



*Achieving together in faith*

**Holy Cross Catholic  
Multi Academy Company**

**Appraisal Policy - Teachers**

Responsible for policy	Marina Kelly
Date of policy	September 2021
Date approved by HCC MAC Board	01 September 2021
Date of policy review	September 2024

## **MAC MISSION STATEMENT**

Our school communities are united as the family of God to provide an outstanding Catholic education for all our pupils. With Christ at the centre of all we do, we will inspire every child to be the best person they can be by developing their God given gifts and talents.

### **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 Holy Cross Catholic MAC Board on 1 September 2021 and will be reviewed on 1 September 2024 or when directed by CES.**

**Signed by Chair of MAC Board: John Teahan**

**Signed by Catholic Senior Executive Leader: Marina Kelly**

## DEFINITIONS

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

- i. **‘Holy Cross Catholic Multi Academy Company’** (MAC) means the Multi Academy Company named at the beginning of this Sickness Absence Policy and Procedure and includes all sites upon which the MAC undertaking is, from time to time, being carried out.
- ii. **‘Holy Cross Catholic Multi Academy Company’** means the company responsible for the management of the Academy and, for all purposes, means the employer of staff at the MAC.
- iii. **‘Board’** means the board of Directors of the Multi Academy Company (and includes, where applicable, a Committee of the Board, other than a Local Governing Body).
- iv. **‘Chair’** means the Chair of the Board or, where applicable, Chair of the Local Governing Body of the relevant school.
- v. **‘Catholic Senior Executive Leader’** (CSEL) means the person appointed to carry out the function of the Academy’s chief executive office at any relevant time and has responsibility for performance of all Holy Cross Catholic MAC schools and staff within the MAC and is accountable to the Board of Directors.
- vi. **‘Central Management Team’** means the CSEL and other employees of the MAC who are not employed to work in any specified School.
- vii. **‘Clerk’** means the Clerk to the Board or the Clerk to the applicable Local Governing Body, as the case may be.
- viii. **‘Companion’** means a willing work colleague, 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 Sickness Absence Policy and Procedure.

- ix. **‘Diocesan Schools Commission’** means the education service provided by the Archdiocese of Birmingham in which the Academy is situated, which may also be known, or referred to, as the Diocesan Education Service.
- x. **‘Directors’** means directors appointed to the Board from time to time.
- xi. **‘External Adviser’** means a suitably skilled and/or experienced person who is appointed by the Governing Board\* Board to support the MAC Board in the appraisal of the CSEL and Headteachers 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.
- xii. **‘\*Governing Board’** means the body carrying out the employment functions of the Multi Academy Company. In this instance, the Governing Board is Holy Cross Catholic MAC Board of Directors, the employer for all MAC staff.
- xiii. **‘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.
- xiv. **‘Link Director’** means, in relation any School, a Director appointed by the Board to attend meetings of, and liaise with that School’s Local Governing Body, its head teacher and provide Director-level support to that school.
- xv. **‘Local Governing Body’** (LGB) means the Governing Body of a school who are Governors appointed and elected to carry out specified functions in relation to the school as delegated by the Governing Board.
- xvi. **‘Local Governing Body Members’** means the governors appointed or elected to the Local Governing Body from time to time.

- xvii. **'School'** means a school comprised in the Academy.
  
- xviii. **'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.
  
- xix. **'Teacher'** means a teacher employed by the Multi Academy Company to work at the Academy and, where the context so admits, includes the Headteacher.
  
- xx. **'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.
  
- xxi. **'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 Holy Cross Catholic MAC 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 Multi Academy 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 Multi Academy Company 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 MAC community [which includes all of the schools in the MAC].
- 2.3 The MAC 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 MAC delegates its authority in the manner set out in this policy.
- 2.7 The MAC 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"<sup>1</sup>. The MAC recognises the 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 MAC'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**

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<sup>1</sup> Christ at the Centre – a summary of why the Church provides Catholic Schools – Bishops' Conference and Catholic Education Service.  
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- 4.1 The Appraisal Period will run for twelve months from the beginning of a new academic year.
- 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 MAC part-way through the Academy's usual Appraisal Period, the Headteacher or, in the case where the employee is the Headteacher, the MAC 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 MAC'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 their existing school or any other school within the MAC part-way through an Appraisal Period, the Headteacher or, in the case where the employee is the Headteacher, the MAC Board shall determine, in discussion with the employee, 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><b>Employee Level</b></i>	<i><b>Appraiser</b></i>
Catholic Senior Executive Leader	A panel appointed by the Governing Board (MAC Board) in accordance with Paragraph 5.3 and supported by an External Adviser.

<i>Employee Level</i>	<i>Appraiser</i>
A member of the MAC's Central Management Team	CSEL.
Headteacher	A panel appointed by the Governing Board (MAC Board) in accordance with Paragraph 5.3 and supported by an External Adviser.
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 MAC 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 MAC to a sub-group consisting of three Directors and/or Governors, which must include at least two Foundation Directors/Governors. 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 LGB 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 MAC and the values it proclaims<sup>2</sup> and Appraisers are expected to explore the alignment of such objectives with the Academy'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 employee. Objectives may be revised following discussion with the employee if circumstances change. The MAC operates a system of moderation to ensure that all appraisals are carried out in a consistent manner. Objectives will be moderated across each School [and other Schools in the MAC's group to ensure that they are consistent between employees with similar experience and levels of responsibility. 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 employee will, if achieved, contribute to the MAC's plans for improving educational provision and improving the progress,

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<sup>2</sup> 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.

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development and well-being of the pupils at MAC Schools. This will be ensured by aligning all performance management objectives with School and MAC Improvement Plan priorities and having regard to Headteachers' Standards (2020), Teacher' Standards (2013) and other applicable codes of practice, such as the Special Educational Needs Code of Practice, where relevant. Objectives will be moderated across each School [and other Schools in the MAC to ensure that they are consistent between employees with similar experience and levels of responsibility. Progress towards achievement of performance objectives will be reviewed at the half year.

- 6.4 Objectives, where met, should contribute to improving the progress, development and well-being of pupils at the MAC as understood in relation to the Catholic nature of the MAC 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 work/life balance into account and the effects of an individual's circumstances, including any disability requiring the implementation of reasonable adjustments, when agreeing objectives. 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 MAC and the employee, and any such revision(s) to set objectives will be recorded in writing and a copy will be provided to the employee.

### **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 Headteachers' 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 Teachers' 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 employee'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 MAC 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 but the amount and type of classroom observation will depend on the individual circumstances of the Teacher and the overall needs of the MAC. All observation will be carried out in a supportive fashion and will not lead to unnecessary increases in Teacher workload.
- 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" usually for a maximum of 30 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.
- 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 Academy wishes to encourage a culture in which all Teachers take responsibility for improving teaching through appropriate professional development. Professional development will be linked to school/MAC 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 School and/or the MAC 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 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 School and/or the MAC 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.
- 7.16 If such informal support is ineffective, the Teacher's line manager/Appraiser may offer the Teacher the option of agreeing to voluntarily give up the promotion or job change as an alternative to proceeding with formal action pursuant to Paragraph 9 of this Appraisal Policy and Procedure.

## 8. ANNUAL REVIEW

- 8.1 In reviewing the performance of the CSEL/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). 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 **31<sup>st</sup> October** for Teachers other than Headteachers and **31<sup>st</sup> December** for the CSEL/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) A recommendation on pay where that is relevant (*NB – pay recommendations need to be made by 31<sup>st</sup> December for CSEL/Headteachers and by 31<sup>st</sup> October for Teachers other than Headteachers*);
- (e) 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 (HEADTEACHERS) EXPERIENCING DIFFICULTIES**

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

9.2 Where it is apparent that a Headteacher/Teacher's personal circumstances are leading to difficulties at work, the MAC 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 MAC or elsewhere or discussing practice with advisory teachers. Support programmes and meetings to discuss support programmes will take into account the employee'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 Headteacher/Teacher are such that, if not rectified, could lead to the Academy's Capability Policy and Procedure being invoked, the Appraiser, the CSEL/Headteacher or a member of the senior leadership team (as appropriate) will meet with the Headteacher/Teacher to:
- (a) Give clear written feedback to the Headteacher/Teacher about the nature and seriousness of the concerns;
  - (b) Give the Headteacher/Teacher the opportunity to comment on, refute, explain and discuss the concerns;
  - (c) Give the Headteacher/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 Headteacher/Teacher that they have the right to be accompanied at any such meetings by a Companion;
  - (d) In consultation with the Headteacher/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 Headteacher/Teacher's progress will continue to be monitored as part of the appraisal process and a reasonable time will be given for the Headteacher/Teacher's performance to improve. The relevant monitoring period will depend on the circumstances but will usually be between 4 and 12 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 Headteacher/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 Headteacher/Teacher is performing at a level that indicates there is no longer a possibility of the MAC's Capability Policy and Procedure being invoked, the Headteacher/Teacher will be informed of this at a formal meeting with the Appraiser or Headteacher/Teacher. 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 Headteacher/Teacher within 5 Working Days of the meeting taking place.

9.6 If no, or no sufficient, improvement has been made by the end of the monitoring period referred to in Paragraph 9.4 above, the Headteacher/Teacher will be invited to a transition meeting with the Appraiser to determine whether the MAC's Capability Policy and Procedure needs to be invoked or whether the appraisal process will remain in place. The Headteacher/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 Headteacher/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 Headteacher/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 Headteacher/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 Headteacher/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 MAC'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 MAC'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 In the case of an appeal by the Headteacher, the appeal will be heard by a Director appointed by the MAC 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 MAC Board assisted by a representative appointed by the Local Governing Body (if the Board deems this is necessary).

10.6 The outcome of the Appeal Meeting will be confirmed in writing to the employee 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 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;
- 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 School site to minimise any distress to the employee.

## **14 ASSISTANCE**

Where matters fall 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.