

PAY AND SALARY POLICY

1.0 Objectives

- 1.1 The pay and salary policy of The Gryphon Trust is intended to assist the school in meeting its objectives, stated in its School Improvement Plans, wherever possible; career progression and staff development will also be taken into account. It is intended to take a positive attitude to the recruitment, retention, motivation, well-being and development of staff to ensure that there is a rationale for pay and salary decisions which is based on a set of principles that is clearly understood by all concerned.
- 1.2 The Board of Directors will seek to ensure that staff are rewarded equitably for the level of responsibility they carry and the individual contributions they make to the work of the school, subject only to the constraints of statutory documents, necessarily adjusted structures and the school's budgetary provision. The aim of this pay and salary policy is to enable schools to recruit and retain sufficient staff of suitable quality and number and thereby secure its school improvement objectives.
- 1.3 This policy operates in conjunction with the school's policy on Performance Management (see separate document).
- 1.4 Although the Trust is able, as a Multi-Academy Trust, to set its own salaries and conditions of service, all teachers are paid with regard to the provisions of the School Teachers Pay and Conditions Document. Support staff in the schools are currently paid in accordance with the EHCC Agreement on Pay and Conditions of Service. (The Trust has also due regard to Hampshire County Council's pay and grading framework for support staff.)

2.0 Mechanisms for implementing and reviewing the policy

- 2.1 The Audit and Finance Committee of the Directors Board will set the framework within which all salary and pay decisions are taken. The Headteacher's salary is set by the Local Governing Bodies Headteachers Performance Review Committee(HPRC).
- 2.2 The above committee shall have full responsibility for implementing the pay and salary policy of the Trust in a fair and equitable manner. The Committees will be bound by the Terms of Reference set by the Board of Directors.
- 2.3 All pay-related decisions are made taking full account of the School Improvement Plan and staff, together with any school Professional Association representatives, and have been consulted as appropriate on the principles contained in this policy. Such decisions are also taken within the framework of current employment legislation, including Equal Pay and Employment Relations Acts, the Part Time Worker and Fixed-Term Employees Regulations, and discrimination legislation (gender, race or ethnic origin, disability, sexual orientation, religion or belief, age).
- 2.4 The Board of Directors will actively promote equality in all aspects of school life, particularly as regards all decisions on advertising of posts, appointing, promoting and paying staff, training, and staff development.

3.0 Pay Reviews and the Pay Committee

- 3.1 The Governing Body will review every teacher's salary with effect from 1 September and by no later than 31 October each year. Each teacher will be provided with a formal statement saying what their salary is, how it has been arrived at and showing any other financial benefits to which they are entitled. Reviews will take place at other times of the year to reflect any changes in circumstances or job description that affect the structure of the teacher's pay. Likewise, the Governing Body will review the salary of all support staff. The cycle for the Performance Management is the same for both support and teaching staff: September to August each year.

- 3.2 Where a pay determination leads or may lead to the start of a period of safeguarding or salary protection, the Governing Body will give the required notification as soon as possible, and no later than one month after the date of determination.
- 3.3 School decisions on pay are taken by the Pay Committee. The Committee consists of a minimum of three governors elected annually. The Headteacher has the right to attend in an advisory capacity but will withdraw during consideration of the Deputy / Assistant Headteacher's pay where a pecuniary interest arises (e.g. from consideration of differentials). The same principle extends to all other staff Governors on the full Governing Body and Pay Committee.
- 3.4 The statutory regulations for teachers prevent the Headteacher in intervening in the pay recommendations arising out of the review process where that process is fully devolved to a line manager, but the Headteacher does have the right to present a view on any pay inconsistencies that may arise from such recommendations. In the case of support staff assessments and performance ratings, the Headteacher has the right to comment on these and make governors aware of any inconsistencies and the financial implications of those assessments.
- 4.0 Qualified Teachers
- 4.1 The salaries of teaching staff will be assessed:
- Annually to take effect from 1st September;
 - Upon appointment to the school;
 - At any other time where necessary with due regard to the current School Teachers' Pay & Conditions Document
- 4.2 This assessment will be determined with due regard to the current School Teachers' Pay and Conditions Document. In order to determine the position on the pay spine the following criteria will be used:
- 4.2.1 *Qualifications*
1. Qualified teachers will commence on at least M1 of the pay scale for qualified teachers with second class honours (Hons 2.2) or better.
- 4.2.2 *Experience*
1. One point will be awarded for each year of satisfactory teaching service as a qualified teacher in the maintained sector, academy, city technology school or independent school, or in a school in the maintained sector of another country within the European Economic Area, taking into account national professional standards.
 2. The Governing Body accepts the discretion for awarding two points for experience in any year where a teacher is deemed to be making an outstanding contribution to the work of the school.
 3. The Governing Body will consider other relevant experience and may award an additional point up to M2 for newly qualified teachers.
- Whether non or directly relevant, only full or part-time experience for continuous periods of more than one year will normally be considered.
- 4.3 In general terms Governors will regard the following three categories as being directly relevant.
- Working, at postgraduate level, directly with children;
 - Working, at postgraduate level, predominantly with a main teaching subject;

- Working as a teacher/trainer (other than in schools) as a major part of previous employment.
- Irrespective of the above no new entrant to the profession will commence at a point higher than M2 on the main scale (see below).

5.0 General Comment:

- 5.1 Experience in the FE, HE, 6th form sectors, teaching experience outside of the EEA, and experience outside teaching in a relevant area, will be recognised: 1 point for each 2 years of teaching outside of EEA, 1 point for each 5 years of experience outside of teaching but in relevant area (either subject area or working with children).
- 5.2 Points for experience will be awarded on a permanent basis.
- 5.3 The Governing Body may decide not to award an experience point when a teacher has performed unsatisfactorily. This will only take place in the context of an annual performance review, or a formal disciplinary or capability procedure and must follow prior written notification to the teacher concerned that their experience point is being withheld due to their unsatisfactory performance or conduct.

6.0 Upper Pay Scale

- 6.1 Where a teacher reaches the top of the Teachers Main Scale he/she can apply to be placed on the Upper Pay range. It is the responsibility of the teacher to decide whether or not they wish to apply to be paid on the Upper Pay range.
- 6.2 Further progression on the upper pay scale will be subject to the teacher demonstrating substantial and sustained performance and significant contribution to school policies and ethos and following two successful performance management reviews as part of the school's Performance Management Policy, as well as meeting both the appropriate national professional Teacher Standards – core and post threshold.
- 6.3 Determination on progression on the upper pay scale will be made by governors in the light of the annual performance review as part of the performance management policy and any recommendation of the Headteacher.
- 6.4 Only in exceptional circumstances will progression on the upper pay scale occur at intervals of less than two years.
- 6.5 Further guidance can be found in the school teachers pay and conditions document.

7.0 Newly Qualified Teachers (NQTs)

- 7.1 Pay decisions are decided by the statutory induction process

8.0 Additional Allowances

- 8.1 Teachers on the main pay scale or upper pay scale may be awarded Teaching and Learning Responsibility payments (TLRs) as follows:

8.2 *Teaching and Learning Responsibilities*

- 8.2.1 TLRs may be awarded to a classroom teacher for undertaking a sustained additional responsibility in the context of the school's staffing structure, for the purpose of ensuring the continued delivery of high quality teaching and learning for which that teacher is made accountable. Before awarding a TLR, the Governing Body must be satisfied that the teacher's duties include a significant responsibility that is not required of all classroom teachers. The responsibility must:

- Be focused on teaching and learning;
- Require the exercise of a teacher's professional skills and judgement;
- Require the teacher to lead, manage and develop a subject or curriculum area, or to lead and manage student development across the curriculum;
- Have an impact on the educational progress of students other than the teacher's assigned classes or groups of students;
- Involve leading, developing and enhancing the teaching practice of other staff.

8.2.2 For a teacher to qualify for a TLR payment, all the above criteria must be met.

1. There are three bands of TLR allowances available – TLR 1, TLR2 and TLR 3 (temporary). Staff on TLR 1 will lead teams of at least 9 members of staff, not including support staff or have appropriate senior leadership responsibilities.
2. **The Governing Body** will determine the number of TLR posts. The present allocations are to be found in the Staff Handbook and they will be reviewed periodically in the light of the changing needs of the School. Should the TLR structure require change, the proposed structure would be subject to consultation with staff and staff representatives. Safeguarding would be available, for a maximum of two years, to staff whose roles no longer attract a TLR or whose role attract a TLR of a lesser value in the revised structure.
3. TLR payments may be awarded to teachers who undertake significant specified responsibilities additional to their normal duties to improve Teaching and Learning.
4. Where the Governing Body award TLRs, staff will be required to undertake work at that level in accordance with a clearly defined job description.

Payments awarded on a temporary basis – TLR 3 - will be for a specified responsibility over a given period of time, e.g. to cover for absence, maternity leave, and for a defined responsibility. .

8.3 *Recruitment and Retention*

- 8.3.1 An allowance may be awarded at the discretion of the governing body in order to attract and retain suitable teaching staff. This allowance is subject to review after two years.
- 8.3.2 The allowance can also be used to retain scarce skills or in response to particular recruitment difficulties.
- 8.3.3 Where such discretion is exercised, it will be made clear, in writing, to teachers in receipt of such an allowance, that if they leave the school before a specified date (normally the end of the academic year), the allowance will not be paid for that year. A determination to reduce or withdraw the allowance does not attract salary safeguarding.

8.4 *Special Needs Allowances*

- 8.4.1 These are identical to other TLR payments but subject to review.

NB There is no automatic entitlement for teachers to retain any of the above allowances where they move to another school.

9.0 Unqualified Teachers

- 9.1 In certain specific circumstances unqualified teachers may be paid on either the qualified teacher scale (in which case the provisions of paragraph 4.0 will apply) or on the unqualified scale in which case the provisions of this paragraph will apply.

- 9.2 The salaries of unqualified teachers will be assessed upon appointment and may be reviewed at the discretion of the Governing Body.
- 9.3 Points may be awarded in respect of relevant qualifications and/or experience. The assessment will normally be carried out as described in 6.3.
- 9.2 Where a teacher is appointed below the maximum point of the unqualified teacher scale, one increment will be awarded on an annual basis (with effect from 1st September) for every completed year of service and successful performance reviews until the maximum of the scale is reached.
- 9.3 Notwithstanding this, the Governing Body may award additional increments as it considers appropriate up to the maximum of the scale 1-6. The governing Body may also exercise discretion in relation to any unqualified teaching allowance.
- 10.0 Advanced Skills Teachers (ASTs)
- 10.1 Advanced Skills Teacher posts no longer exist at a national level
- 11.0 Leadership Team
- 11.1 Members of the leadership team, are paid on the leadership pay spine. Salaries of members of the leadership team will be assessed:
- Annually to take effect from 1st September;
 - Upon appointment to the school;
- 11.2 At any other time as provided for by appropriate circumstances
- 12.0 Headteacher
- 12.1 The Local Governing Body will firstly determine the group size of the school and then select an individual school range (ISR) consisting of seven consecutive points on the leadership pay spine.
- 12.2 When determining the ISR the Local Governing body will take into account the school's size, circumstances and other responsibilities of the post and will take account of any difficulties there may be in recruiting or retaining a Headteacher.
- 12.3 The Headteacher Performance Review Committee will seek to agree performance objectives annually with the Headteacher by the end of December each year, relating where appropriate to school leadership and management and student progress. An external adviser may be used as part of this process.
- 12.4 Commencing salary will be determined with due regard to the current Teachers' Pay and Conditions Document. Future progression within the ISR will be based on a review of the performance of the Headteacher against the pre-determined performance objectives and will usually be one point at each pay determination (see 12.3 above) or 2 points where exceptional performance is judged to be achieved
- 12.5 Setting and review of performance objectives will normally be carried out by the Headteacher Performance Review Committee, comprising of at least the Chair of Governors and two other governors before the end of December each year.
- 13.0 Deputy Headteachers
- 13.1 The Governing Body will select a Deputy Headteacher pay range, for each Deputy Headteacher, consisting of five consecutive points on the leadership pay spine as set out in the School Teachers' Pay and Conditions Document.

- 13.2 When determining each Deputy Headteacher's pay range the Governing Body will base this on the circumstances and responsibilities of the post and will take account of any difficulties there may be in recruiting a Deputy Headteacher. They will review these ranges periodically to reflect any increase in job responsibilities.
- 13.3 In determining, or reviewing, the ranges above, the Governors will have regard to the regulations outlined in the School Teachers' Pay and Conditions Document, including pay differentials.
- 13.4 The Governing Body, through the Headteacher, will seek to agree performance objectives annually with the Deputy Headteachers relating to school leadership and management and student progress and in default of agreement the Headteacher will set such performance objectives.
- 13.5 Commencing salary will be determined with regard to the provisions of the School Teachers' Pay and Conditions Document. Future progression within the pay range will be based on a review of the performance of the Deputy Headteachers against the pre-determined performance objectives and will usually be limited to one point at each pay determination .
- 13.6 Deputy Headteachers must demonstrate as part of a review sustained high quality of performance and make a strong contribution to school leadership, management and student progress, and substantial progress towards achievement of performance management objectives before any performance points will be awarded.
- 13.7 The Governing Body will consider movement by more than one point where the Deputy Headteacher has in the year under review made an outstanding contribution to the school, if their current range allows this.
- 14.0 Assistant Headteachers
- 14.1 The Governing Body will select an Assistant Headteacher pay range for each Assistant Headteacher, consisting of five consecutive points on the leadership pay spine set out in the School Teachers' Pay and Conditions Document.
- 14.2 When determining each Assistant Headteacher's pay range the Governing Body will base this on the circumstances and responsibilities of the post and will take account of any difficulties there may be in recruiting an Assistant Headteacher. They will review these ranges periodically to reflect any increase in job responsibilities.
- 14.3 In determining, or reviewing, the ranges above, the Governors will have regard to the regulations outlined in the School Teachers' Pay and Conditions Document, including pay differentials.
- 14.4 The Governing Body, through the Headteacher and appropriate line manager, will seek to agree performance objectives annually with the Assistant Headteachers relating to school leadership and management and student progress and in default of agreement the Headteacher will set such performance objectives.
- 14.5 Commencing salary will be determined with regard to the provisions of the School Teachers' Pay and Conditional Document. Future progression within the pay range will be based on a review of the performance of the Assistant Headteachers against the pre-determined performance objectives and will usually be limited to one point at each pay determination .
- 14.6 Assistant Headteachers must demonstrate as part of a review sustained high quality of performance and make a strong contribution to school leadership, management and student progress, and substantial progress towards achievement of performance management objectives before any performance points will be awarded.
- 14.7 The Governing Body will consider movement by more than one point where the Assistant Headteacher has in the year under review made an outstanding contribution to the school, if their current range allows this.

15.0 Additional Payments to Teachers

- 15.1 The Board of Directors has chosen not to exercise its discretion to award additional payments to eligible staff for in-service training undertaken at weekends or during school holidays though they may keep this decision under review.
- 15.2 The Board of Directors has chosen not to exercise its discretion to award additional payments for out of school hours learning activities though they may keep this decision under review.
- 15.3 The Board of Directors has chosen not to exercise its discretion to award additional payments for Initial Teacher Training, though they will keep this decision under review.
- 15.4 Where a teacher is assigned and carries out the duties of a Headteacher, Deputy Headteacher, or Assistant Headteacher, or other senior position (including support staff positions) but has not been appointed in an acting capacity the Governing Body shall, within four weeks, determine whether or not an allowance should be paid with due regard to the provisions of the School Teachers' Pay and Conditions Document and support staff pay and grading framework.
- 15.5 The Board of Directors may, as an incentive for the recruitment of new teachers in hard to fill posts, offer the benefits of a relocation package to assist staff moving into the area with the costs of purchasing and/or selling property. (see separate details)

16.0 Support Staff

- 16.1 The Board of Directors will ensure that the salaries for support staff are determined with due regard with nationally or locally agreed conditions of service.
- 16.2 The salaries of all support staff will be assessed:
- Annually to take effect from 1st September following a performance review (see separate Performance Management Policy)
 - Upon appointment to the school.
 - At any other time deemed appropriate by the Governing Body.
- 16.3 Changes to the salaries of individual support staff will be determined, in the first instance, by the Governing Body.
- 16.4 Support staff will normally be appointed on the first point of the normal salary range as a transitional step for the appropriate grade. Where the responsibilities of a post suggest that re-grading might be necessary, the Governing Body will review whether the post should be matched to a more appropriate role profile, or if no appropriate role profile is available will consider whether a role profile needs to be developed and evaluated.
- 16.5 This assessment will be determined by the following criteria:
- Responsibilities of the post and role profile;
 - Performance of the post-holder in accordance with previously agreed objectives;
 - In accordance with any career progression scheme for support staff adopted by the school.
- 16.6 Additional payments:
- 16.7 Unsocial Hours to cover lettings, unscheduled call outs and foreseen arrangements.
- 17.0 Salary Protection/Safeguarding

- 17.1 The Governing Body will ensure appropriate salary protection/safeguarding with due regard to the current School Teachers Pay and Conditions Document and appropriate documentation relating to support staff .
- 18.0 Pay Differential
- 18.1 Salaries assessed in accordance with this policy will take into account different levels of responsibilities and other material differences between posts and post-holders. It should not, however, encourage or support any anomalies.
- 18.2 Where there is specific difficulty in recruiting and/or retaining a certain category of support staff, the Governing Body will give consideration to the use of additional salary, subject to appropriate criteria being met.
- 19.0 Staffing Budget
- 19.1 The amount of money allocated to implementing the school's salary and pay policy will be determined at the beginning of each financial year through the budget allocation process of the school.
- 20.0 Pensions
- 20.1 The Governing Body will not promote staff through the grading systems or use other pay flexibilities to assist in securing an employee's improved pension entitlement on retirement.
- 21.0 Access to Professional Development
- 21.1 The Board of Directors believes that access to professional development opportunities (for example promotion, additional responsibilities) should be available to all staff, whether full or part-time and will advertise their availability within the school, unless exceptional circumstances apply.
- 22.0 Equal Pay
- 22.1 The Board of Directors recognises the principle of equal pay for work of equal value and for like work in the implementation of this policy. The Board of Directors may take into account the salaries payable in other schools and/or Local Authority in setting pay levels, where this information is available and relevant. (See also Appendix 2 for school meals)
- 23.0 Consultation Arrangements
- 23.1 In establishing and in subsequently reviewing the school's pay and salary policy, the Board of Directors will consider the views of any Professional Association and Trade Union Representatives in the schools and school staff prior to determining the approved policy. A copy of the Pay and Salary policy will be made available to all staff on request.
- 24.0 Communication Arrangements
- 24.1 The Board of Directors is committed to ensuring that all staff are aware of the school's Pay and Salary policy - a copy will be placed in the Staffroom - and that the reasons for pay-related decisions are understood. The application of the school's Pay and Salary policy will be undertaken in as open a way as possible. However, the salary details of individual members of staff shall remain confidential between themselves and the Headteacher/Audit & Finance Committee/Governing Body/accredited external parties. The Headteacher (or in the case of his/her pay, the Chair of Directors) is responsible for informing staff of any decisions of the pay committees.
- 25.0 Initial Determination of Pay

25.1 The Board of Directors will have overall responsibility for all pay matters. The Governing Body and the Headteacher Review Group will all have fully delegated powers to make decisions within the Pay and Salary policy approved by the Board of Directors.

26.0 Appeals Procedure

26.1 The arrangements for considering appeals are as follows:

1. A member of staff may appeal against any determination in relation to his or her pay or any other decision taken by the Governing Body that affects his/her pay. The process for dealing with appeals arising from performance management decisions is similar and is outlined in more detail in the guidance and policy on performance management.
2. The grounds for appeal are that the person or committee by whom the decision was made:
 - a. incorrectly applied any provision of the relevant terms and conditions of service;
 - b. failed to have proper regard to statutory guidance;
 - c. failed to take proper account of relevant evidence;
 - d. took account of irrelevant or inaccurate evidence;
 - e. was biased; or
 - f. otherwise unlawfully discriminated against the member of staff

26.2 An appeal may also be lodged in relation to aspects of the performance management process. For more detail, see the guidance and policy in the Performance Management Policy.

26.3 The sequence of events is as follows:

- a. The member of staff receives written confirmation of the pay determination and where applicable the basis on which the decision was made.
- b. If the member of staff is not satisfied, he/she should seek to resolve this by discussing the matter informally with the decision maker within ten working days of the decision.
- c. Where this is not possible, or where the member of staff continues to be dissatisfied, he/she may follow a formal appeal process.
- d. The member of staff should set down in writing the grounds for questioning the pay decision (which must relate to the grounds as set out above) and send it to the person (or committee) who made the determination, within ten working days of the notification of the decision being appealed against or of the outcome of the discussion referred to above.
- e. The committee or person who made the decision should meet with the member of staff (and, if the member of staff wishes this, a colleague or union representative) within ten working days of receipt of the written grounds for questioning the pay decision to discuss this and give the member of staff an opportunity to make representations in person. Following this meeting the member of staff should be informed in writing of the formal outcome and the right to appeal.
- f. Any appeal should be heard by a panel of three governors who were not involved in the original decision, normally within 20 working days of the receipt of the written appeal notification, and give the member of staff the opportunity to be accompanied and made representations in person. The decision of the appeal panel will be given in writing, and where the appeal is rejected will include a note of the evidence considered and the reasons for the decision. The decision is final and there is no recourse to the staff grievance procedure.

27.0 Withholding Payment of Salary

- 27.1 Only in exceptional circumstances would a member of staff not be paid in full the salary to which he/she is entitled. Each case would be reviewed in its individual context by the Headteacher, but may include:
- Absence from work without permission (not including sickness or other reasonable due cause)
 - Fraudulent claims by an employee (see also disciplinary procedures)
 - Breach of contractual obligations, most obviously leaving employment without due notice and as contractually stated.
- 27.2 In each case, the individual would be notified in writing, of the impact of such conduct on their salary.
- 28.0 Performance Management
- 28.1 For an academic year the performance management will follow the following criteria:
- Objective 1 will be related to student progress
 - Objective 2 will be related to a whole school target -
 - Objective 3 will be bespoke to the individual
- 28.2 In addition, the proposal for every member of staff is to have an aspirational Gryphon Trust Professional Pathway objective. This will help our strategic planning for staff INSET throughout the year and allows for aspirational 'stretch and challenge': all part of an outstanding school ethos.
- 28.3 Performance Management assessment will continue to be based on progress towards meeting national core and/or post threshold standards. These include:
- Significant impact on student progress
 - Significant impact on wider outcomes for students, including;
 - co- curricular activities
 - Assuring high quality learning behaviours
 - Active engagement in continuing professional development (For experienced colleagues, in particular, actively supporting the professional development of others as well).

PERFORMANCE MANAGEMENT POLICY

1.0 Principles

- 1.1 Performance management in this school 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 linked to performance pay progression more closely from September 2014.
- 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 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, in part through the data strand in the BlueSky used for Performance Management by the school
- 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 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 in the BlueSky program 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 school'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, 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) 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 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 Governors, including the Chair of Governors. The appointed members will be known as the Headteacher Performance Review Committee (HPRC).

3.3 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.

3.4 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. 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 placed on the BlueSky. 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 HPRC, 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 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

5.5.5 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 consult 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 on the BlueSky Management System. Staff will receive their performance management statement by 31st October (31st December for Headteacher). 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 Headteacher 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 may be identified by an individual or combination of sources. The concern must be notified to the Chairman of Governors, who will bring this to the attention of the Board of Trustees. 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, 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/HPRC 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).

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.

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APPENDIX 1

Standards for Teachers

A teacher must:

1. Set high expectations which inspire, motivate and challenge pupils
 - establish a safe and stimulating environment for pupils, rooted in mutual respect
 - set goals that stretch and challenge pupils of all backgrounds, abilities and dispositions
 - demonstrate consistently the positive attitudes, values and behaviour which are expected of pupils.
2. Promote good progress and outcomes by pupils
 - be accountable for pupils' attainment, progress and outcomes
 - be aware of pupils' capabilities and their prior knowledge, and plan teaching to build on these
 - guide pupils to reflect on the progress they have made and their emerging needs
 - demonstrate knowledge and understanding of how pupils learn and how this impacts on teaching
 - encourage pupils to take a responsible and conscientious attitude to their own work and study.
3. Demonstrate good subject and curriculum knowledge
 - have a secure knowledge of the relevant subject(s) and curriculum areas, foster and maintain pupils' interest in the subject, and address misunderstandings
 - demonstrate a critical understanding of developments in the subject and curriculum areas, and promote the value of scholarship
 - demonstrate an understanding of and take responsibility for promoting high standards of literacy, articulacy and the correct use of standard English, whatever the teacher's specialist subject
 - if teaching early reading, demonstrate a clear understanding of systematic synthetic phonics
 - if teaching early mathematics, demonstrate a clear understanding of appropriate teaching strategies.
4. Plan and teach well-structured lessons
 - impart knowledge and develop understanding through effective use of lesson time
 - promote a love of learning and children's intellectual curiosity
 - set homework and plan other out-of-class activities to consolidate and extend the knowledge and understanding pupils have acquired
 - reflect systematically on the effectiveness of lessons and approaches to teaching
 - contribute to the design and provision of an engaging curriculum within the relevant subject area(s).
5. Adapt teaching to respond to the strengths and needs of all pupils
 - know when and how to differentiate appropriately, using approaches which enable pupils to be taught effectively
 - have a secure understanding of how a range of factors can inhibit pupils' ability to learn, and how best to overcome these
 - demonstrate an awareness of the physical, social and intellectual development of children, and know how to adapt teaching to support pupils' education at different stages of development
 - have a clear understanding of the needs of all pupils, including those with special educational needs; those of high ability; those with English as an additional language; those with disabilities; and be able to use and evaluate distinctive teaching approaches to engage and support them.
6. Make accurate and productive use of assessment

- know and understand how to assess the relevant subject and curriculum areas, including statutory assessment requirements
 - make use of formative and summative assessment to secure pupils' progress
 - use relevant data to monitor progress, set targets, and plan subsequent lessons
 - give pupils regular feedback, both orally and through accurate marking, and encourage pupils to respond to the feedback.
7. Manage behaviour effectively to ensure a good and safe learning environment
- have clear rules and routines for behaviour in classrooms, and take responsibility for promoting good and courteous behaviour both in classrooms and around the school, in accordance with the school's behaviour policy
 - have high expectations of behaviour, and establish a framework for discipline with a range of strategies, using praise, sanctions and rewards consistently and fairly
 - manage classes effectively, using approaches which are appropriate to pupils' needs in order to involve and motivate them
 - maintain good relationships with pupils, exercise appropriate authority, and act decisively when necessary.
8. Fulfil wider professional responsibilities
- make a positive contribution to the wider life and ethos of the school
 - develop effective professional relationships with colleagues, knowing how and when to draw on advice and specialist support
 - deploy support staff effectively
 - take responsibility for improving teaching through appropriate professional development, responding to advice and feedback from colleagues
 - communicate effectively with parents with regard to pupils' achievements and well-being.

APPENDIX 2

Framework of Professional Standards for Post-Threshold Teachers

Post Threshold Teachers

(1). Professional Attributes

Frameworks

P1. Contribute significantly, where appropriate, to implementing workplace policies and practice and to promoting collective responsibility for their implementation.

(2). Professional knowledge and understanding

Teaching and Learning

P2. Have an extensive knowledge and understanding of how to use and adapt a range of teaching, learning and behaviour management strategies, including how to personalise learning and to provide opportunities for all learners to achieve their potential.

Assessment and Monitoring

P3. Have an extensive knowledge and well informed understanding of the assessment requirements and arrangements for the subjects/curriculum areas they teach, including those related to public examinations and qualifications.

P4. Have up-to-date knowledge and understanding of the different types of qualifications and specifications and their sustainability for meeting learners' needs.

Subjects and curriculum

P5. Have a more developed knowledge and understanding of their subjects/curriculum areas and related pedagogy including how learning progresses within them.

Health and well-being

P6. Have sufficient depth of knowledge and experience to be able to give advice on the development and well-being of children and young people.

(3). Professional Skills

Planning

P7. Be flexible, creative and adept at designing learning sequences within lessons and across lessons that are effective and consistently well-matched to learning objectives and the needs of learners and which integrate recent developments, including those related to subject/curriculum knowledge.

Teaching

P8. Have teaching skills which lead to learners achieving well relative to their prior attainment, making good progress as good as, or better than, similar learners nationally.

Team working and collaboration

P9. Promote collaboration and work effectively as a team member.

P10. Contribute to the professional development of colleagues through coaching and mentoring, demonstrating effective practice, and providing advice and feedback.

