

Bristol City Council

Performance Management Policy

Centrally Employed Teachers

HISTORY OF POLICY CHANGES

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This policy does not form part of an employee's contract of employment and does not create any contractual rights.

INTRODUCTION

This policy sets out the framework to allow a clear and consistent assessment of the overall performance of teachers and for supporting their development needs within the context of the CYP and their own professional needs. To be effective, it is essential, that proper time is allocated to employees and reviewers to undertake performance management.

SCOPE

The arrangements for the performance management of teachers are under-pinned by statutory regulations. This policy meets the requirements of the law but also best practice and has been designed to apply to all employees whose pay and conditions are in accordance with the Burgundy Book and School Teachers' Pay and Conditions Document. This will minimize workload and ensure all staff have equal access to performance management and continuous professional development.

The policy applies to all teachers, except those on contracts of less than one term, teachers in their induction year, and those who are the subject of capability procedures.

This policy should be read in conjunction with the school's pay policy which provides details of the arrangements relating to teachers' pay, the Education (School Teacher (Performance Management) (England) Regulations 2006, the School Teachers Pay and Conditions Document and associated Guidance.

For teachers who start their employment within CYPS part-way through the performance management cycle, the head of service will make appropriate arrangements for their performance to be managed during the remainder of the academic year.

For teachers already employed, who transfer to a new post within the department part-way through a cycle, the head of service will determine whether to begin the performance management cycle again and whether to change the reviewer, depending on the extent to which the teachers' responsibilities and job description have changed.

TRAINING AND SUPPORT

The department will ensure appropriate resources are identified in the service budget for any training and support agreed for reviewees.

The department's CPD and Workforce Plan will be informed by the training and development needs identified in the training annex of the reviewee's planning and review statement. This can include Skills for Life training opportunities available through Bristol City Council.

An account of the training and development needs of employees, including the instances where it did not prove possible to provide any agreed CPD, will form a part of the service manager's annual report to their strategy leader about the operation of the performance management in the service.

PAY PROGRESSION

For teachers on the main scale (M1 to M6), pay progression is automatic until they reach the maximum of the grade unless they are the subject of formal capability proceedings.

Where teachers are eligible the performance rating (Appendix B, which has been drawn up in accordance with the STP&CD*) will form the basis of recommendations for pay progression where they are:-

- Employed on the Leadership Spine
*Guidance in the STP&CD states that for teachers on the Leadership Scale should have demonstrated high quality performance and have grown professionally by developing their leadership (and where relevant) teaching expertise.
- Advanced Skills Teachers
- Post Threshold Teachers
*Guidance in the STP&CD states that a post threshold teacher should continue to meet threshold standards and their contribution should have been substantial and sustained. Additionally the teacher should have grown professionally by developing their teaching expertise post threshold.

KEY ROLES AND RESPONSIBILITIES

PROGRAMME DIRECTOR

- Monitor the operation and outcomes of performance management arrangements, and review the policy and its operation every year.
- Make final decisions regarding teachers' pay progression based on recommendations made by reviewers, with the HR manager and strategy leader.

STRATEGY LEADERS

- Ensure that resources are made available for training and support identified in reviewee planning statements.
- Where the head of service makes such a request, to action requests for evidence from the performance management process to be transferred if they transfer mid-cycle.
- Ensure the content of the head of service's planning and review statement is drafted having regard to the need to be able to achieve a satisfactory work life balance.
- Regularly review the process of moderation and quality assurance.
- Ensure that in planning the budget, resources are identified to fund pay progression.

HEAD OF SERVICE

- Report annually to the strategy leader on performance management arrangements and on the training and development needs of staff.
- Play an active role in their own performance management and professional development including taking action as agreed at review meetings.
- Act as performance reviewer to all staff who directly report to them, and, where appropriate, delegate the role of performance reviewer in its entirety.
- Retain copies of all review and planning statements and provide others with access to statements where appropriate.
- Take account of review outcomes in the service delivery plan and ensure that there is a plan for the professional development of the teachers in their team.

- Action any request from a teacher for evidence from performance management to be transferred if a teacher moves school mid-cycle.
- Evaluate standards of teaching and learning and ensure proper standards of professional practice are established and maintained.
- Ensure that the planning and review statements are drafted having regard to the need for a satisfactory work life balance.
- Moderate all, or some, planning statements to ensure fairness, consistency and adherence to the requirements of equality legislation.

EMPLOYEES

- Play an active role in their own performance management and professional development, including taking action as agreed at review meetings.
- Where the role of reviewer has been delegated to them in accordance with the regulations, act as reviewers for other employees.
- Contribute to the annual planning and assessment of other employees where appropriate.

APPOINTMENT OF REVIEWERS

FOR THE HEAD OF SERVICE

The strategy leader acts as the reviewer for the head of service.

FOR OTHER STAFF

The head of service will be the reviewer for all teachers who directly report to him/her.

For all other staff the head of service has delegated the responsibility of reviewer, in its entirety, to the line manager:

The head of service will moderate **all** of the planning statements to check that the plans recorded in the statements of the unit's staff are consistent between those who have similar experience and similar levels of responsibility; and comply with the regulations and the requirements of equality legislation.

In determining the number of reviewees for each reviewer account will be taken of the reviewers workload and worklife balance.

Where an employee has more than one line manager the head of service will determine which line manager will be best placed to manage and review the employee's performance, and inform the employee.

Where, for whatever reason, the reviewer will be absent for the majority of the cycle or is unsuitable for professional reasons alternative arrangements will be made in accordance with the above. The head of service may perform the duties himself/herself or delegate them in their entirety to another employee. Where this employee is not the reviewee's line manager the employee will have an equivalent or higher status in the staffing structure as the employee's line manager.

A Performance management cycle will not begin again in the event of the reviewer being changed.

All line managers to whom the head of service has delegated the role of reviewer will receive appropriate support in discharging their responsibilities.

An employee has the right to request in writing that a reviewer is changed. Any request will be considered by the strategy leader. His/her decision will be final and there is no right of appeal. An employee cannot make more than one request (in any review cycle).

THE PERFORMANCE MANAGEMENT CYCLE

The Performance Management cycle consists of

Planning meeting at which objectives are set and a personal planning and review statement is produced

Monitoring and support which is on-going throughout the cycle

Review meeting at which an overall assessment is made of the individual's progress taking into account the objectives set at the beginning of the cycle.

The performance of all staff must be reviewed on an annual basis. Performance planning and reviews for teachers must be completed by 31 October and for heads of service by 31 December.

THE PLANNING MEETING

The planning meeting takes place at the start of the performance management cycle and is a one to one meeting between the employee and the reviewer. The employee and the reviewer should establish and agree the employee's key job outcomes based on his/her job description and set up to three performance objectives.

The reviewer and reviewee will always seek to agree the objectives and content of the planning statement. In exceptional circumstances where agreement cannot be reached the reviewer will make the determination.

Appendix A sets out the structure of the Planning Meeting.

SETTING OBJECTIVES

Performance objectives must

- For class based roles be linked to the progress of the unit's pupils and clearly link to the service delivery plan.
- take into account the employee's job description and the relevant professional standards / job competencies.
- reflect a whole team objective that is in the service delivery plan.
- be SMART (specific, measurable, achievable, relevant and resourced and timed) and
- balance the employee's professional aspirations whilst allowing him/her to have a reasonable work-life balance.

An objective can also cover two cycles (two years). Where this is the case the objective will require milestones to be assessed on the progress made at the end of the first year. This will be recorded in the planning and review statement at the beginning of the cycle.

CLASSROOM OBSERVATION

The planning and review statement will set out the arrangements for classroom observation (where it is relevant to the role) including the names of the assessor/s. The observation protocol is set out in Appendix B.

CONTINUING PROFESSIONAL DEVELOPMENT (CPD)

All staff have a responsibility to identify their own CPD needs and participate in any development that has been agreed.

The planning and review statement will include any training and development needs highlighted during the planning meeting and the agreed CPD for the cycle.

In agreeing the arrangements for CPD, the reviewer will consider the extent to which the developments that are identified, are essential for a reviewee to meet their objectives.

OTHER KEY FACTORS TO CONSIDERED

(in the drafting of the planning and review statement)

Key people who may be required to assist staff in achieving a performance objective must be identified and any (CPD) training and development needs considered and included in the planning statement.

PLANNING AND REVIEW STATEMENT

At the end of the planning meeting a draft planning and review statement will be prepared by the reviewer and passed to the employee within 5 working days for signature.

On receipt of the draft planning and review statement the reviewee may add comments before signing.

Within 10 working days of the planning meeting the signed planning and review statement must be passed to the head of service.

Within 10 working days of the head of service receiving the statement:

s/he may review the statement, and may instruct the reviewer to make changes.
If there are no changes the reviewee may appeal against the contents of the statement.

If there are changes

Within 10 working days of the head of service asking the reviewer to make changes the reviewer must consult with reviewee,
the reviewer must prepare a new planning and review statement to which the reviewee can add comments, sign it and resubmit it to the headteacher
the reviewee must also lodge any appeal against the contents of the statement

Where an appeal is lodged on multiple entries they will all be determined at the same appeal hearing.

Appeals will not be heard until the moderation process has been completed.

Revision of Planning Statement

There may be occasions during the review cycle where it is necessary to make revisions e.g.

where the reviewee's post and/or responsibilities have changed;
if there have been difficulties in accessing agreed support;
where the reviewee has been on maternity or long term sickness absence;
where there are concerns about the reviewee's performance; or
where reasonable adjustments required under the provisions of the Disability Discrimination Act need to be made.

Where this is the case, either party can request a meeting. Within 10 days following the Revisions Meeting any proposed changes to the objectives, arrangements for classroom observation, evidence and arrangements for its collection, performance criteria, or support available to the reviewee in the review statement must be recorded as a written addition to the statement. The reviewer and reviewee should sign to say that the changes are an accurate reflection of what was agreed or determined by the reviewer. At the same time as signing the addition the reviewee can add any comments in writing. The reviewee has the right of appeal against the contents of the addition in accordance with this procedure. Following the revision meeting the same timescales for recording and appeal apply as at the end of the planning meeting.

MONITORING AND SUPPORTING PERFORMANCE

(Ensuring that things are going to plan)

Good performance management is reliant upon good communication and effective feedback. One review meeting must be held during the performance management cycle in order to track and record progress against the objectives set. However, there should also be regular discussions taking place with the reviewer and reviewee throughout the cycle as part of the normal management arrangements. Features of good monitoring and support include:

- communicating progress and changes in objectives and job tasks; identifying new or altered priorities and following these up with an amended planning statement
- identifying and solving problems
- giving regular and constructive feedback on performance
- carrying out classroom observations within the appropriate allowance and with follow up feedback
- delivery of promised training

Monitoring methods should not be

- unduly time-consuming
- generate unnecessary work

When providing feedback reviewers should:

- provide the information required, enabling the understanding that keeps performance on course;
- emphasise good aspects of performance before highlighting any areas for improvement;
- seek to agree with the employee where performance is above or below expectations.

When receiving feedback reviewees should:

- ask questions when s/he does not understand;
- ask for examples;
- look ahead to the remainder of the review period;
- agree needs for learning and development, or for support, to match changing demands.

REVIEWING

At the end of the cycle a review meeting will be held to assess performance against the performance criteria set at the beginning of the cycle and where the teacher is eligible recommend pay progression. The review meeting should be a summary of discussions held throughout the performance management cycle. There should be no surprises.

Before the review meeting the reviewer **must**

- Ensure the reviewee is clear about what will take place during the review meeting
- Review the reviewee's planning and review statement
- Collect any data, documents and information which are relevant to the discussion
- Make an initial assessment of the highs and lows of the reviewee's performance for discussion.

Before the meeting the reviewee **may**

- Review his/her own planning and review statement and conduct a self-evaluation of his/her actual performance against the objectives set in the statement.
- Collect data and information which s/he believes will assist the reviewer in assessing his/her performance.

Good progress towards the achievement of a challenging objective, even if the performance objective has not been met in full does not mean that the overall performance cannot be assessed as Outstanding or Good (see below).

At the meeting the reviewer should set the tone and focus of the meeting. The reviewer and reviewee should jointly discuss the whole review period looking at

- What has gone well in terms of achieving objectives
- What could have been done differently to achieve objectives and the factors that contributed to any problems in achieving the objectives
- How problems have been overcome and how these can be minimised in the future.
- What specific actions are required to continue to improve performance

Agree an assessment of overall performance for the jobholder using the descriptors set out in Appendix C, and make a recommendation for pay progression. If a performance assessment cannot be jointly determined the reviewer will make the determination. If there is a judgment of Inadequate Performance, the reviewing manager will need to consider whether formal action is required as outlined in Appendix C.

For employees on the Upper Pay Spine or Leadership Pay Spine, an assessment of Good or Outstanding means pay progression for an eligible teacher will be automatic (subject to approval by the Programme Director).

Once the performance has been assessed further objectives will be set for the following year (the meeting then becomes the planning meeting)

APPEALS

Employees have the right of appeal against:-

- The content of the planning and review statement, or any revision (following moderation)
- The outcome of the annual review

Appeals must be lodged within five working days of written receipt of the above. The appeal will be considered informally by the head of service within ten working days of receiving the appeal. If the matter cannot be resolved informally, it will be considered by a strategy leader and HR Adviser.

RETENTION OF STATEMENTS

Performance management planning and review statements will be retained for a minimum period of 6 years.

CONFIDENTIALITY

The contents of an employee's planning and review statements remain confidential to him/her, his/her line manager/s and the headteacher.

MONITORING AND EVALUATION OF THE POLICY

HEAD OF SERVICE'S REPORT

The strategy leader will monitor the operation and outcomes of performance management arrangements. The head of service will provide the strategy leader with a written report annually (by 31 December) on the operation of the performance management arrangements. The report will not contain any information which would enable any individual to be identified.

The report will include:

- the operation of the performance management policy including the number of employees in each category by work group;
- the effectiveness of the performance management procedures;
- staff training and development needs.

NON-DISCRIMINATION

The Council is committed to ensuring that the performance management process is fair and non-discriminatory and will require the following monitoring data to be included in the head of service's report:

- Race
- Sex
- Disability
- Age
- Part-time contracts
- Sexuality
- Religion and Belief

The head of service will also report whether there have been any appeals or representations on an individual or collective basis on the grounds of alleged discrimination under any of the categories above.

ACCESS TO DOCUMENTATION

Copies of the service delivery plan can be obtained from the strategy leader.

CLASSROOM OBSERVATION PROTOCOL

All classroom observation will be undertaken in accordance with the performance management regulations. The classroom observation protocol is appended to this policy in Appendix A.

IMPLEMENTATION AND REVIEW OF THE POLICY

This policy comes into force on 1 September 2007

The department will review the performance management policy annually, taking account of the headteacher's report in its review. The policy will be revised as required to introduce any changes in regulation, associated guidance and statutory guidance.

The Council will seek to agree any future amendments to this policy with the recognised trade unions, having regard to the results of the consultation with all staff.

APPENDICES

APPENDIX A – FURTHER GUIDANCE ON PLANNING MEETINGS

At the beginning of each cycle, the reviewer(s) shall arrange a meeting with the reviewee (“the planning meeting”) to consider and determine

- the reviewee’s objectives;
- the arrangements for observing the reviewee’s performance in the classroom, where appropriate;
- any other evidence which will be taken into account in judging the reviewee’s performance;
- the performance criteria;
- the support that will be provided to the reviewee to help him to meet the performance criteria;
- the timescales for the achievement of the objectives and within which support will be provided, where these differ from the length of the cycle of the reviewee;
- the reviewee’s training and development needs and the actions which will be taken to address them.

In determining the above the reviewer should take into account

- the reviewee’s job description;
- any relevant pay progression criteria;
- any relevant whole-school or team objectives specified in the School Improvement Plan;
- what can be reasonably expected of any teacher in that position given the desirability of the reviewee being able to achieve a satisfactory balance between the time required to discharge his professional duties and the time required to pursue his personal interests outside work;
- the reviewee’s professional aspirations; and
- the relevant professional standards.

The reviewee’s objectives shall be such that, if they are achieved, they will contribute to improving the progress of pupils at the school.

Only persons who have a direct professional knowledge of the reviewee may provide evidence for the purposes of providing any other evidence which will be taken into account in judging the reviewee’s performance;

The reviewer and reviewee will always seek to agree the outcomes of the Planning Meeting but where a joint agreement cannot be made the reviewer will make the determination.

APPENDIX B – CLASSROOM OBSERVATION PROTOCOL

CYPS is committed to ensuring that classroom observation is developmental and supportive and that those involved in the process will:

- carry out the role with professionalism, integrity and courtesy;
- evaluate objectively;
- report accurately and fairly;
- respect the confidentiality of the information gained.

The total period for classroom observation arranged for any teacher will not exceed three hours per cycle. The amount of observation for each teacher will be proportionate to need.

The arrangements for classroom observation will be included in the plan in the planning and review statement and will include the amount of observation, specify its primary purpose, any particular aspects of the teacher's performance which will be assessed, the duration of the observation, when during the performance management cycle the observation will take place and who will conduct the observation.

Although classroom observation is undertaken for this specific purpose, other information gathered during the observation will be used, as appropriate, for a variety of purposes including to inform improvement strategies in accordance with the service's commitment to streamlining data collection *and* minimising bureaucracy and workload burdens on staff.

In keeping with the commitment to supportive and developmental classroom observation those being observed will be notified at least 5 working days in advance.

Classroom observations will only be undertaken by persons with qualified teacher status.

In addition, classroom observation will only be undertaken by those who have been trained in classroom observation and in the provision of constructive supportive feedback in the context of professional dialogue between colleagues.

Verbal feedback will be given as soon as possible after the observation and always within 24 hours of the observation taking place. It will be given during directed time in a suitable, private environment.

Written feedback will be provided within five working days of the observation taking place. If issues emerged from an observation that were not part of the focus of the observation as recorded in the planning and review statement these should also be covered in the written feedback and the appropriate action taken in accordance with the regulations and Rewards and Incentives Group Guidance.

The written record of feedback also includes the date on which the observation took place, the lesson observed and the length of the observation. The teacher has the right to append written comments on the feedback document. No written notes in addition to the written feedback will be kept.

Where a teacher has an adverse observation additional observation meetings (to those recorded at the beginning of the cycle) may be arranged, by agreement. These should be subject to a Revision Meeting where the planning statement will need to be reviewed. The review could include additional support being provided. Additionally, arising from the assessment the employee's objectives may need to be reviewed.

APPENDIX C – PERFORMANCE DESCRIPTORS – TEACHERS

Outstanding

The achievements of the teacher have been substantial and sustained and this is evidenced by at least three of the following:-

- The successful achievement of all performance objectives that have been set.
- The quality of teaching is rated as good or outstanding in classroom observations which formed part of the performance management agreement.
- The relevant professional standards / job competencies are being consistently exceeded.
- The teacher has contributed personally to the successful achievement of more than one whole school priorities set out in the school improvement plan.

Good

The achievements of the teacher have been substantial and sustained and this is evidenced by at least three of the following:-

- The successful achievement of performance objectives, but where this has not been possible there are good reasons why they have not been achieved.
- The relevant professional standards / job competencies are being met and exceeded in some areas.
- The quality of teaching has rated as good or outstanding in the majority of classroom observations which formed part of the performance management agreement.
- The teacher has contributed personally to the successful achievement of a whole school priority set out in the school improvement plan.

Satisfactory

The teacher is meeting the professional standards / job competencies in all respects and has achieved the majority of their performance objectives and there are good reasons why some of the other objectives have not been achieved.

Where the employee has a class teaching role the classroom observations, which form part of the performance management agreement have identified their teaching is adequate and good in some areas

Inadequate performance

The teacher's performance is not satisfactory. These could be evidenced by:-

- No good reason for the non-achievement of performance objectives.
- Where the teacher has had classroom observations, their performance has been assessed as inadequate in one or more observations.
- The teacher not fulfilling the requirements of their job description despite support and guidance from their reviewer during the performance management cycle.

If the teacher's performance is assessed as inadequate they will need:-

- Counselling, training & support to enable the teacher to achieve job competencies and meet the requirements of the relevant professional standards.
- Informal stage of the Improving Performance Procedures should be invoked immediately or should already be in place.

- In serious cases performance management will be suspended with immediate effect and the teacher placed at the formal stage of the Improving Performance Procedure. Nb:- if there are concerns about the poor performance during the review cycle, the teacher should be advised immediately. There must not be a delay until the end of the review cycle.