priorities and objectives in the context of school's improvement plan. It focuses attention on making teaching and leadership more effective to benefit pupils, teachers, and schools.

This guidance is designed to be supportive, not prescriptive. It relates to requirements detailed in the School Teacher Appraisal (Wales) Regulations 2011 and should be read in conjunction with the regulations.

The Regulations provide for the appraisal of the performance of teachers at community, voluntary, foundation, community special, foundation special or maintained nursery schools. The performance management appraisal does not form part of any disciplinary or dismissal procedures.

### Professional standards for education practitioners in Wales

The professional standards articulate the understandings, knowledge and values that teachers must demonstrate. Teachers must meet the Practising Teacher Standards (PTS) at the end of their induction period and continue to meet them throughout their teaching career. They provide a framework to enable practitioners to identify their performance management objectives and to choose the most appropriate professional development activities. Where a teacher no longer meets these standards then line managers should consider competency or capability procedures. Where a decision is taken to enter into a formal competency or capability procedure then that procedure supersedes performance management arrangements.

The Practising Teacher Standards can be found at:

[www.wales.gov.uk/topics/educationandskills/publications/circulars/practitioners/?lang=en](http://www.wales.gov.uk/topics/educationandskills/publications/circulars/practitioners/?lang=en)

### Guidance contents

This guidance is divided into eight sections.

#### 1. School performance management policy

The School Performance Management Policy is the written policy setting out how performance management in the school will be implemented.

#### 2. Appointment of appraiser

The head teacher will appoint an appraiser for every teacher at the school.

#### 3. The appraisal cycle

The head teacher will determine the timing of the appraisal cycle for every teacher at the school.

#### **4. Initial planning, setting of objectives and monitoring procedures**

Performance management is a continuing process that takes place over a year. It is a continuous cycle involving three stages of planning, monitoring performance and reviewing performance.

#### **5. The appraisal review and the appraisal statement**

The annual performance review is a formal opportunity for the teacher and appraiser to recognise achievements and to discuss areas for improvement, support and professional development.

#### **6. Appeals**

Where issues cannot be resolved with the appraiser, the teacher has the opportunity to appeal against the appraisal statement.

#### **7. Provision/retention/use of appraisal statements**

The requirements of disclosure, retention and use of appraisal statements.

#### **8. Other related issues**

Managing weak performance; and pay and performance.

## **School performance management policy**

The School Performance Management Policy is the written policy setting out how performance management in the school will be implemented as required by the School Teacher Appraisal (Wales) Regulations 2011. The governing body, the local authority and the head teacher must establish the School Performance Management Policy. In the event that agreement cannot be reached the local authority must determine the School Performance Management Policy.

The written policy must set out how performance management at the school is to be implemented. Before establishing the policy the governing body must ensure that all teachers at the school are consulted and that the role of the recognised teacher trade unions are fully respected in this process. The governing body will make a copy of the policy available for inspection at the school at any reasonable time by teachers employed at the school, any person involved in the inspection of the operation of the performance management system and any appraiser appointed in accordance with the Appraisal Regulations.

The policy should set a framework for all staff to agree and review priorities and objectives within the context of the school's development plan and their own professional development needs. It will assist in the aim to develop all staff, and to help, where appropriate, to raise standards of achievement for pupils.

The School Performance Management Policy should be reviewed and, if necessary, amended following consultation every school year.

At least once during each school year the head teacher must make a written report to the governing body about the operation of the School Performance Management Policy under these Regulations, the effectiveness of the school's appraisal procedures, and the training and development needs of the teachers and the head teacher.

## **Appointment of appraiser**

The head teacher will appoint an appraiser for every teacher at the school. The appraiser will be a teacher at the school or the head teacher. The head teacher may appoint a new appraiser in place of an existing appraiser at any time. The teacher should be notified in writing of the reason why such a change is necessary and this note should be attached to the Appraisal Statement.

The head teacher should consider who has the best overview of the teacher's work and, where necessary, the ability to provide suitable support throughout the annual cycle. Appraisers should be familiar with performance management procedures, the school performance management policy and the school improvement plan. The teacher should be consulted on who will be appointed as their appraiser. The head teacher should also take into account the potential workload for the appraiser to carry out the appraisal and provide suitable support.

## **The appraisal cycle**

The head teacher will determine the timing of the appraisal cycle for every teacher at the school. Timing will be laid out in the school's Performance Management Policy and should link with the school's planning cycle including the School Improvement Plan and may also take account of the annual pay cycle.

In the case of the first appraisal cycle under the Regulations of a teacher in post on the date on which the Regulations come into force, the head teacher may determine that the length of that appraisal cycle is a period other than one year provided that it begins no earlier than 1 January 2012 and ends no later than 31 December 2012. Similarly, following the appointment of a new teacher, or a teacher moving to a new post in the same school, the head teacher may determine that the length of the teacher's first appraisal cycle in the new post will be a period of less than one year. Due consideration should be given to the process where a shorter period is undertaken.

Once begun, appraisal cycles for every teacher are continuous. The length of an appraisal cycle will normally be one year. The appointment of a new appraiser will not cause a teacher's appraisal cycle to begin again.

## Initial planning, setting of objectives and monitoring procedures

Performance management involves both the appraiser and the teacher working together on ensuring that objectives are discussed and agreed; on the giving of regular and objective feedback; on ensuring, where necessary, provision of adequate coaching, training and development; and on a formal annual performance review.

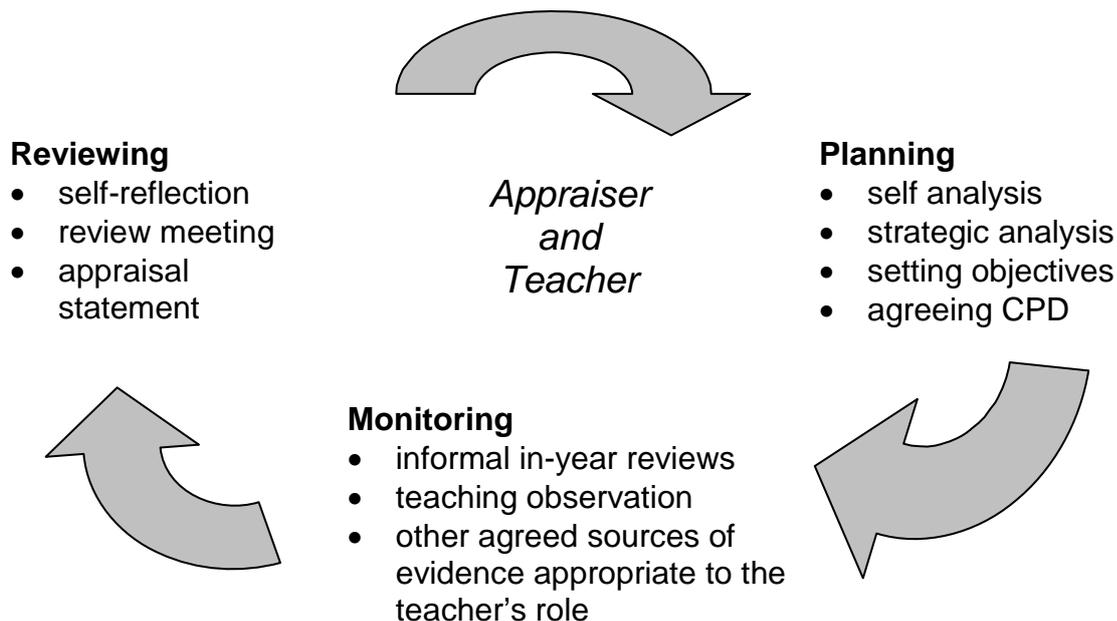
Best practice in performance management is characterised by:

- a commitment to the attainment and welfare of pupils;
- an appreciation of the crucial role that teachers play;
- commitment to the performance and welfare of staff;
- an atmosphere of trust between the teacher and their appraiser, which allows for rigorous evaluation of strengths and identification of areas for development;
- encouragement to share good practice;
- the integration of performance management into the overall approach to leading and managing the school.

## The process of performance management

### The performance management cycle

Performance Management is a continuing process that takes place over a year. It is a continuous cycle involving three stages of planning, monitoring performance and reviewing performance. Best practice in performance management is characterised by a collaborative approach where the appraiser and teacher take joint responsibility for the effective implementation of the process.



## **Planning**

Prior to the planning meeting teachers should:

- consider the use of self-analysis and reflection to prepare for the discussion with the appraiser where specific objectives have been agreed;
- focus on both personal needs and on what will be needed to ensure that pupils make good progress;
- understand the school's priorities outlined in the school improvement plan; and
- consider the need for evidence and the requirement to keep an up to date practice review and development record.

Prior to the planning meeting appraisers should:

- be familiar with statutory performance management procedures;
- be familiar with the school performance management policy;
- be familiar with the teacher's job description;
- reflect on the school improvement plan and any relevant pupil performance information and consider the priorities that are relevant to the teacher's work; and
- be aware of the school's CPD system.

## **Preparing objectives**

Before or at the start of the appraisal cycle, the appraiser and the teacher must meet to plan and prepare for the appraisal and to seek to agree the teacher's objectives. The meeting will normally be combined with the annual appraisal review meeting (see page 12). It is important that adequate time should be allocated to the meeting to fully cover all aspects of the appraisal while taking the teacher's other priorities into account.

Objectives should be challenging but realistic and take into account the teacher's job description and existing knowledge base. They should focus on matters over which the teacher has direct influence or control.

There can be no hard and fast rules on the number of objectives that may be set but experience suggests that about 3 would normally be sufficient.

Setting objectives does not mean itemising every activity or task but picking out key expectations and developmental priorities.

In order that evidence-based judgements can be made, it is recommended that objectives are:

- clear;
- concise;

- measurable;
- challenging;
- relevant.

### **Setting objectives**

The teacher's objectives should, if they are achieved, contribute to improving the progress of pupils at the school; and must take account of relevant evidence including the pupil performance information.

Taken as a whole the objectives must relate to:

- developing and improving the teacher's professional practice;
- the teacher's job description;
- any relevant pay progression criteria (see page 17);
- any relevant whole-school or team objectives specified in the School Improvement Plan;
- the professional standards for teachers as specified by the Welsh Ministers.

They may also take into account:

- the teacher's professional aspirations; and
- any national priorities for school improvement set by the Welsh Ministers from time to time.

In this context the professional standards should be looked at as a whole to provide a backdrop to discussions to help teachers identify areas of strength and areas for further development taking into account the stage the teacher is at in their career.

The appraiser will record the objectives, and where appropriate, it may be helpful to list them in priority order. These should be discussed and jointly agreed with the teacher, if possible. In most instances there will be agreement on the objectives, however, if they are not agreed then the appraiser must set out in writing such objectives as the appraiser considers appropriate. The teacher will be allowed to add comments in writing.

In line with regulatory requirements elsewhere, appraisers should ensure that in setting objectives regard should be taken of what can reasonably be expected of the teacher in being able to achieve a satisfactory balance between the time required to discharge professional duties and the time required to pursue personal interests outside work.

## **Professional development**

Professional development is a key element of the performance management process and in supporting the teacher in enhancing their knowledge and skills. Wherever possible, professional development should be undertaken on a regular basis and be consistent with the school's CPD system.

A range of activities can contribute to a teacher's professional development including team teaching, shadowing colleagues, visits to observe good practice, personal reading and research, the use of mentors or coaches, taking on new areas of responsibility and working in a new area.

Professional development opportunities are needed to support agreed objectives, to develop strengths and address areas for development or professional growth. When the objectives are set, the appraiser and the teacher should seek to agree on the support that will be required for the teacher to meet the objectives. If agreement cannot be reached the appraiser will determine the support that is required. Where possible, consideration should be given to opportunities to share good practice widely, including beyond the school.

The individual plan and the appraisal statement are personal and confidential documents and should be kept in a secure place. The provisions of the Data Protection Act 1998 must be followed at all times by those who have access to the documents.

## **Revising objectives**

In exceptional circumstances, a teacher's objectives may be revised by the appraiser at any time during the appraisal cycle. As with the setting of objectives at the start of the appraisal cycle, in most cases any revisions will be jointly agreed by the appraiser and the teacher. However, if they are not agreed then the appraiser must set out in writing such revised objectives as the appraiser considers appropriate. The teacher will be allowed to add comments in writing. Following any revision then the statement of objectives must be amended to show the revised objective, the date of the revision and the reason for the revision.

## **Monitoring procedures**

At the planning meeting, in addition to objectives being set, the teacher will discuss and agree procedures with the appraiser for monitoring the teacher's performance against the objectives. They will also discuss any supportive action needed and the requirement to keep an up to date practice review and development record.

Monitoring procedures should include a variety of methods including information from: the teacher's practice review and development record; the school improvement plan; school performance information; and any other relevant data, all of which should have been prepared for other purposes such as, for example, teachers' planning documentation. It is important that sufficient appropriate evidence is gathered to ensure secure judgements are made. Classroom observation is

accepted good practice and so, as a minimum, the appraiser is required to observe the teacher teaching on at least one occasion during the appraisal cycle.

If procedures cannot be jointly agreed, the appraiser will have the final decision and will set and record in writing the procedures to be used. The teacher should be allowed to add comments in writing.

The teacher and the appraiser will keep progress under review throughout the year to ensure that there is an active and collaborative review of progress. Informal in-year discussions are a means of keeping progress under review and of ensuring that the teachers are supported in their professional development. These performance review discussions can focus on the individual plan and any supportive action needed and also help keep the practice review and development record up-to-date. They can also allow objectives to be adjusted in the light of changing circumstances and/or the availability of more up to date data. However, the appraisers must obtain the consent of the teacher before seeking to obtain information, written or oral, relevant to the teacher's performance from other people not included within the procedures recorded at the planning meeting. Most teachers and appraisers find it helpful if the timing of these discussions are agreed at the planning meeting and generally coincide with teaching observation.

### **Teaching observation**

- Teaching observation for the purpose of performance management can only be carried out by a person holding QTS.
- Observation should take place during lessons and activities that have been agreed in advance with notice of at least 5 school days.
- A minimum of one observation each year by the appraiser is required for all teachers for the purpose of performance management.
- Procedures may include additional observations of whole or part sessions for the purpose of performance management and where appropriate may be combined with lesson observation for other purposes.
- Many teachers work in a wide range of settings and there are a number of facets to their role. The scope of the observation can be balanced to reflect the settings and full range of the teacher's role. The designated observation may be supplemented by other observations of whole or part sessions, which are agreed to be useful, to reflect the teacher's roles and responsibilities.
- In some circumstances it may be appropriate for another person with QTS other than the appraiser to undertake observation. The person will report to the appraiser. Such occurrences should be discussed in advance with the teacher.
- Successful observation requires preparation and training, and a clear understanding by the teacher and the observer of its purpose.
- The nature, purpose and amount of observation, as well as the areas to be focussed on should be determined at the planning meeting. To be

worthwhile it needs to be structured in a way that enables the observer to focus on the areas that were agreed beforehand.

- It is important that the observed sessions should proceed in as normal an atmosphere as possible.
- The scope of teaching observed will need to be well balanced to reflect the range of a teacher's work, but should not be unduly excessive in total.
- Full, constructive and timely feedback offers an opportunity to discuss what went well and what might be done differently next time. When giving feedback, the observer can take into account the range of activities carried out by the teacher and the time spent on each activity.
- Feedback should be given as soon as possible (usually within 5 school days) after the observation has taken place. It is advisable to agree the time and place for the feedback to take place at the same time as the details of the observation are agreed.
- The outcome of the observation, including any feedback, should be recorded and the teacher should have the opportunity to add written comments.

### **Practice review and development record**

Throughout the course of the appraisal cycle the teacher must keep an up-to-date record of:

- the teacher's own assessment of performance against the objectives recorded in the statement of objectives;
- particulars of any professional development activities undertaken or other support provided and how this is contributing to achievement of the objectives; and
- particulars of any factors which the teacher considers are affecting performance against the recorded objectives.

## **The appraisal review and the appraisal statement**

The annual performance review is a formal opportunity for the teacher and appraisers to recognise achievements and, if necessary, to discuss areas for improvement and professional development. It can be combined with agreeing objectives for the following performance management cycle. It is important that adequate time should be allocated to the meeting to fully cover all aspects of the appraisal while taking the teacher's other priorities into account.

### **Self-reflection**

Prior to the review meeting, the teacher may wish to consider, through the exercise of professional judgement, the areas for discussion in relation to the current cycle and in preparation for the next cycle.

A performance review will be more valuable and effective if the teacher has reflected in advance on the work of the year, on the strengths and achievements and on areas for development.

The teacher should consider performance against:

- the teacher's own assessment of her or his performance against the objectives set at the start of the cycle;
- the teacher's own assessment of her or his performance 'in the round' at the end of the review cycle;
- the benefits of any professional development undertaken and particulars of any professional development opportunities which the teacher considers would be beneficial;
- any in-year reviews that have taken place;
- any factors which the teacher considers affected performance against the set objectives; and
- possible objectives for the next cycle.

### **The performance review**

At or near the end of the appraisal cycle the appraiser and the teacher must hold an appraisal review, with the object of:

- assessing the extent to which the teacher has met the objectives recorded in the statement of objectives taking into account the teacher's practice review and development record;
- determining whether there has been successful overall performance in confirming that the teacher continues to meet the professional standards for teachers as specified by the Welsh Ministers;

- identifying the need for additional support, training or development and ways of meeting such needs, also taking into account the teacher's practice review and development record.

The performance management review should involve:

- reviewing, discussing and confirming the teacher's essential tasks, objectives and standards;
- recognising the teacher's strengths and achievements and taking into account factors outside the teacher's control;
- confirming action agreed with the teacher during informal in-year reviews;
- identifying areas for development and how these will be met;
- recognising professional development needs;
- where combined with the planning meeting, agreeing clear objectives and completing an individual plan for the year ahead.

The date on which an appraisal review is to be held will be determined by the appraiser, but at least 10 school days notice (in writing) must be given to the teacher of that date. The teacher must, at least five school days before the appraisal review, submit to the appraiser the practice review and development record and this must be considered at the review.

Teachers must meet the Practising Teacher Standards (PTS) at the end of their induction period and continue to meet them throughout their teaching career. The framework the PTS provide should be used by the appraiser as a backdrop to help make a professional judgement about the overall effectiveness of the teacher's performance in demonstrating that they continue to meet the standards. The appraiser should also take into account the stage the teacher is at in their career.

Appraisers may find it helpful to highlight the main points raised during the review and discuss with the teacher what will be included in the written appraisal statement.

### **The appraisal statement**

Within 10 school days of each appraisal review, the appraiser must provide the teacher with a written statement recording the main points made by the appraiser and the teacher at the review and the conclusions reached. The statement can be brief whilst giving a sound basis for future review and the planning of the next cycle.

There must be recorded in an annex to the statement (which will form part of the statement) the training and developmental needs and ways of meeting such needs identified at the review.

Experience suggests that appraisers should also seek to agree the wording of the final statement with the teacher during this 10 day period.

The teacher may, within 10 school days of receiving a copy of the final appraisal statement add to it comments in writing, and these comments will form part of the statement.

The individual plan and the appraisal statement are personal and confidential documents and should be kept in a secure place. The provisions of the Data Protection Act 1998 must be followed at all times by those who have access to the documents.

## Appeals

Where issues cannot be resolved with the appraiser, the teacher can record their dissatisfaction with the appraisal on the appraisal statement. However, the teacher also has the opportunity to appeal against the appraisal statement if the teacher is dissatisfied with aspects of the appraisal, and an appeals officer will be appointed to conduct a review of the appraisal.

An appeal against an appraisal statement must be made within 10 school days of receiving the statement and must be made in writing to the governing body.

An appeals officer will then be appointed to conduct an appeals review. The appeals officer will normally be the head teacher for appeals by teachers unless they have participated in the review appealed against where the Chair of Governors will be the appeals officer. In this situation, the local authority must appoint a representative to assist the appeals officer.

The head teacher should provide the appeal officer and anyone appointed to assist the appeals officer with a copy of the appraisal statement and the statement of objectives within 5 school days of receiving the notice of appeal.

The appeal review will be carried out within 10 school days of the appeal officer receiving the appraisal statement.

In conducting an appeal review the appeals officer or officers must take into account any representations made by the teacher.

After due consideration, the appeals officer may:

- decide that the appraisal has been carried out satisfactorily (and may make observations);
- with the agreement of the appraiser, amend the appraisal statement; or
- order that a new review be carried out.

Where a new appraisal is ordered a new appraiser must be appointed and the appeals officer must determine which appraisal procedures must be repeated.

Where it appears to the appeals officer that there is no suitable new appraiser who can be appointed, the appeals officer must appoint as a replacement appraiser for the teacher a member of the school's governing body. However, in these circumstances, no governor who is a teacher or other member of staff at the school may be appointed.

All appraisal procedures determined to be repeated must be completed within 15 school days. It should be noted that, in line with advice elsewhere in this guidance, teacher observation for the purpose of performance management should only be carried out by a person holding QTS.

The appeals officer can not:

- determine that new objectives be agreed or set; and
- determine that the objectives agreed or set be revised.

## **Provision/retention/use of appraisal statements**

The appraiser must give a copy of the appraisal statement to the head teacher.

The head teacher must provide a copy of the appraisal statement upon request to:

- the appraiser;
- any appeals officer within five school days of the governing body receiving notice of an appeal;
- any governors responsible for advising about, or taking decisions in relation to, the promotion of teachers or the use of any discretion in relation to pay; and
- in the case of a teacher employed at a school which does not have a delegated budget (within the meaning of Chapter IV of Part II of the School Standards and Framework Act 1998) the Chief Education Officer or any officer or adviser specifically designated by the Chief Education Officer to be responsible for advising about, or taking decisions in relation to, the promotion of teachers or the use of any discretion in relation to pay.

Where the teacher is eligible for pay progression under the School Teachers' Pay and Conditions Document (STPCD), the appraiser must provide to the head teacher a recommendation on pay progression, having regard to the teacher's appraisal statement and in line with provisions of the STPCD.

The head teacher must provide a copy of the annex to the appraisal statement to the person or persons responsible for planning the training and development of teachers at the school.

The head teacher must make a teacher's current statement of objectives available to a new appraiser appointed otherwise than at the beginning of an appraisal cycle.

A teacher's appraisal statement must be kept by the head teacher in a safe and secure place until at least three years after the next appraisal statement has been finalised.

## **Other related issues**

### **Managing under-performance**

The performance management appraisal does not form part of any disciplinary or dismissal procedures. However, good management, with clear expectations and appropriate support will go a long way towards identifying and handling any weakness in performance.

Procedures to address under-performance are the subject of separate regulations. The review meeting and the appraisal statement do not form any part of any formal disciplinary, competency or capability procedures, but any relevant information from appraisal statements may be taken into account by those responsible for taking decisions about performance, pay, promotion, dismissal or disciplinary matters, triggered by other procedures.

Where a decision is taken to enter into a formal competency or capability procedure then that procedure supersedes performance management arrangements. The performance management process may be suspended at any time during the cycle where such a decision is made.

### **Pay and performance**

The responsibility for the performance management of teachers is devolved to the Welsh Government. The responsibility for teachers' pay is not devolved to the Welsh Government and decisions concerning pay for both Wales and England remain the responsibility of the Department for Education (DfE).

The Welsh Government has not amended the performance management regulations in order to affect teachers' pay one way or the other. The performance management system is primarily in place to provide a clear procedure for assessing teachers' performance in relation to agreed objectives; which should help teachers improve their effectiveness and ensure that professional development needs are identified and steps taken to meet them on a consistent and regular basis.

Responsibility for teachers' pay includes the pay threshold arrangements and progression through the upper pay scale (UPS). The policy for all pay matters is set through pay legislation by the Department for Education. The requirements for teachers' pay are set out in the School Teachers' Pay and Conditions Document (STPCD). Relevant bodies need to follow these requirements and any subsequent DfE guidance in any decisions relating to pay including pay progression on the UPS.