

PERFORMANCE MANAGEMENT POLICY

1.0 Principles

- 1.1 Performance management in The Gryphon Trust will be a **supportive and developmental** process designed to ensure that all employees have the skills and support they need to carry out their role effectively. It will help to ensure that all employees are able to continue to improve their professional practice and to develop in their careers. It will, however, be more closely linked to performance pay progression.
- 1.2 The process of setting and reviewing performance objectives for staff in schools is an integral part of the Trust's overall approach to school improvement and development. Performance objectives will be written in such a way that they complement and link to the targets expressed in the school improvement/development plan.
- 1.3 It is important to recognise that the objectives set for any member of staff will not represent the complete job that the individual is expected to perform. Reviewing performance is about measuring the progress made against the objectives set with appropriate support, which will represent key priorities for that individual, and in addition, assessing and recognising the overall performance of that person in the job, including an assessment against any relevant standards/accountabilities.
- 1.4 There is no absolute number of objectives to set for any member of staff but normally it will be three with an appropriate objective as a fourth. The number will depend on the role they undertake, the relevant priorities for that person at that time and the nature and complexity of each objective set. Teachers, in particular, should have at least one objective aligned to improving student progress.
- 1.5 The process of performance management will be carried out in accordance with this policy, which is underpinned by the statutory regulations for teachers and local agreements for support staff.
- 1.6 Performance management will be carried out in such a way to ensure consistency of treatment and fairness.
- 1.7 The Board of Directors, Governing Body, Headteacher and Deputy Headteacher with oversight of the Performance Management process will monitor the operation and effectiveness of the school's performance management arrangements.
- 1.8 The performance management process will be treated with confidentiality. Normally only the reviewer, reviewee and the Headteacher will have access to performance management information and documentation relating to the reviewee. This is extended to the Deputy Headteacher in charge of Performance Management and the Senior Administrator with responsibility for processing Performance Management Data. However, in the event of an Ofsted inspection taking place, Ofsted inspectors may request that anonymised information about the school's performance management arrangements, including the most recent performance management outcomes and their relationship to salary progression, is provided. Governors may also request an anonymised sample of performance management statements to enable them to perform their role in monitoring the effectiveness of the school's performance management system.
- 1.9 The Board of Directors, Governing Body and Headteacher will ensure that all written performance management records are retained securely for at least seven years and then

destroyed. Performance Management records will be stored electronically with password protected access.

- 1.10 Where an employee's performance is affected by a health problem and/or sickness absence, the matter will normally be dealt with in accordance with the Trust's Absence Policy and Procedure (See separate documentation). This is likely to lead to a referral to Occupational Health in order to assess the employee's fitness for work.
- 1.11 When assessing an employee through the performance management process, factors of absence, such as any periods of ill health, or maternity leave, will be taken into account as this may affect an employee's ability to meet their objectives.

2.0 The Performance Management Cycle

- 2.1 The performance management cycle for the Headteacher and all staff will run for twelve months, with the end of year review being completed by 16th September for staff, and 31st December for the Headteacher/CEO, in reference to the previous academic year. The performance management cycle for support staff will also run for twelve months with the end of year review being completed by October, in reference to the previous academic year.
- 2.2 Employees who are employed on a fixed-term contract of less than one year will have their performance managed in accordance with the principles underpinning this policy. The length of the period will be determined by the duration of their contract.
- 2.3 The performance management cycle will link to the pay arrangements for employees. In the case of staff, the annual pay determination will take place by the 31st October each year (31st December for the Headteacher/CEO) and is informed by the performance management cycle concluding at the end of the previous academic year (31 August). In such cases where a pay award is made it will be backdated to include September.

3.0 Appointing reviewers

- 3.1 The Headteacher's performance will be reviewed by the Headteacher Performance ~~Management Group~~ Review Committee, which may be supported by a suitably skilled external adviser who has been appointed by the Trust Board for that purpose.
- 3.2 The task of reviewing the Headteacher, including the setting of objectives, will be delegated to a sub-group consisting of three ~~members~~ Governors, ~~the Chair of the Audit and Finance Committee, the Chair of Directors and including~~ the Chair of Governors. The appointed members will be known as the Headteacher Performance ~~Management Review~~ Committee (HPRMC).
- 3.3 The CEO's performance will be reviewed by the Audit and Finance Committee, which may be supported by a suitably skilled external adviser who has been appointed by the Trust Board for that purpose.

~~3.3 — The Chairman of Governors will normally be part of the HPMC.~~

- 3.4 The Headteacher will decide who will review other teachers and support staff; this will normally be the employee's line manager. The Headteacher has the discretion to delegate the review process to other employees who will normally be line Senior Leadership Team. Reviewers will have the necessary knowledge and training in order to undertake this role.
- 3.5 Where performance concerns arise (see section 6), the Headteacher may re-delegate the reviewer role to a senior manager or undertake the role of reviewer themselves.

4.0 Setting Objectives

- 4.1 The Headteacher's objectives will be set by the Governing Body after consultation ~~with the external adviser~~. At least one of the targets for the Headteacher will relate to outcomes for students.
- 4.2 Objectives for each employee will be set before, or as soon as practicable after, the start of each performance management cycle and in any event no later than 31st October annually. In setting objectives, reviewers will have regard to what can reasonably be expected given the employee's role and level of experience. The level of expectation of an employee's performance must also be communicated at the outset of the performance management cycle. For example, where the School has been explicit that to achieve their improvement plans teaching needs to be good or above, this expectation must be clearly communicated to all staff.
- 4.3 It is an expectation that for school's within the Trust that **teaching will be good or better**. This will be reflected in any assessment of a teacher's performance.
- 4.4 The objectives set for each member of staff will, if achieved, contribute to the school's plans for improving the school's educational provision and performance and improving the education of students at the school, and will take into account, as much as possible, the outcomes for students. Objectives will also take into account the professional aspirations of the employee.
- 4.5 Objective setting will have regard to a reasonable level of expectations of the employee in the context of work/life balance.
- 4.6 Before, or as soon as practicable after, the start of each performance management cycle, each member of staff will be informed of the standards, objectives and success criteria against which that member of staff's performance in that performance management cycle will be assessed. In addition, the reviewer and reviewee will agree the reviewee's development plan for that year.
- 4.7 Before, or as soon as practicable after, the start of each performance management cycle, each member of support staff will be informed of the key accountabilities against which that employee's performance in that performance management cycle will be assessed, for example those contained within the role profile applicable to that employee. In addition, the reviewer and reviewee will agree the reviewee's development plan for that year.

5.0 Reviewing Performance

5.1 Evidence

A number of methods will be used in order to obtain evidence by which to assess an employee's performance. These include those detailed below. Such evidence will be triangulated in order to undertake an overall assessment of the employee's performance. This will include their performance against their objectives and against the relevant standards/key accountabilities for their role.

5.2 Observation of Lesson

- 5.2.1 The Trust believes that observation of classroom practice and other responsibilities is important both as a way of assessing the performance of classroom-based employees 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. Therefore, feedback from

lesson observations will be developmental and not simply a judgement. All observation will be carried out in a supportive manner.

- 5.2.2 Classroom-based employees' performance will be regularly observed but the amount and type of classroom observation will depend on the individual circumstances of the employee and the overall needs of the school at that time. Classroom observation of teachers will normally be carried out by those with QTS. In addition to formal observation, the Headteacher or other leaders with responsibility for standards in the classroom 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 "drop in" observations will vary depending on specific circumstances.
- 5.2.3 Observations are a snapshot in time and reviewers will use the information gathered from these alongside other types of evidence (see below) to make judgements about performance.
- 5.2.4 As soon as practicable after a formal observation and within 2 working days, verbal feedback will be given to the employee. If appropriate, this will be followed up with written feedback within 5 working days of the observation taking place. This will be save electronically. Where it is not reasonably practicable to provide feedback within these timescales, feedback will be provided at the earliest opportunity thereafter.
- 5.2.5 Teachers (including the Headteacher) who have responsibilities outside the classroom, and support staff who are not classroom-based will also have their performance of those responsibilities observed and assessed.
- 5.2.6 Observations undertaken by Ofsted inspectors or as a result of other professional monitoring, will not, in themselves, be used for performance management purposes. However, these observations may highlight the need for the school to undertake separate observations for performance management purposes, for example if teaching over time is judged as inadequate by Ofsted. Observations undertaken by an external professional adviser may be used in performance management where this has been planned and communicated to all parties in advance.

5.3 Student progress and attainment

- 5.3.1 Significant rates of student progress and levels of attainment as pertinent to the teacher's role will be used in assessing a teacher's performance against the Teachers' Standards (see Appendices 2, 3 and 4) and, where relevant, against objectives.
- 5.3.2 HPRMC, with possible advice from an External Adviser, will review levels of student attainment, rates of progress and whole school performance in their assessment of a Headteacher's performance in addition to other objectives that may have been set.
- 5.3.3 Where support staff are providing support to groups or individual students, the progress and attainment of these students may be taken into account in assessing the performance of the employee. This will only be used alongside other evidence which supports the level of contribution of the employee to the progress and attainment of students.

5.4 Work sampling

Work sampling may be used in assessing teacher performance against the standards for the role, and where relevant, against objectives.

5.5 Other evidence

5.5.1 Other evidence may be considered, where it is pertinent to the objectives set and the standards/accountabilities for the role.

5.5.2 Examples of such evidence may include (but are not limited to):

- Short, medium and long-term planning.
- Effective deployment and management of classroom-based support staff.
- Contributions to wider school activities, including extracurricular activities

5.5.3 The Headteacher

- Evidence from reports from external sources such as Ofsted or other appropriate reviews.
- RAISEonline and other performance data, external and internal for the school.

5.5.4 The Chief Executive

- Evidence from reports from external sources such as Regional Schools Commissioner or the Department for Education.

5.5.5 Support staff evidence may include:

- A sample of appropriate written data
- A sample of financial measures (Finance Office staff).
- A sample of site projects (site staff).
- Contributions to the wider life of the school, including extracurricular activities

5.5.6 It may also be appropriate to consider evidence such as feedback from colleagues, including peers, and for line Senior Leadership Team, their staff.

5.6 Feedback

5.6.1 Employees will receive constructive feedback on their performance throughout the year and as soon as practicable after observation has taken place or other evidence has come to light. Feedback will highlight particular areas of strength and celebrate success, as well as any areas that need development and support. It is usually best done by face to face discussion. Where there are any concerns about any aspects of an employee's performance, this will be managed in accordance with Section 6 of this policy.

5.7 Annual Assessment

5.7.1 Every employee's performance will be formally assessed in each performance management cycle. In assessing the performance of the Headteacher, the Governing Body ~~may~~ will consult ~~the~~an external adviser.

5.7.1 *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 at least every six months.*

5.7.2 An employee will receive a written performance management statement as soon as practicable following the end of each performance management cycle. This will be placed electronically on the Management System. Staff will receive their performance management statement by

31st October (31st December for Headteacher/CEO). The performance management statement will include:

- an assessment of the employee's performance of their role and responsibilities against their objectives in the last performance management cycle;
- an assessment of the employee's performance of their role and responsibilities against the standards/accountabilities for their role in the last performance management cycle;
- summary of the evidence considered to support the decisions made;
- the overview statement will state the extent to which targets have been achieved;
- potential reference to pay progression (but see 5.3.6)

5.7.4 The employee will also receive a new performance management statement for the new performance management cycle. This will include:

- details of the employee's objectives for the new performance management cycle;
- details of the standards/accountabilities to apply in the new performance management cycle;
- an assessment of the employee's current training and development needs and identification of any action that should be taken to address them in the new performance management cycle;
- an indication of when monitoring will take place.

5.7.5 The assessment of performance against the objectives and standards will inform the planning process and training and development needs for the next performance management cycle.

5.7.6 All staff and reviewers are encouraged to also use performance management meetings to discuss other matters pertinent to their employment.

5.7.7 With the exception of the Headteachers/CEOs pay recommendation, all pay recommendations arising out of the performance management process must be approved by the Headteacher before being shared with the individual member of staff to whom the recommendation relates, and referred to the governors' pay committee. The HPMC must also refer their recommendation to the appropriate governors' committee.

5.7.8 Pay progression within grades and scales is the normal expectation unless the employee has been placed on the formal Capability Procedure or significantly fails to meet performance objectives set for the previous 12 months.

5.8 Moderation of Performance Management Statements

5.8.1 The Headteacher or his delegated appointee will take responsibility, where the reviewer role has been delegated, for moderating a sample of performance management statements to ensure consistency and equality of treatment.

6.0 Dealing with performance concerns

6.1 The school's general approach is that the majority of employees are at least competent in their role for the majority of the time. Where an individual's performance is deemed to be below accepted standards, support will be provided to help them re-attain and sustain the required level of performance.

6.2 Concerns about performance will be addressed at the time they are identified and not left to the employee's next performance management meeting. This will assist the employee to recognise issues at an early stage.

- 6.3 Performance concerns may be identified by the reviewer or by a Senior Manager/Headteacher. Where a concern is identified that is likely to require structured managerial support, the Headteacher may re-delegate the reviewer role to a senior manager or, in extremis, undertake the role themselves. A reviewer must notify the Headteacher where they identify performance concerns.
- 6.4 Concerns about the performance of the Headteacher/CEO may be identified by an individual or combination of sources. The concern must be notified to the Chairman of Governors/Chair of Directors, who will bring this to the attention of the Board of Directors. The Chair of the Committee will review the evidence available to determine how to proceed.
- 6.5 Where it is necessary to take forward a performance concern in respect of the Headteacher/CEO, this will be undertaken by the appropriate Committee, with professional advice where appropriate.
- 6.6 When raising performance concerns with an individual, the Headteacher/Senior Manager/HPMC will take into account any factors which may be having an impact on the employee's ability to perform their duties. However, such factors in themselves do not negate the need to address performance concerns.
- 6.7 Whilst there are no formal rights of representation at this stage, employees are encouraged to contact their Professional Association or Trade Union Representative for advice and support.
- 6.8 Identifying when performance is deemed to be below accepted standards
- 6.8.1 The Headteacher/Senior Manager/HPMC may consider a member of staff to be underperforming where:
- the standard of performance falls below that which is required to meet or make progress towards a specific performance management target; and/or
 - the standard of performance falls below that which is required to meet the expectations of a particular role in their school; and/or
 - the performance falls below the relevant standards/accountabilities for the role; and/or
 - the overall school performance falls below that which is required (in the case of the Headteacher).
 - the overall Trust performance falls below that which is required (in the case of the CEO)
- 6.8.2 Post-Threshold, Senior and Middle Leaders, and TLR holders are expected to meet the professional duties and standards relevant to their role as well as the core standards - and for many, post threshold standards - that apply to all teachers. See Appendices. If the Headteacher/Senior Manager has evidence to show that an employee is no longer meeting the expectations of their role, these concerns will be addressed with the individual promptly.
- 6.8.3 Where the school has clearly communicated a level of expectation, the Headteacher and Senior Leadership Team may consider a member of staff to be underperforming if they are not reaching this level of expectation.
- 6.9 Determining possible initial courses of action
- 6.9.1 Depending on the severity of the under-performance, the Headteacher/Senior Manager/HPMC need to take a view as to the proportionate response. This may include:
- an early conversation to confirm the expected standards of the role;

- coaching/mentoring support;
- structured managerial support;
- consideration of application of the Capability Procedure (exceptional circumstances or concerns).

6.9.2 An early conversation and coaching/mentoring support will only be used on their own to support low level or early stage concerns where these may be an effective measure. Where the performance concern is more significant or continues, structured managerial support will normally be put in place.

6.10 Structured managerial support

6.10.1 Where a performance concern has been identified that requires additional support, a discussion will be held between the Headteacher/Senior Manager/HPMC and the employee. The outcome of the meeting will be to identify what steps will be taken to assist the employee to improve their performance and move to the required standard. (In cases involving the Headteacher, the HPMC will normally invite the School's School Improvement provider to provide support at this meeting.) The discussion will include:

- what area(s) of performance is/are of concern;
- what improvement is required/the standard the employee needs to meet;
- the timescales in which this is to be achieved (these will vary depending on the issues identified);
- the support that will be provided to assist the employee;
- how frequently the performance/progress will be monitored and reviewed;
- the seriousness of the issue and potential consequences of improvement not being achieved.

6.10.2 The employee will be invited to provide his/her point of view on the shortfall in performance and whether they believe there is an underlying reason. The employee will also be asked to identify what support they feel they need in order to achieve the required improvement, and the Headteacher/Senior Manager/HPMC will indicate what support they intend to put in place.

6.10.3 The key outcomes of the discussion will be recorded in writing and shared with the individual. The written record of the discussion will be placed on the individual's personal file and a copy given to the employee.

6.10.4 Review meetings will be held at the agreed timescales to review progress towards targets set and the appropriateness of the support being given. At these meetings, any improvements will be communicated to the individual as well as the remaining gap between their current level of performance and the expectations set. The outcome of these meetings will also be recorded in writing and a copy shared with the individual.

6.10.5 The purpose of any structured managerial support programme is to assist the employee to achieve the necessary improvement within the agreed timescales. Where this is successful the Headteacher/Senior Manager/HPMC will confirm this at the relevant review meeting and record this in writing to the employee. The employee will be informed that the improvement in their performance must be sustained.

6.10.6 If the employee is not making the necessary progress towards the required improvement, the employee will be informed that failure to achieve this may lead to the Capability Procedure being applied. The Headteacher/Senior Manager/HPMC will make a judgement about when to communicate this given that it may not be appropriate to do so during the first discussion. However, if a move to the Capability Procedure is a likely outcome, the potential for this must be communicated to the member of staff in good time.

6.10.7 Where the employee has initially made the required improvement but this performance has not been sustained independently over a maximum of a six month period, the Headteacher/Senior Manager/HPMC will need to consider use of the Capability Procedure.

6.11 By-passing structured managerial support

6.11.1 In most circumstances a structured managerial support programme will be put in place prior to the Capability Procedure being used. However, the Headteacher/Senior Manager/HPMC may determine that it is appropriate to move straight to the Capability Procedure, in the following circumstances:

- the employee's performance is putting the health and safety of students and/or staff at risk;
- the employee's performance is putting the education of students in serious jeopardy;
- the employee's performance has not been sustained independently for up to six months at an accepted level following an earlier managerial support programme.

6.12 Transition to the Capability Procedure

6.12.1 At any stage the Headteacher/Senior Manager/HPMC may consider a transition to the Capability Procedure. The Headteacher/Senior Manager/HPMC will have specific regard to:

- the nature and severity of the under-performance;
- the impact on students and colleagues both in the short and longer term;
- the likely and required timescale for improvements to be made;
- the engagement of the employee in the programme.

6.12.2 In a typical case, if a managerial support programme has been in place and the issues have not resolved after 4 weeks/at the most half a term then it would be appropriate to consider moving onto the Capability Procedure. However, when determining how long to wait before moving onto the Capability Procedure, the Headteacher/Senior Manager/HPMC will give consideration to the circumstances of the case, in particular the factors listed under paragraph 6.12.1 above. In such circumstances where the Headteacher/Senior Manager/HPMC determine a need to consider the application of the Capability Procedure, the employee will be invited to attend a meeting at which such a consideration will be undertaken. The individual will be given the opportunity to be accompanied at the meeting by a Professional Association/Trade Union Representative or work colleague and be provided with a copy of the Capability Procedure in advance. The meeting will be arranged in accordance with Section 3 of the Capability Procedure (Stage 1 – Formal Meeting).

6.12.3 At this meeting, depending on the level of concern, the responses of the employee, the progress so far, and whether the Headteacher/Senior Manager/HPMC feels improvement is likely to be seen in the necessary time frame, the Headteacher/Senior Manager/HPMC will decide either to continue to offer a further period of managerial support or to confirm that the employee will now be moved onto the Capability Procedure.

6.12.4 Should the Capability Procedure commence, performance management will be suspended

7.0 Support Staff

7.1 If a member of the support staff is unable to perform to the standard required having had appropriate management support and guidance, consideration will need to be given to their performance under the Capability Procedure.

[Index](#)

