

ST TERESA OF CALCUTTA CATHOLIC ACADEMY TRUST



APPRAISAL POLICY AND PROCEDURE

Approved: 23rd September 2021

Signed Chair of Directors: C M Garside

Signed CSEL: C Foley

Review: September 2022

Academies - Appraisal Policy and Procedure - Teachers – England – updated May 2020
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THIS POLICY DOES NOT CREATE CONTRACTUAL OBLIGATIONS ON THE ACADEMY

ST TERESA OF CALCUTTA CATHOLIC ACADEMY TRUST

ACADEMY MISSION STATEMENT



Finding new ways to spread the joy of the Gospel to every corner of the world

St Teresa of Calcutta Catholic Academy Trust has a dedicated mission team, where every member is committed to maintaining high standards for our academies, working together to create an environment where teachers and students can achieve their very best.

The Trust seeks to serve all our families and to work with other partners in education for the benefit of our children and young people; we are committed to working together as academies and with the wider community for the common good.

In our academies, we uphold the dignity and unique human value of every person as we strive for excellence in education; gifts and talents are shared between our academies as we aim to provide the highest standards for all our children and young people throughout the Trust.

St Teresa of Calcutta CAT is rooted in the Catholic mission to educate our pupils to the highest academic standards, fuel them with Gospel Spirit, in order to be agents of transformation in society: people who are rooted in action for the common good. We articulate this in our specific goal to use our individual God given gifts to find new ways to spread the joy of the Gospel to every corner of the world...

Commitment to equality:

We are committed to providing a positive working environment which is free from prejudice and unlawful discrimination and any form of harassment, bullying or victimisation. We have developed a number of key policies to ensure that the principles of Catholic Social Teaching in relation to human dignity and dignity in work become embedded into every aspect of school life and these policies are reviewed regularly in this regard.

This Appraisal Policy and Procedure has been approved and adopted by ST TERESA OF CALCUTTA CATHOLIC ACADEMY TRUST on 23RD SEPTEMBER 2021. This revised policy will be reviewed in September 2022

Signed by Director of the Academy Trust Company:

A handwritten signature in black ink that reads "A.M. Garvade CBE".

Signed by CSEL:

A handwritten signature in black ink, appearing to be "CSEL".

DEFINITIONS

In this Appraisal Policy and Procedure, unless the context otherwise requires, the following expressions shall have the following meanings:

- i. 'Academy' means the academy named at the beginning of this Appraisal Policy and Procedure and includes all sites upon which the Academy undertaking is, from time to time, being carried out.
- ii. 'Academy Trust Company' means the company responsible for the management of the Academy and, for all purposes, means the employer of staff at the Academy.
- iii. 'Board' means the board of Directors of the Academy Trust Company.
- iv. 'Chair' means the Chair of the Board as appointed from time to time.
- v. 'Clerk' means the Clerk to the Board as appointed from time to time.
- vi. 'Companion' means a willing work colleague not involved in the substance of the employee's performance under review by this Appraisal Policy and Procedure, or a trade union official, an accredited representative of a trade union or other professional association of which the employee is a member, who should be available for the periods of time necessary to meet the timescales under this Appraisal Policy and Procedure.
- vii. 'Diocesan Schools Commission' means the education service provided by the diocese in which the Academy is situated, which may also be known, or referred to, as the Diocesan Education Service.
- viii. 'Directors' means directors appointed to the Board from time to time.

- ix. 'External Adviser' means a suitably skilled and/or experienced person who is appointed by the Governing Board to support the Governing Board in the appraisal of the Headteacher in accordance with this Appraisal Policy and Procedure. The External Adviser must be familiar with the particular needs of a Catholic voluntary academy e.g. in relation to the development of a Catholic academy's ethos and should be independent of the Headteacher.
- x. 'Governing Board' means the body carrying out the employment functions of the Academy Trust Company, in St Teresa of Calcutta the Board of Directors carry out all employment functions.
- xi. 'Governors' means, (if appropriate to the context), the governors appointed or elected to the Local Governing Body from time to time.
- xii. 'Headteacher' means the most senior Teacher in the Academy who is responsible for its management and administration. Such Teacher may also be referred to as the Head of School or Principal.
- xiii. 'Local Governing Body' means, (if appropriate to the context), the Governors appointed and elected to carry out specified functions in relation to the Academy, and the Trust, as delegated by the Academy Trust Company.
- xiv. 'Standards' means the Teachers' Standards published by the DfE in July 2011 as amended from time to time and, as appropriate, the National Standards of Excellence for Headteachers published by the DfE in January 2015 as amended from time to time.
- xv. 'Teacher' means a teacher employed by the Catholic Academy Trust to work at the Academy and, where the context so admits, includes the Headteacher.
- xvi. 'Working Day' means any day on which you would ordinarily work if you were a full-time employee. In other words, 'Working Day' may apply differently to teaching and non-teaching staff. However, part-time and full-time staff will not be treated differently for the purposes of implementing this Appraisal Policy and Procedure.
- xvii. 'Working Week' means any week that you would ordinarily work.

1. APPLICATION

- 1.1 Subject to Paragraph 1.2 below, this Appraisal Policy and Procedure applies to you if you are an employee or worker at the Academy and are a Teacher or Headteacher (hereinafter referred to as an “employee” or “you”).
- 1.2 This Appraisal Policy and Procedure does not apply to Teachers employed under a contract of employment for less than one term, those undergoing induction (i.e. Newly Qualified Teachers) and those who are subject to the Academy’s Capability Policy and Procedure.

2. SCOPE

- 2.1 The purpose of this Appraisal Policy and Procedure is to establish a framework for a clear and consistent review of the overall performance of Teachers and for supporting their development within the context of the Academy Trust Company’s plan for improving educational provision and performance and in order to enhance Teachers’ professional practice. The review shall have regard to the Standards and other applicable codes of practice, such as the Special Educational Needs Code of Practice, where relevant.
- 2.2 The Catholic Academy Trust is committed to ensuring respect, objectivity, belief in the dignity of the individual, consistency of treatment and fairness in the operation of this Appraisal Policy and Procedure. This commitment extends to promoting equality of opportunity and eliminating unlawful discrimination throughout the Academy community which includes all of the academies in the Academy Trust Company’s group.
- 2.3 The Catholic Academy Trust is committed to providing a supportive working environment for all Teachers through this Appraisal Policy and Procedure. Concerns about a Teacher’s performance will always be addressed in the first instance through the operation of this Appraisal Policy and Procedure. Where it is not possible to resolve concerns through the operation of this Appraisal Policy and Procedure it may be necessary to consider whether to invoke the Academy’s Capability Policy and Procedure in accordance with Paragraph 9.

- 2.4 This Appraisal Policy and Procedure does not form part of any other procedure but relevant information on appraisal, including Appraisal Reports, may be taken into account in relation to the operation of other applicable policies and procedures.
- 2.5 An employee is entitled to have access, by arrangement, to their personnel file and to request the deletion of time-expired records in line with the provisions of the General Data Protection Regulation and the Data Protection Act 2018.
- 2.6 The Catholic Academy Trust delegates its authority in the manner set out in this policy.
- 2.7 The Catholic Academy Trust is committed to ensuring that the operation of this Appraisal Policy and Procedure does not lead to an unnecessary increase in the workload for Teachers and Appraisers. This Appraisal Policy and Procedure will always be applied in a way which is robust and fair, whilst monitoring the impact on workload for Teachers, Appraisers, Directors and Governors.

3. APPRAISAL IN A CATHOLIC CONTEXT

- 3.1 Teaching, as a 'work of love, requires a radical commitment and service from all teachers, whatever their faith and whatever point they have reached on their spiritual journey': "The Church looks upon you as co-workers with an important measure of shared responsibility...To you it is given to create the future and give it direction by offering your students a set of values with which to assess their newly discovered knowledge...[The changing times] demand that educators be open to new cultural influences and interpret them for young pupils in the light of Christian faith. You are called to bring professional skills and competence and a high standard of excellence to your teaching...But your responsibilities make demands on you that go far beyond the need for professional skills and competence...Through you, as through a clear window on a sunny day, students must come to see and know the richness and joy of a life lived in accordance with Christ's teaching, in response to his challenging demands. To teach means not only to impart what we know, but also to reveal who we are by living what we believe. It is this latter lesson which tends to last the longest"¹. The Catholic Academy Trust recognises the

¹ Christ at the Centre – a summary of why the Church provides Catholic Schools – Bishops' Conference and Catholic Education Service.
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challenge for all teachers in carrying out their 'work of love' and is committed to nurturing them throughout their professional careers.

- 3.2 Appraisal will be a supportive and developmental process designed to ensure that all Teachers have the skills and support they need to carry out their role effectively within the context of the Academy Trust Company's ethos. It will help to ensure that Teachers are able to continue to improve their professional practice and to develop as Teachers.
- 3.3 Arrangements for appraisal will be conducted in such a way that employees will be secure in the knowledge that their progress and commitment to the Academy are acknowledged.
- 3.4 Appraisal is a time to celebrate achievement wherever possible, as well as for discerning where there is scope for development. Challenge is at the heart of the Gospels. Christ challenged all whom he encountered, each according to their needs and readiness.
- 3.5 This Appraisal Policy and Procedure offers opportunities to ensure justice for Teachers and pupils alike and has the potential for the expression of Christian qualities such as honesty, self-knowledge, respect for others and their gifts, recognition of the needs and achievements of others, challenge of self and others, personal growth and openness.

4. THE APPRAISAL PERIOD

- 4.1 The Appraisal Period will run for twelve months from 1st September to 31st August.
- 4.2 Teachers who are employed on a fixed-term or temporary contract of less than one year will have their performance managed in accordance with the principles underpinning this Appraisal Policy and Procedure. The length of the Appraisal Period will be determined by the duration of their contract of employment.
- 4.3 Where a Teacher starts their employment with the Catholic Academy Trust part-way through the Academy's usual Appraisal Period, the Headteacher or, in the case where the employee is the Headteacher, the Board shall determine the proportionate length of the Appraisal Period

for that Teacher with a view to bringing his/her Appraisal Period into line with the Academy's usual Appraisal Period (as per Paragraph 4.1 above) as soon as possible.

- 4.4 Where a Teacher transfers to a new post within the Academy, or any other Academy within the Academy Trust Company's Group, part-way through an Appraisal Period, the Headteacher or in the case where the employee is the Headteacher, the Board, shall determine, in discussion with the Teacher, whether the Appraisal Period should be re-set and whether the Appraiser should be changed.

5. APPOINTING APPRAISERS

- 5.1 The table below sets out the persons to be appointed to appraise employee performance during the Appraisal Period depending on the employee who is being appraised:

<i>Employee Level</i>	<i>Appraiser</i>
Headteacher	A panel appointed by the Governing Board in accordance with Paragraph 5.3 and supported by an External Adviser. In St Teresa of Calcutta CAT, the panel will include the CSEL, the chair of the LGB and one other member of the LGB.
Teacher	A person appointed by the Headteacher, usually their line manager. Appraisers will have Qualified Teacher Status and should have received appropriate training for the role

- 5.2 In carrying out its duties in accordance with Paragraph 5.1, the Governing Board must appoint an External Adviser to support the Catholic Academy Trust to appraise the Headteacher.
- 5.3 The task of appraising the Headteacher, including the setting of objectives in accordance with Paragraph 6 below, will be delegated by the Catholic Academy Trust to a sub-group consisting of three Directors and/or Governors, which must include at least two Foundation Directors/Governors in accordance with Paragraph 5.1 above. Such Appraisal Panel will be supported by the External Adviser appointed in accordance with Paragraph 5.2 above.

- 5.4 The Appraisal Panel may also seek advice from other external advisers including, but not limited to, the Diocesan Schools Commission.
- 5.5 Where it becomes apparent that an Appraiser appointed by the Headteacher will be absent for the majority of the Appraisal Period, the Headteacher may perform the duties of the Appraiser or delegate those duties to another Teacher for the duration of the absence.
- 5.6 Where a Teacher has an objection to the choice of Appraiser, their concerns will be carefully considered by the Headteacher, or where the Headteacher is the Appraiser, the Chair (or his or her suitably qualified appointee), and where it can be reasonably accommodated, an alternative Appraiser will be provided.

6. SETTING OBJECTIVES

General

- 6.1 Appraisal objectives should reflect the Catholic identity and mission of the Catholic Academy Trust and the values it proclaims² and Appraisers are expected to explore the alignment of such objectives with the Academy School's priorities and plans, working at all times to ensure that the Catholic ethos is preserved, developed and maintained.
- 6.2 The Appraiser and the employee will engage in a professional dialogue with a view to agreeing a realistic number of objectives which shall be reasonably achievable during the course of the Appraisal Period taking into account the professional development aspirations of the Teacher. St Teresa of Calcutta recognise that the setting of targets remains the responsibility of the CSEL and the headteacher and **that no more than three targets** should be set to meet the professional development needs of a teacher.

Objectives may be revised following discussion with the Teacher if circumstances change. The Academy operates a system of moderation to ensure that all appraisals are carried out in a consistent manner. Objectives will be moderated across the Academy [and other academies in the Catholic Academy Trust schools] to ensure that they are consistent between employees with similar experience and levels of responsibility.

² Such values should include the principles of Catholic social teaching in respect of justice for all, the needs of the whole person, respect for the individual and the community and the preferential option for the poor. More information about these principles and how they might apply in the context of appraisal can be found in the CES User Guide.

Should the objectives not be agreed, a record of the employee's comments in relation to the objectives set shall be added to the appraisal documentation but the final decision on allocation of objectives rests with the Appraiser.

6.3 The objectives set for each Teacher will, if achieved, contribute to the Academy School's plans for improving educational provision and improving the progress, development and well-being of the pupils at the Academy. This will be ensured by;

- ✓ Quality assuring all objectives against each school's improvement plan
- ✓ A process of moderation of objectives; at school level, by SLT and in discussion with the Headteacher and the CSEL; across the Trust by the Headteacher committee
- ✓ Access to training opportunities appropriate to the school's improvement plan and the aspirations of the staff member
- ✓ Internal audit procedures

6.4 Objectives, where met, should contribute to improving the progress, development and well-being of pupils at the Academy School as understood in relation to the Catholic nature of the Academy School and so include the academic, spiritual, moral, social, emotional and cultural development of each pupil.

6.5 The objectives set for Teachers will be Challenging, Specific, Measurable, Achievable, Realistic and Time-bound and **will be appropriate to the Teacher's role and level of experience.**

6.6 The Appraiser will take into account the Academy School's work/life balance strategy and the effects of an individual's circumstances, including any disability requiring the implementation of reasonable adjustments, when agreeing objectives and Appraisers will include a review of a Teacher's workload in the Appraisal Report.

6.7 Following discussion between the Appraiser and the employee, set objectives may be revised by the Appraiser in accordance with the needs of the Academy School and the Teacher, and any such revision(s) to set objectives will be recorded in writing and a copy will be provided to the employee **within 48 hours of the meeting.**

Principal/Headteacher

- 6.8 In accordance with Paragraph 5, the Headteacher's objectives will be set by the Appraisal Panel in consultation with the External Adviser before, or as soon as reasonably practicable after, the start of each Appraisal Period. The Headteacher's performance will be measured against the Standards.

Teachers

- 6.9 Objectives for each Teacher will be set before, or as soon as reasonably practicable after, the start of each Appraisal Period. Teachers' performance will be measured against the Standards but for the avoidance of doubt, in accordance with Paragraph 7.2, the Standards should not be used as a checklist against which the Teacher's performance is assessed.

7. REVIEWING PERFORMANCE

Gathering Evidence

- 7.1 In order to review performance, the Appraiser will need to rely on the available evidence obtained in connection with the Teacher's performance. This may include, but is not limited to, classroom observations, task observations, evidence of contribution to the development of the curriculum, reviews of assessment results, reviews of lesson planning records, internal tracking, evidence of good relationships with pupils, colleagues and parents and evidence supporting progress against the Standards. Where possible, the evidence to be obtained should be agreed when the objectives are set and the Catholic Academy Trust acknowledges that Teachers' performance will not be assessed solely on the basis of assessment results.
- 7.2 For the avoidance of doubt, it will not be necessary for a Teacher to provide evidence against each of the Standards. When collecting evidence, the focus will be on using evidence which is readily available from day to day practice wherever possible.

Observation

- 7.3 Observation of classroom practice and other responsibilities is important both as a way of reviewing Teachers' performance in order to identify any particular strengths and areas for

development and of gaining useful information which can inform academy improvement more generally.

- 7.4 Teachers' performance will be regularly observed, usually three times per year, with each observation not exceeding one hour. However, the amount and type of classroom observation will depend on the individual circumstances of the Teacher and the overall needs of the Academy. All observation will be carried out in a supportive fashion and will not lead to unnecessary increases in Teacher workload. Each school will;
- Clearly communicate policy and expectation for curriculum, standards and classroom management and organisation.
 - Publish their scrutiny and observation timetable at the start of the academic year.
- 7.5 Unless it is not reasonably practicable, at least 5 Working Days' notice of the date and time of the observation will be given to the Teacher and verbal feedback will be provided by at least the end of the next Working Day with written feedback within 5 Working Days.
- 7.6 Classroom observation will only be carried out by those with Qualified Teacher Status.
- 7.7 In addition to formal observation, the Headteacher or any other senior leader with responsibility for teaching standards may "drop in" up to a maximum of 5 minutes 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 the specific circumstances but will be reasonable. Drop in visits will not be used as part of the formal performance management and appraisal process.
- 7.8 Teachers who have responsibilities outside the classroom should also expect to have their performance of those responsibilities observed and assessed.
- 7.9 All feedback about lesson observations will be developmental.

Development and Support

- 7.10 Appraisal is a supportive process which will be used to inform Teachers' continuing professional development. The Catholic Academy Trust wishes to encourage a culture in which all Teachers

take responsibility for improving teaching through appropriate professional development. Professional development will be linked to the Academy School's improvement priorities and to the ongoing professional development needs and priorities of individual Teachers.

Informal Support

- 7.11 A Teacher's line manager may identify concerns on an informal basis at any time about any performance falling short of the standard expected by the Academy School and/or the Catholic Academy Trust and/or the Governing Board (as appropriate).
- 7.12 A Teacher's line manager may also provide informal advice and appropriate support which may include training, coaching, mentoring, counselling, monitoring, working in a professional learning community, learning and development opportunities, supervision, occupational health, arrangements for observation of lessons taught by other Teachers at the Academy School or elsewhere or discussing practice with advisory teachers. These arrangements will take into account the Teacher's workload and where possible, will not take place in their PPA time.
- 7.13 Informal support could include reaffirming the expectations that the Academy School and/or the Catholic Academy Trust and/or the Governing Board (as appropriate) has of the Teacher and what support may be provided to help the Teacher to meet those expectations.
- 7.14 Informal support may be recorded in writing and may be referred to at a later stage as evidence of an attempt to address the concerns identified using informal support and the outcome of such attempt. Where any informal support is recorded in writing, the Teacher will be provided with a copy of any written record and will be given 5 Working Days to comment on the written report in writing.

Alternative Support

- 7.15 There may be a situation where the Teacher's line manager and/or the Appraiser considers that a recent promotion or job change has been a contributory factor in any unsatisfactory performance. In such a case, informal support should be provided as described in Paragraphs 7.11 to 7.14.

8. ANNUAL REVIEW

- 8.1 In reviewing the performance of the Headteacher the Appraisal Panel must consult the External Adviser appointed pursuant to Paragraph 5.2.
- 8.2 Teachers' performance will be formally reviewed in respect of each Appraisal Period by way of an Annual Review.
- 8.3 The Annual Review is the end point to the annual Appraisal Period but performance and development priorities will be reviewed and addressed throughout the year at interim meetings (which shall be conducted in person or via other appropriate medium depending on the circumstances) which will take place **once per term/bi-annually [Academy Schools to indicate here]**. Teacher Workload will be considered when determining the frequency of such interim meetings and where possible, they will not take place in PPA time.
- 8.4 The Teacher will receive, as soon as practicable following the end of each Appraisal Period, but by no later than 31st October for Teachers other than Headteachers and 31st December for the Headteacher, a written Appraisal Report. The Teacher will have the opportunity to comment on the Appraisal Report in writing.
- 8.5 The Appraisal Report will include:
- (a) Details of the Teacher's objectives for the relevant Appraisal Period;
 - (b) A review of the Teacher's performance of their role and responsibilities against their objectives and the Standards;
 - (c) An assessment of the Teacher's training and development needs and details of any action that should be taken to address them;
 - (d) Where appropriate, a statement on the Teacher's broader impact across the Academy School or the Catholic Academy Trust;
 - (e) A recommendation on pay where that is relevant (*NB – pay recommendations need to be made by 31st December for Headteachers and by 31st October for Teachers other than Headteachers*);
 - (f) A space for the Teacher's own comments;
- 8.6 A review meeting will take place after the end of the Appraisal Period to discuss the content of the Appraisal Report and the Teacher's written comments in the Appraisal Report (if any), to

decide any further action required, including setting a period for review of performance, and to inform objective setting for the next Appraisal Period.

- 8.7 Where it has not been possible for Teachers to fully meet their objectives because the agreed support has not been provided this will be taken into account in the review meeting.

9. TEACHERS (INCLUDING PRINCIPALS/HEADTEACHERS) EXPERIENCING DIFFICULTIES

- 9.1 It is the Academy School's aim, when dealing with a Teacher experiencing difficulties, to provide support and guidance through the appraisal process in such a way that the Teacher's performance improves and the problem is, therefore, resolved.

- 9.2 Where it is apparent that a Teacher's personal circumstances are leading to difficulties at work, the Academy School will aim to establish informally whether the reason is due to ill-health, lack of competence, misconduct or other mitigating personal circumstances. Support will then be offered and/or appropriate action taken as soon as reasonably practicable, without waiting for the Annual Review detailed in Paragraph 8. Support could include informal advice and appropriate support which may include training, coaching, mentoring, counselling, monitoring, working in a professional learning community, learning and development opportunities, supervision, occupational health, arrangements for observation of lessons taught by other Teachers at the Academy School or elsewhere or discussing practice with advisory teachers. Support programmes and meetings to discuss support programmes will take into account the Teacher's workload and where possible, meetings will not be held in PPA time.

- 9.3 If an Appraiser identifies through the appraisal process, or via other sources of information, that the difficulties experienced by a Teacher are such that, if not rectified, could lead to the Academy Trust's Capability Policy and Procedure being invoked, the Appraiser, the Headteacher or a member of the senior leadership team (as appropriate) will meet with the Teacher to:

- (a) Give clear written feedback to the Teacher about the nature and seriousness of the concerns;
- (b) Give the Teacher the opportunity to comment on, refute, explain and discuss the concerns;

- (c) Give the Teacher at least 5 Working Days' notice that a meeting will be held to discuss targets for improvement alongside a programme of support, and inform the Teacher that they have the right to be accompanied at any such meetings by a Companion;
- (d) In consultation with the Teacher at the above meeting, an action plan with support will be established (e.g. coaching, training, in-class support, mentoring, structured observations, visits to other classes or academies or discussions with advisory teachers) that will help address those specific concerns;
- (e) Make clear how progress will be monitored and when it will be reviewed; and
- (f) Explain the implications and process if no, or no sufficient, improvement is made.

9.4 The Teacher's progress will continue to be monitored as part of the appraisal process and a reasonable time will be given for the Teacher's performance to improve. The relevant monitoring period will depend on the circumstances but will usually be THIRTEEN working weeks. However, a review must be undertaken between SIX and EIGHT Working Weeks, with appropriate support as agreed in the action plan detailed in Paragraph 9.3(d) above, in order that the aim of improving performance can be achieved. During this monitoring period the Teacher will be given regular feedback on his or her progress and arrangements will be made to modify the support programme if appropriate.

9.5 At the end of the monitoring period referred to in Paragraph 9.4 above, if sufficient improvement is made, such that the Teacher is performing at a level that indicates there is no longer a possibility of the Academy's Capability Policy and Procedure being invoked, the Teacher will be informed of this at a formal meeting with the Appraiser or Headteacher. Following this meeting, the appraisal process will continue as normal. The Teacher will be given at least 5 Working Days' notice of such formal meeting and will have the right to be accompanied by a Companion. The outcome of such meeting will be confirmed in writing to the Teacher within 5 Working Days of the meeting taking place.

9.6 If no, or not sufficient, improvement has been made by the end of the monitoring period referred to in Paragraph 9.4 above, the Teacher will be invited to a transition meeting with the Headteacher, or their representative delegated from the SLT, to determine whether the Academy Trust's Capability Policy and Procedure needs to be invoked or whether the appraisal process will remain in place. The Teacher will be given at least 5 Working Days' notice of such

meeting and shall be entitled to be accompanied at the meeting by a Companion. The outcome of such meeting will be confirmed in writing to the Teacher within 5 Working Days of the meeting.

- 9.7 Prior to invoking the Capability Policy and Procedure, the Appraiser will seek to ensure that the Teacher has undergone an appropriate period of induction to their role, an up to date job description has been issued to them, professional standards and overall expectations of performance have been made clear and the Teacher's performance has been monitored and feedback has been provided.
- 9.8 Whilst the Appraisal Report does not form part of any formal capability or disciplinary procedures any relevant information from the appraisal process including the Appraisal Report may be taken into account by those responsible for taking decisions about capability and disciplinary matters.

10. APPEALS

- 10.1 Teachers have a right of appeal against any of the entries in the written Appraisal Report and a separate right of appeal against a decision to invoke the Academy Trust's Capability Policy and Procedure made at a meeting as set out in Paragraph 9.6 above. If an appeal relates to a decision about pay, the employee is referred to the Academy Trust's Pay Policy and Procedure.
- 10.2 An appeal lodged in accordance with Paragraph 10.1 must be made in writing to the Clerk and lodged within 10 Working Days of receipt of the Appraisal Report (which will usually be received in the review meeting referred to in Paragraph 8.6) or the letter confirming the outcome of the meeting provided for in Paragraph 9.6.
- 10.3 The appeal letter must set out the grounds of the appeal in detail.
- 10.4 An Appeal Meeting will normally be held within 20 Working Days of an appeal letter being received by the Clerk.
- 10.5 At any appeal meeting HR will be present, and separate support will be available to the Chair of the Appeal panel and the Teacher/Headteacher.

10.6 In the case of an appeal by the Headteacher, the appeal will be heard by a Director appointed by the Board (such individual will be independent of the sub-group appointed in Paragraph 5.3). In the case of an appeal lodged by any other Teacher, the appeal will usually be heard by the Headteacher unless they have participated in the appraisal review which is being appealed, in which case the appeal will be heard by an individual appointed by the Board assisted by a representative appointed by the Local Governing Body (if the Board deems this is necessary).

10.7 The outcome of the Appeal Meeting will be confirmed in writing to you within 5 Working Days of the date of the Appeal Meeting. The decision reached following the Appeal Meeting is final and there will be no further right of appeal. The possible outcomes of an Appeal Meeting are any one or more of the following (as appropriate):

- (a) the entries made in the Appraisal Report are upheld;
- (b) the outcome of the meeting provided for in Paragraph 9.6 stands and the Capability Policy is invoked;
- (c) the appeal is upheld and any disputed entries in the Appraisal Report are referred back to the Appraiser for reconsideration;
- (d) the outcome of the meeting under Paragraph 9.6 is overturned and the appraisal process will continue as normal.

10.7 Where an appeal is against entries in the Appraisal Report and the outcome of a meeting heard under Paragraph 9.6, the appeals will be heard together. For the avoidance of doubt, it will be possible for the outcome of each appeal, where both entries in the Appraisal Report and the outcome of a meeting heard under Paragraph 9.6 are appealed, to be different.

11. COMPANION

11.1 Where a meeting is held under Paragraphs 9 or 10 above, you may be accompanied by a Companion.

11.2 You must let the person appointed to hold such meeting under Paragraphs 9 or 10 above know who your Companion will be at least one Working Day before the meeting.

11.3 If you have any particular reasonable need, for example, because you have a disability, you can also be accompanied by a suitable helper.

11.4 Your Companion can address the meeting in order to:

- (a) put your case;
- (b) sum up your case;
- (c) respond on your behalf to any view expressed at the meeting; and
- (d) ask questions on your behalf.

11.5 Your Companion can also confer with you during the meeting.

11.6 Your Companion has no right to:

- (a) answer questions on your behalf;
- (b) address the meeting if you do not wish it; or
- (c) prevent you from explaining your case.

11.7 Where you have identified your Companion and they have confirmed in writing to the relevant person appointed under Paragraphs 9 or 10 that they cannot attend the date or time set for the meeting, the meeting will be postponed for a period not in excess of five Working Days from the date set by the Academy School to a date and time agreed with your Companion. Should your Companion subsequently be unable to attend the rearranged date, the meeting may be held in their absence or written representations will be accepted.

12 TIMING OF MEETINGS

The aim is that meetings under this Appraisal Policy and Procedure will be held at mutually convenient times but depending on the circumstances, meetings may:

12.1 need to be held when you were timetabled to teach;

12.2 exceptionally be held during planning, preparation and administration time if this does not impact on lesson preparation;

12.3 exceptionally be held after the end of the academy day;

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12.4 not be held on days on which you would not ordinarily work;

12.5 be extended by agreement between the parties if the time limits cannot be met for any justifiable reason.

13 VENUE FOR MEETINGS

Any meeting held under Paragraphs 9 or 10 may be held off the Academy School site to minimise any distress to the employee.

14 ASSISTANCE

Where matters fail to be decided under Paragraphs 9 or 10, the Diocesan Schools Commission may send a representative to advise the Academy Trust Company.

15 REVIEW OF THIS PROCEDURE

This policy and procedure was produced in September 2013, updated in June 2016, May 2018 and May 2020 by the Catholic Education Service (CES) for use in Catholic Voluntary Academies in England following consultation with the national trade unions. It may be adapted, as appropriate, for use in joint Church academies subject to the approval of the CES on referral by the relevant Catholic diocese. This procedure will be reviewed by the CES in readiness for the academic year 2022/2023.