# **Governor Support Service**

# Headteacher's Performance Management

Rory McCormack



# **Session Objectives**





✓ To be equipped to fulfil your role as a member of the Headteacher's Appraisal panel



✓ To understand the roles of Governors in the appraisal process of both maintained schools and academies.



✓ To explore what might be clear, appropriate & challenging objectives which contribute to improving the school's educational provision



- ✓ To discuss the evidence available to inform the review process
- ✓ To support the analysis of the key data available.

# **Session Structure**

- 1. Statutory Background/why appraisal?
- 2. Roles and responsibilities
- 3. The appraisal process
- 4. The planning and review meeting
- 5. Setting the objectives
- 6. Professional Development
- 7. The appraisal review statement
- 8. Making a pay recommendation
- 9. In year monitoring



# Performance Appraisal is statutory in maintained schools



"Good governance is at the heart of effective headteacher performance management (PM). Conversely, ineffective headteacher PM may be a symptom of ineffective governance."

Effectively Managing Headteacher Performance, Jan 2014



"Inspectors consider whether governors performance manage the headteacher rigorously"

Inspection Handbook 2015

Nb: there are no specific references to HTPM in the current (2019) Ofsted handbook.

# **Statutory Regulations - 2012**

#### STATUTORY INSTRUMENTS

#### 2012 No. 115

### EDUCATION, ENGLAND

The Education (School Teachers' Appraisal) (England) Regulations 2012

> 17th January 2012 24th January 2012 Laid before Parliament 1st September 2012 Coming into force - -

The Secretary of State for Education makes the following Regulations in exercise of the powers

conferred by sections 131(1), (2) and (3) and 210(7) of the Education Act 2002(a).

In accordance with section 131(6) of that Act(b), the Secretary of State has consulted with such associations of local authorities in England, bodies representing the interests of governing bodies in England and bodies representing the interests of teachers in England as appeared to the Secretary of State to be appropriate.

Citation, commencement and application

1.—(1) These Regulations may be cited as the Education (School Teachers' Appraisal)

Finedonal Regulations 2012 and some into force on Let Sentember 2012. (England) Regulations 2012 and come into force on 1st September 2012.

- (3) Subject to paragraph (4), these Regulations apply to any teacher employed for one school
- (a) any teacher whilst that teacher is undergoing an induction period in accordance with the Education (Induction Arrangements for School Teachers) (England) Regulations 2008(c). (4) These Regulations do not apply to—

# **Statutory Regulations - 2012**

Two key regulations, Regulation 4 and 6



#### Appointment of external advisers in respect of head teachers

4. The governing body of a school must appoint an external adviser for the purposes of providing it with advice and support in relation to the appraisal of the head teacher.

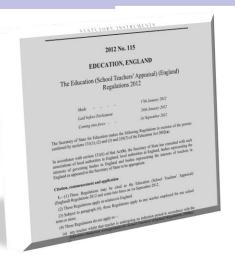
#### **Standards and Objectives**

- 6.—(1) The governing body of a school must, before, or as soon as practicable after, the start of each appraisal period in relation to a head teacher—
- (a) inform the head teacher of the standards against which the head teacher's performance in that appraisal period will be assessed;

#### and

- (b) set objectives for the head teacher in respect of that period.
- (2) In setting objectives for the head teacher, the governing body of a school must consult the external adviser appointed under regulation 4.

# Statutory Regulations – 2012 - Purpose of Appraisal



# **School Improvement tool**

Statutory guidance states that the objectives set should be such that, 'if they are achieved, they will contribute to: (a)improving the education of pupils at the school; and (b) the implementation of any plan of the governing body designed to improve the school's educational provision and performance'. (Appraisal Regulations, 2012)

### **Governance Handbook – latest update**

6.6.6 Teacher and executive school leadership appraisal:

Paras 126–130, (pages 94 - 96)



## **Governance Handbook**

#### 129. Boards in maintained schools have a statutory duty to:

- appoint an external adviser for advice and support on the headteacher's appraisal and to consult that adviser on setting objectives for, and appraisal of, the headteacher;
- inform the headteacher of the standards against which their performance will be assessed;
- set objectives for the headteacher, whilst having regard to the work-life balance of the headteacher;
- appraise the performance of the headteacher, assessing their performance of their role and responsibilities against the relevant standards and their objectives;
- assess the headteacher's professional development needs and action needed to address them;
- make a recommendation on headteacher's pay, where relevant;
- give the headteacher a written report of their appraisal which includes the assessments and recommendation above;
- determine the appraisal period that applies to teachers (including headteachers);
- adopt a document that sets out the appraisal process for teachers (including headteachers) and make that document available to teachers;

and

• make sure that headteachers carry out their duties in respect of appraising other teachers (including recommendations on pay)

### **Governance Handbook**

130. In practice, boards will want, in relation to the appraisal of the headteacher, to:

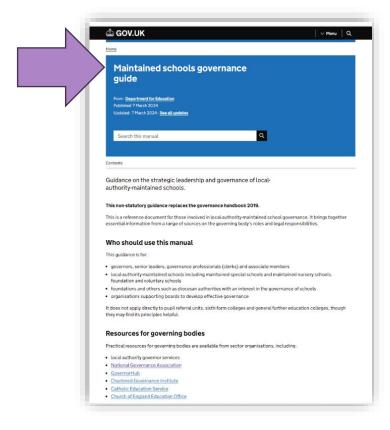
- satisfy themselves that the external advisor has the skills, experience and objectivity to provide them with advice and support;
- consider whether to delegate the headteacher's appraisal to a sub-group
- satisfy themselves that the headteacher's objectives are SMART;
- decide which standards they will use to assess the headteacher's performance. They must assess headteachers' performance against the Teachers' Standards and may also wish to use the National Standards for Headteachers. They may also use the Headteachers' Standards to inform performance management;
- decide what arrangements to make for observing the headteacher's performance, including any arrangements for classroom observation where headteachers teach;

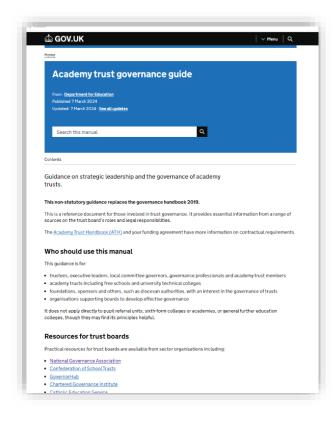
#### and

• satisfy themselves that appraisal evidence informs other decisions, for example, on professional development and pay decisions.

### **Role of Governors**

# 7<sup>th</sup> March 2024: new guidance replaced the Governors Handbook





### **Role of Governors (Maintained schools)**

### 7.19 Staffing and performance management



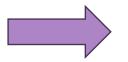
The main staffing functions of the governing body in a maintained school are set out in the <u>School Staffing (England) Regulations 2009</u>. These include the appointment, conduct, suspension and dismissal of staff.

The <u>staffing and employment advice for schools</u> contains supporting guidance.

The governing body may delegate its functions relating to staff employment in schools <u>in line with legislation</u> and with certain exceptions listed in regulation 4(1).

The governing body remains responsible for ensuring that delegated responsibilities are carried out.

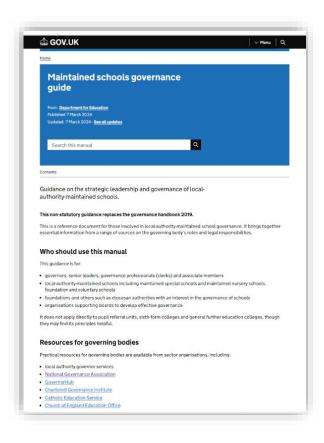
The governing body should meet the requirements and consider the important information set out in <u>keeping children safe in education</u> when appointing staff.

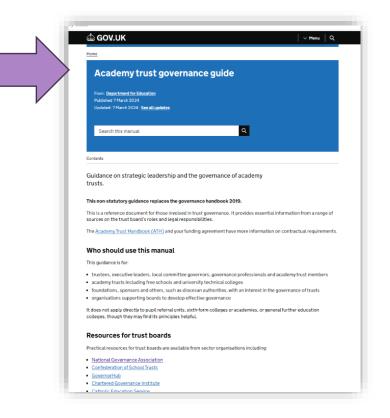


Governing bodies' statutory duties in relation to staff and headteacher appraisal are set out <u>The Education (School Teachers' Appraisal) (England)</u> Regulations 2012.

### **Role of Governors**

7<sup>th</sup> March 2024: new guidance replaced the Governors Handbook





# **Role of Governors (Academies)**

### 5.5 Setting and managing executive pay



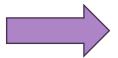
#### The board **must** ensure its:

- approach to pay and benefits is transparent, proportionate and justifiable.
   No individual can be involved in deciding their remuneration
- decisions about levels of executive pay are evidence-based and reflective of the individual's role and responsibilities

Section 2 in the <u>Academy Trust Handbook</u> provides further information on executive pay.

You can also find out more on executive pay from:

- DfE: Setting executive salaries: guidance for academy trusts
- Confederation of School Trusts: <u>Principles for determining executive pay</u>
   and <u>Guidance on setting executive pay</u>



## **Role of Governors (Academies)**

#### Confederation

of School Trusts

#### CST Code: Principles for Determining Executive Pay

The Confederation of School Trusts (CST) is the national organisation and sector body for academy and multi-academy trusts, advocating for, connecting and supporting execut governance leaders. More information about membership of CST can be found here.

As the sector body, we are recommending that trust boards formally adopt the Code. It the approach that is used by the Committee of University Chairs.

It is recommended that this Code is read in conjunction with the Academy Trust Handbook.

#### The code

The following principles underpin decisions on executive pay:

- 1. Decisions on executive pay are fair, proportionate and justifiable;
- 2. There is a fair, evidence-based process for making those decisions; and
- The process is underpinned by probity, the ethos of public service, public sector values and the principles of public life.

#### 1. Decisions on executive pay are fair, proportionate and justifiable

- Pay should take account of the context (Geographic, Educational and Financial) in which the trust operates.
- Pay should be linked to the value, based on a number of components, delivered by the executive leader or leaders.
- Pay decisions should ensure that there are no biases pertaining to gender or other protected characteristics within the pay structure.
- Pay is related to performance and non-achievement of an executive leader's objectives should have consequences.
- Executive pay and benefits should not increase at a faster rate than that of teachers, in individual years and over the longer term.
- · Decisions made are fair and equitable and in line with employment law.



#### 2. A fair, robust evidence-based process for making those decisions

- Executive pay should be part of the approach to rewarding all staff, and in
  particular, consideration should be given annually to the rate of increase of the
  average remuneration of all other staff.
- Remuneration Committees should have a clear Terms of Reference agreed by the Roard
- Remuneration Committees must be independent and competent and are accountable to the trust board.
- Remuneration Committees are encouraged to review the skills and experience required to complete the executive pay setting process and consider the use of an appropriately skilled and experienced external advisor if the skills and experience are not available within the Board or the HR function. Browne Jacobson link.
- It is advisable to use external benchmarking data which supports evidence based decision-making. XpertHR link.
- Consideration is given to the pay-multiple of the CEO and the median earnings
  of the trust's whole workforce. It is also
- The executive pay decision making process and rationale for decisions should be detailed in writing, ideally in one document that can be stored confidentially and relied upon should decisions be challenged in the future.

#### 3. The process is underpinned by public sector values and the principles of public life.

Selflessness	Pay decisions reflect the ethos of public service.
Integrity	Pay decisions are made independently (no individual can be involved in deciding his or her own remuneration), and with integrity and probity.
Objectivity	Pay decisions are taken impartially, fairly and on merit, using the best evidence and without discrimination or bias.
Accountability	The trust board is comfortable submitting themselves to external scrutiny and challenge in relation to pay decisions.
Openness	Pay decisions are taken in a transparent manner.
Honesty	Decisions and reporting on pay are honest and truthful.
Leadership	The trust board demonstrates the highest standards of public life in executing the responsibility to set executive pay.



2

# **Role of Governors (Academies)**

- 2. A fair, robust evidence-based process for making those decisions
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# Why Appraisal?

- ✓ Raise standards
- ✓ Increase job satisfaction
- ✓ Develop professionalism and expertise
- ✓ Focus and enable career development
- ✓ Address underperformance



# 2. Roles & Responsibilities

### **The Governing Body**

- ✓ agree & review impact of Appraisal Policy
- ✓ agree & review CPD, Pay policies (appeals)
- ✓ appoint 2 or 3 reviewers for head's appraisal
- ✓ appoint External Adviser (EA)
- ✓ quality assure head's planning statement
- ✓ pay decisions often delegated to Pay Committee
- ✓ ensure appraisal is improving the school

# Head's Annual Report on Appraisal



- % planning/review meetings completed
- impact on teaching, L & M, pupil outcomes
- staff deployment
- CPD leaders, staff, governors + impact
- Quality of teaching % Good or better
- any underperformance how dealt with
- how good practice shared

# The External Adviser



- Educational professional e.g. consultant, LA adviser, ex or serving HT (not local)
- HT can request change
- Reasons in writing if request denied

# The Role of Governors

### Role allocation

Staff or teachers within the school cannot be part of HT PM 2-3
Governor reviewers

Optional quality assurance of PM process for HT

Pay committee committee

**Governing Body** 

# The Role of Governor Reviewers



### Prior to review meeting:

- Evidence read by Head, External Adviser (EA), panel members e.g. SDP, data, external reviews, reports
- Pre-meeting EA with Head
- Pre-meeting EA with governors

# The Role of Governor Reviewers

## At the review meeting:

- 1. Decide how head has performed during last cycle
- 2. Decide to what extent objectives met
- 3. Agree new objectives
- 4. Agree professional development
- 5. Set up arrangements for in-year monitoring
- 6. Make a recommendation on HT's pay

# 3. The Appraisal Process

### **Planning**

- Objectives set
- Evidence collection agreed
- Performance criteria for the above set
- Support, training and development agreed
- Timescales set

### Reviewing

- Overall assessment of individual's progress against the performance criteria
- Recommendations for pay progression made
- No surprises



### Monitoring & Supporting

- Monitoring of performance throughout the cycle
- Provision of agreed support
- Evidence collection
- Ongoing professional dialogue

# 4. The Planning & Review meeting

Collaborative process



Active dialogue





- reflect on achievements in last cycle
- identify barriers that may have affected performance
- consider issues re planned support
- reflect how far each agreed performance objective has been met e.g. exceeded, fully, partially, not met

# **Outcome of review**



- ✓ shared understanding of progress made towards meeting performance criteria
- ✓ barriers identified that might have impeded performance
- ✓ agreed assessment of overall performance
- ✓ made pay recommendation

# Considering future developments



- Consider what to achieve in the next cycle
- Identify professional development required
- Consider professional aspirations

### **Questions for Governors OFSTED**

- How are governors involved in the Headteacher's performance management and how is it reviewed? Where does the external adviser come from and how do you quality assure the adviser?
- What is the performance management structure in school?
- What impact does performance management have in the school?
- Is there a connection between teachers targets & Head's targets?

Choose a question to discuss and answer

# 5. Setting the Objectives

Concise

Measurable

Challenging

Realistic

**SMART** 

Specific

Measurable

Achievable

Relevant

Time limited

# **Setting Objectives**

Specific Measurable **A**chievable Realistic Time bound S

Specific

Well defined.

Clear to anyone that has a basic knowledge of the project

M

Measurable

Know if the goal is obtainable and how far away completion is Know when it has been achieved

A

Achievable

Agreement with all the stakeholders what the goals should be Make sure this is possible for all levels within group

R

Realistic

Within the availability of resources, knowledge and time

T

Time-Bound

Enough time to achieve the goal

Not too much time, this can affect project performance?

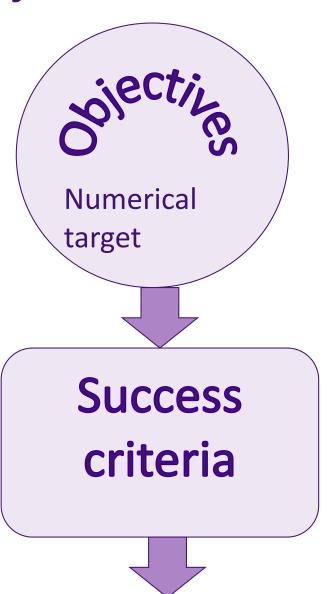
# **Setting the Objectives**

# Objective:

What change do we want to bring about?

Do we need to set a statistical target?

How will we know the objective has been met?



### Standards of Excellence for Headteacher(s)

- Can be used to inform the appraisal of headteachers
  - not a set of standards to assess performance against

 Maybe used a a starting point for the identification of objectives for the next stage of the school's journey







- Specific skills
- Management skills
- Wider professional qualifications
- Networking/shadowing

# Retaining headteachers!



- Exciting professional development
- Learn new skills
- Opportunities to share expertise
- Work life balance
- Working a day at home

# 7. The Appraisal Review Statement



- objectives for the cycle ahead
- any support to help meet performance criteria
- training and development needs

## 10 features of effective performance management

Effective Performance Management....

is integrated with the school improvement plan;

has a secure annual cycle of objective-setting and review together with interim monitoring;

is underpinned by sound relationships, characterised by openness, trust and integrity, among all those involved;

involves the setting of meaningful and challenging but achievable objectives for the headteacher;

strikes an appropriate balance between internal and external accountability, development and reward;

## 10 features of effective performance management

makes use of a wide variety of data from a range of sources to inform and underpin decisionmaking;

is evaluated and adapted over time to meet evolving requirements of individual circumstances and shifting organisational needs within the dynamic context of governance;

is appropriate for the stage of development of the school and the headteacher;

is viewed as part of an ongoing and wider process of working with the headteacher and all members of staff to ensure high levels of performance;

and is integral to the development of overall governing body capacity to meet the needs of the school.

## **Setting SMART Targets**



**SPECIFIC** 



**MEASURABLE** 



**ACHIEVABLE** 



REALISTIC (AND RELEVANT)



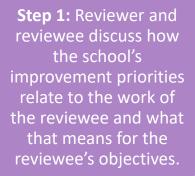
TIME-BOUND

### Suggested process for setting SMART objectives

- **Step 1:** Reviewer and reviewee discuss how the school's improvement priorities relate to the work of the reviewee and what that means for the reviewee's objectives.
- **Step 2:** Apply the 'M' test. How will we know when the objective has been achieved? It is often easier to begin with the measurability test because the most important consideration is how the reviewer/reviewee will know that the objective has been achieved.
- **Step 3:** Apply the 'A' test. Is the measurable objective 'challenging but achievable' and does it reflect the need for a satisfactory work/life balance?
- **Step 4:** Apply the 'R' test. It is achievable, but are the objectives realistic and relevant as a whole?
- **Step 5:** Apply the 'S' and 'T' tests. The objective is specific because everyone involved can understand it. It is time bound when the objective states when it will be achieved.

#### **Suggested process for setting SMART objectives**

Step 5: Apply the 'S' and 'T' tests. The objective is specific because everyone involved can understand it. It is time bound when the objective states when it will be achieved.



Step 2: Apply the 'M' test.

How will we know when the objective has been achieved? It is often easier to begin with the measurability test because the most important consideration is how the reviewer/reviewee will know that the objective has been achieved.



**Step 4:** Apply the 'R' test. It is achievable, but are the objectives realistic and relevant as a whole?



**Step 3:** Apply the 'A' test. Is the measurable objective 'challenging but achievable' and does it reflect the need for a satisfactory work/life balance?

# Have these objectives been met? (Entitled "Handout 4)



Look at the objectives below and the description of the outcomes. Do you think the objectives were met?

**Objective: Improve Key Stage 2 SATs results in mathematics** 

Objective: To improve the management of pupil behaviour

Objective: To raise awareness about substance abuse

### Have these objectives been met?



Look at the objectives below and the description of the outcomes. Do you think the objectives were met?

#### **Objective: Improve Key Stage 2 SATs results in mathematics**

Results at expected (86%) were disappointing after last year's 90%. However, 42% gained better than expected which was a significant increase from the previous year's figure of 34%. Both these results are above the LA average and are in line with the national figures.

#### Objective: To improve the management of pupil behaviour.

An evaluation of pupils' attitudes has been carried out, supplemented by feedback from performance management classroom observations. This shows more positive attitudes about lessons. Responses led to changes in the use of rewards and sanctions.

Further developments include a new policy and staff development to encourage the use of methods that engage pupils, such as collaborative learning approaches.

Exit interviews with staff leaving the school indicated that they rated highly the impact of staff development activities in this area. However, the exclusion rate remains the same as last year.

#### Objective: To raise awareness about substance abuse

A successful meeting was held for parents and staff. One of the Friday special assemblies was used to raise pupils' awareness.

#### **Handout 4 - Some questions to ask:**



- 1. Was the objective clear enough to judge whether the outcome was successful? Were some success criteria needed?
- Did the objective take account of the fact that pupil cohorts vary? Was the objective set in relations to predictions about pupils' attainment?
- 3. Can you tell if appropriate action was taken by the headteacher to bring about the desired change?
- 4. Was the objective too challenging or too easy?

If you had difficulty judging whether these objectives were met or not, bear in mind the points raised by the above questions in your own review meeting. Is it clear what is expected? Are there some success criteria to help judge the result? Is the objective based on analysis and predictions?

## 8. Making a Pay Recommendation



#### STPCD criteria:

".....there has been a sustained high quality of performance by the headteacher having regard to the performance objectives agreed."

#### The Domains

# The National Standards of Excellence for Headteachers are set out in domains:

- Domains
- The ethics and professional conduct section is at the core of the standards. This outlines the ethics and professional conduct expected of headteachers. It consists of statements that define the behaviour and attitudes which should be expected of headteachers.
- The standards in section 2 cover interlinked domains of the headteacher's role all underpinned by the governance and accountability domain.
- Culture and ethos
- school culture
- behaviour
- professional development
- Curriculum and teaching
- teaching
- curriculum and assessment
- additional and special educational needs
- Organisational effectiveness
- · organisational management
- school improvement
- working in partnership<sup>[</sup>

Guidance

#### Headteachers' standards 2020

Updated 13 October 2020

#### Applies to England

Contents

ntroduction

Section 1: Ethics and professional conduct

Section 2: Headteachers'

How the standards apply to different leadership roles

Resources

Print this page

#### Introduction

Headteachers are leading professionals and role models for the communities they serve. Their leadership is a significant factor in ensuring high quality teaching and achievement in schools  $\frac{footnote 12}{footnote 21}$  and a positive and enriching experience of educatior for pupils  $\frac{footnote 8}{footnote 21}$ . Together with those responsible for governance  $\frac{footnote 5}{footnote 21}$ , they are custodians of the nation's schools.

Parents [tootnote 6] and the wider public rightly hold high expectations of headteachers, given their influential position leading the teaching profession and on the young people who are their responsibility. The headteachers' standards set out how headteachers meet these high expectations. The standards are an important benchmark not only for headteachers and those who hold headteachers to account, but also for those who train and develop school leaders.

These standards replace the national standards of excellence for headteachers 2015. They are non-statutory and intended as guidance to be interpreted in the context of each individual headteacher and school. They are designed to be relevant to all headteachers.

The standards can be used to:

- shape headteachers' own practice and professional development, within and beyond the school
- support the recruitment and appointment of headteachers, including the development of job descriptions and person specifications
- underpin frameworks for the training of school leaders, including current and aspiring headteachers
- · inform the performance management of headteachers

## 9. In-year Monitoring



How and when is it going to take place? Who is going to do it?

### Use of 2022 data

Primary
accountability
accounts—update
measures—update
Measures for the 2021 to 2022 academic
year

June 2022

"We are clear that the 2021/22 data *should be used cautiously* this year and as an insight into school performance alongside other sources of information, including speaking directly to schools...."

**Primary Accountability** 

measures: DfE: June 2022, p.3

**Primary Accountability** 

measures :DfE: December

2023, p7-8

#### **Further information**

DfE: Teacher Appraisal & Capability – May 2012 – updated March 2019

https://www.gov.uk/government/publications/teacher-appraisal-and-capability-model-policy

DfE: Headteacher Performance: effective management: April 2014

https://www.gov.uk/government/publications/headteacher-performance-effective-management

DfE: School teachers pay and conditions document, September 2023

School teachers' pay and conditions document 2023 (publishing.service.gov.uk)

National College: Effectively Managing Headteacher Performance – January 2014

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\_data/file/307363/HTPM\_research\_brie\_f.pdf



# What have I learned this evening?

- 1. What difference will this make to the way I work as a Governor?
- 2. What do I think now of our systems, processes and procedures in the light of this training?
- 3. How will you change your practice?
- 4. What support do you still need?



So what are you going to do when you get back to the Governing Body?

## In summary....





Thank you.....



## Governor Support Service Ltd Based in Hillingdon and supporting governors and clerks throughout the borough and beyond

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