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Consultation Document

Proposals to revise the School Teacher Appraisal (Wales) Regulations 2002 (as amended)

Date of issue: 27 June 2011

Action required: Responses by 30 September 2011

Proposals to revise the School Teacher Appraisal (Wales) Regulations 2002 (as amended)

- Overview** This consultation document outlines proposals to revise the School Teacher Appraisal (Wales) Regulations 2002 (as amended) in order to strengthen performance management arrangements for teachers and headteachers.
- How to respond** The deadline for submission of comments to this consultation is **30 September 2011**. Any comments which you might have on this document should be sent to the Welsh Government. Comments should be made in writing to Mr Patrick Moran at the address below or by email to: practicereviewanddevelopment@wales.gsi.gov.uk Please enter 'Performance Management Consultation' in the subject matter box.
- Further information and related documents** **Large print, Braille and alternate language versions of this document are available on request.**
- The existing regulations are The School Teacher Appraisal (Wales) Regulations 2002 (as amended) SI 2002 No 1394.
- Guidance on the existing performance management procedures can be found at:
[Welsh Government | Performance Management for Teachers ...](#)
- Contact details** For further information:
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Data protection

How the views and information you give us will be used.

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

Background

Raising education standards

The Minister for Education and Skills set out 20 action points designed to drive up standards on 2 of February 2011. This established a clear focus on literacy, numeracy, and on breaking the link between low attainment and poverty.

We know that no education system can perform beyond the level of the teachers within it. So alongside the other reforms to the system we also need to support and develop our teachers and school leaders to improve teaching quality, set high aspirations for all and focus on every individual.

We are looking to develop Statutory Guidance for school improvement which will set out the best practice currently available in Wales and elsewhere. This will include kite-marked teaching strategies designed to make 'our best our standard'. Professional Learning Communities will provide a more effective approach to continuing professional development and will focus on literacy, numeracy and tackling disadvantage. We will strengthen the arrangements for Induction of newly qualified teachers and are exploring the options for a Masters level qualification for teachers working in Wales. We have already launched a consultation on revised professional standards for teachers, head teachers and higher Level Teaching Assistants.

The changes to the Performance Management system proposed in this consultation form a key plank of the wider reform agenda linking performance management arrangements with national and school level improvement priorities. It will also provide the opportunity for teachers and leaders to reflect on their own practice, discuss the support that they need to enhance their practice and to evidence their professional development in a structured way throughout their career.

Overall we want the suite of changes to create a culture of continuous improvement in teaching practice across Wales leading to improved learner outcomes.

Performance Management

Why are we proposing to change the performance management system for teacher and Headteachers?

The current School Teacher Appraisal (Wales) Regulations 2002 (as amended) provide for the appraisal of the performance of school teachers and head teachers, by way of an annual review about aims and achievements.

Performance Management for people working in schools should help schools to improve educational standards by setting a framework for the workforce to agree and review priorities and objectives in the context of the school's improvement plan and appropriate professional standards. It should focus attention on more effective teaching and learning to benefit pupils, the workforce and schools.

Over many years, the policies for Continuing Professional Development (CPD), Performance Management and Professional Standards have developed in a piecemeal way and so do not work together as a coherent and efficient system. There is a general consensus that the current arrangements are too fragmented and not sufficiently robust or focussed to deliver education improvement priorities. The result is that we are not supporting practitioners effectively to enable them to deliver the best for our learners.

Following a review of Professional Standards, CPD and Performance Management we are aiming to develop one simple, consistent system where professional standards, performance management and professional development work together and focus on national priorities of literacy, numeracy and breaking the link between poverty and attainment to deliver improved teaching and learning.

We propose to bring these changes into force from 1 January 2012.

What changes are we proposing?

The performance management system will be revised so that:

- performance management objectives for both teachers and head teachers are focussed on professional standards, national priorities defined by the Welsh Government and local school improvement priorities;
- there is a clear description of the data and evidence needed to underpin the performance management review process for both teachers and head teachers;
- a standardised process to reduce variability;
- a requirement to maintain a practice review portfolio detailing particulars of any professional development activities undertaken and providing an opportunity for self evaluation;
- performance management information to be used to inform decisions about progression to higher pay scales where the teacher is eligible for pay progression under the School Teacher's Pay and Conditions

Document to reduce the bureaucracy of the current Threshold Application form;

- more streamlined arrangements to ensure that head teacher performance management discussions form part of the wider dialogue with the local authority about school improvement and that duplication is reduced;
- local authority membership of the head teacher's appraisal panel will enhance their ability to fulfil their statutory responsibility for improving standards and provide more focussed support for governing bodies in support of their assessment of head teachers' performance.

A more detailed summary of the proposed changes can be found at Annex A. A copy of the proposed revised regulations is a separate document and can be found on the consultation web page alongside this document.

Annex A

Summary of proposed changes to Performance Management (PM) System and Procedures

Teachers (including Unattached Teachers)

The current system for teachers will be revised to:

1. Establish a direct link between performance management arrangements and new Practising Teacher Standards.
2. Make better use of data and other relevant information including – School Improvement Plan; school systems for monitoring and evaluation; and other data where appropriate.
3. Support performance management discussions with more rigorous review and reflection linked to data and evidence, with professional development activities recorded in a “practice review portfolio”.
4. Allow evidence from the revised performance management system to be used to inform decisions about progression to higher pay scales where the school teacher is eligible for pay progression under the School Teacher’s Pay and Conditions Document to make threshold pay decisions more robust and reduce bureaucracy.

Headteachers

The current system for head teachers will undergo the following revisions:

1. The governing body, the local authority and the head teacher must establish a School Performance Management Policy. In the event that agreement cannot be reached the local authority must determine the School Performance Management Policy.
2. The Assessment Panel to comprise – at least 2 governors, and 1 or 2 local authority representatives.
3. Annual cycle to link with the timing of the school’s planning cycle (including the Self Evaluation Report, the School Improvement Plan and statutory target setting). The cycle should also take account of the Headteacher’s Performance Management report; All Wales Core data sets and any relevant information provided by local authorities.
4. Require that performance management procedures be linked to the school’s development priorities; and all objectives will be clearly linked to national and school priorities for improvement and the Head Teacher Professional Standards as defined by WG.
5. The “Initial Performance Management Conversation” between the Head Teacher and appraisers will include discussion on the school’s performance as well as objectives for the coming year. Discussion should take place within the context of the All-Wales Core Data Set; the

School Improvement Plan; input from the School's Governing Body (excluding staff governors and potential appeals officers); information from the head teacher's practice review portfolio; and any other relevant statistical and/or analytical data.

6. In year and end year Monitoring Procedures should include both in year and year end data from sources such as: the All-Wales Core Data Set; the School Improvement Plan; input from the School's Governing Body (excluding staff governors and potential appeals officers); information from the head teacher's practice review portfolio; other relevant statistical and/or analytical data.
7. Review of the head teacher's performance will continue to identify any achievements and any aspects in which further progress would be desirable; and assess the extent to which the head teacher has met the objectives. The revised Review will also determine whether there has been successful overall performance when compared to requirements outlined in the Head Teacher Professional Standards.
8. The Review will also identify where performance is deemed to be below standard and require the appraisal panel to, where appropriate, recommend to the governing body consideration of commencement of disciplinary/dismissal procedures.
9. Appeals panel will comprise of 1 governor and 2 local authority appointments, none of whom have taken part in the initial appraisal.
10. Copy of statement to be given to Chief Education Officers (or their reps) for use regarding promotion, dismissal or discipline of head teachers or any discretion in relation to pay. Comparison across the local authority should also lead to a more consistent approach to head teacher performance;
11. Copy of statement will be made available on request to Estyn.