



Orleton CE Primary School



Kimbolton St James CE Primary School

## **RECRUITMENT AND PERFORMANCE MANAGEMENT POLICY SUITE**

This policy will be reviewed and updated by the Governing Body at least annually.

All references to 'the school' imply both Orleton and Kimbolton Primary Schools.

Date signed off by Full Governing Body: Kimbolton: November 2021

Signed Adam Breakwell, Headteacher

Camilla Argyle, Orleton Chair of Governors

Gill James, Kimbolton Chair of Governors

Date next review due: Kimbolton: November 2022

## **Introduction**

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Our vision is rooted in 1 Corinthians 16:13-14: 'Keep alert, stand firm in your faith, be courageous, be strong. Let all that you do be done in love.' To this end, and in order to create a positive learning environment, it is essential that our recruitment processes are fair and open, and that our school is actively welcoming and supportive of everyone.

This suite of policies aims to provide an overview of policies relating to recruitment and performance management. It does not replace the Herefordshire Council (Hoople) policies on these topics, which have been consulted on with Trade Unions, but provides a quick overview of key points. The detailed Hoople policies are attached as appendices.

This policy suite contains the following chapters:

[Chapter 1](#): Recruitment policy and procedures overview (including safer recruitment)

[Chapter 2](#): Early Career Teachers policy overview

[Chapter 3](#): Teachers' and support staff appraisal policy overview

[Chapter 4](#): Teachers' performance-related pay policy overview

[Chapter 5](#): Support staff performance management arrangements overview

[Chapter 6](#): Teacher capability arrangements overview

## **Complaints and whistleblowing**

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Complaints should follow the procedures as set out in the Complaints Policy on our website. Staff also have a responsibility to raise any concerns following the school's whistleblowing policy.

## **Compliance**

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This policy is set out in line with the Hoople policies available from the school office, and with the [Keeping Children Safe in Education Guidance 2021](#).

## **CHAPTER 1: RECRUITMENT POLICY AND PROCEDURES OVERVIEW (INCLUDING SAFER RECRUITMENT)**

The main stages in the recruitment process are:

1. review job descriptions and person specifications and confirm grading with Hoople;
2. advertise job (via Hoople for most teacher vacancies, other vacancies may be advertised locally), including the school's commitment to safeguarding;
3. receive applications which must all be on the set application form, CVs should never be accepted instead of the application form;
4. short-list applicants against the person specification;
5. seek references on all short-listed candidates, including internal candidates, scrutinise these and resolve any concerns before confirming appointments; referees will be asked specific questions about the suitability of the applicant to work with children; one reference must always be from the applicant's current or most recent employer; should a short timescale be necessary for recruitment and references have not been received, we would offer the job on the condition of satisfactory conditions being received;
6. request short-listed applicants complete a self-declaration of suitability to work with children;
7. interview short-listed candidates using a common set of questions, and including (where relevant) practical tasks or (supervised) interaction with children; interviews will always be face-to-face (either in-person or via remote technology);
8. undertake safer recruitment checks, namely:
  - a. verify identity;
  - b. obtain an enhanced DBS certificate, including barred list information for those working in regulated activity;
  - c. put in place a risk assessment for any staff member who is required to start before a DBS certificate has been obtained and ensure that said member of staff is never left unsupervised with children until their DBS certificate has been obtained;
  - d. obtain a separate barred list check if they will start work in regulated activity (broadly, where they are likely to be in unsupervised contact with children) before the DBS certificate is available;
  - e. verify mental and physical fitness to carry out the responsibilities of the post;
  - f. verify their right to work in the UK;
  - g. verify their professional qualifications as relevant to the post;
  - h. ensure that they are not subject to a prohibition order if they are employed as a teacher, and that they are not subject to a prohibition from management if appointed to a management position;
  - i. carry out further additional checks, as appropriate, on candidates who have lived or worked outside the UK;
  - j. carry out appropriate checks to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006 (or keep a record of a decision that an individual falls outside the scope of the regulations);
  - k. ensure that appropriate checks are carried out to ensure that individuals employed to work in reception classes, or in wraparound care for children up to the age of 8, are not disqualified from working in these settings under the 2018 Childcare Disqualification Regulations;
  - l. request written information about previous employment history and check that information is not contradictory or incomplete.

## **Existing staff**

If we have concerns about an existing member of staff's suitability to work with children, or where there has been a break in service of 12 weeks or more, we will carry out all the relevant checks as if the individual was a new member of staff. We will also do this if an individual moves from a post that is not regulated activity to one that is.

## **Agency and third-party staff**

We will obtain written notification from any agency or third-party organisation that it has carried out the necessary safer recruitment checks that we would otherwise perform. We will also check that the person presenting themselves for work is the same person on whom the checks have been made. If staff regularly work for us then we will ask for copies of DBS certificates and proof of safeguarding and child protection training.

## **Contractors**

We will ensure that any contractor, or any employee of the contractor, who is to work at the school has had the appropriate level of DBS check (this includes contractors who are provided through a PFI or similar contract). We will obtain the DBS check for self-employed contractors. Contractors who have not had any checks will not be allowed to work unsupervised or engage in regulated activity under any circumstances. Where it is necessary for contractors to undertake work, this will be thoroughly risk-assessed and ensured that they are never left unsupervised with children.

We will check the identity of all contractors and their staff on arrival at the school.

For self-employed contractors such as music teachers or sports coaches, we will obtain DBS checks and ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006 (or retain a record of a decision that an individual falls outside the scope of these regulations).

## **Trainee/student teachers**

Where applicants for initial teacher training are salaried by us, we will ensure that all necessary checks are carried out. Where trainee teachers are fee-funded, we will obtain written confirmation from the training provider that necessary checks have been carried out and that the trainee has been judged by the provider to be suitable to work with children. In both cases, this includes checks to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006.

## **Volunteers**

We will never leave an unchecked volunteer unsupervised or allow them to work in regulated activity.

We will obtain an enhanced DBS check with barred list information for all volunteers who are new to working in regulated activity and carry out a risk assessment when deciding whether to seek an enhanced DBS check without barred list information for any volunteers not engaging in regulated activity. We will also ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006 (or retain a record of a decision that an individual falls outside the scope of these regulations).

## **Governors**

All governors will have an enhanced DBS check without barred list information. They will have an enhanced DBS check with barred list information if working in regulated activity. All governors will also have a section 128 check (to check prohibition on participation in management under [section 128 of the Education and Skills Act 2008](#)), identity check, check on their right to work in the UK, and any other checks deemed necessary if they have lived or worked outside the UK.

### **Staff working in alternative provision settings**

Where we place a pupil with an alternative provision provider, we obtain written confirmation from the provider that they have carried out the appropriate safeguarding checks on individuals working there that we would otherwise perform.

### **Groups delivering activities in school, including out-of-school hours and those who rent the premises**

The school will ensure that any groups who use the premises, including out-of-hours, have appropriate safeguarding approaches in place, including ensuring that all staff who may be left alone with children have an appropriate DBS check, and/or that appropriate risk assessments are in place.

### **Recording**

We will record all information on the checks carried out in the school's single central record (SCR). Copies of these checks, where appropriate, will be held in individuals' personnel files. We follow requirements and best practice in retaining copies of these checks. This means we do not retain information on unsuccessful candidates for longer than six months, and obtain information on successful candidates for the duration of their employment and up to two years afterwards (or for as long as it remains current if this is a shorter period). We will not usually retain copies of DBS certificates but will record the fact that the check was carried out and the result.

## **CHAPTER 2: EARLY CAREER TEACHERS POLICY OVERVIEW**

All qualified teachers employed in our school must, by law, have completed an induction period satisfactorily, subject to specified exemptions. We are committed to supporting Early Career Teachers (ECTs) to complete their inductions and are open to providing opportunities for ECTs to complete their induction with us. Induction lasts for two years (or, for those working part-time, until they have completed the equivalent of two full-time years). In cases where ECTs who work part-time can demonstrate that they have met the Teachers' Standards, the appropriate body is able to reduce the length of the induction period and bring forward the final assessment point. This decision is only to be made in agreement with the ECT and once the ECT has completed a period covering, but not equivalent to, two school years. An ECT can work short-term as a supply teacher before their induction is completed but this will not count towards their induction even if their contract is later extended.

Before appointing an Early Career Teacher, the headteacher will undertake pre-employment checks to ensure they are eligible to be an ECT, in addition to the usual pre-employment checks set out in Chapter 1. The headteacher will also verify that the post is suitable and that appropriate support can be provided. In addition, the governing body must be satisfied that the school has the capacity to support the ECT and that the headteacher is fulfilling their responsibilities. This will include:

- the headteacher's being able to make a recommendation about whether the ECT's performance against the Teachers' Standards is satisfactory;
- prior agreement with an appropriate body to act to quality assure the induction process;
- being able to provide the ECT with an ECF-based induction programme;
- being able to provide the ECT with the necessary employment tasks, experience and support to enable them to demonstrate satisfactory performance against the Teachers' Standards throughout and by the end of the induction period;
- the appointment of an induction tutor who is expected to hold QTS;
- the appointment of a designated mentor who is expected to hold QTS;
- being able to provide the ECT with a reduced timetable to enable them to undertake activities in their induction programme (no more than 90% timetabled time in the first year and 95% in the second year, in addition to the timetable reduction in respect of planning, preparation and assessment time (PPA) that all teachers receive);
- being able to not make unreasonable demands upon the ECT;
- not normally demanding teaching outside the age range and/or subject(s) for which the ECT has been employed to teach;
- not presenting the ECT, on a day-to-day basis, with discipline problems that are unreasonably demanding for the setting;
- the ECT's regularly teaching the same class(es);
- similar planning, teaching and assessment processes to those which other teachers working in similar substantive posts in the institution are engaged in;
- not requiring the ECT to take on additional non-teaching responsibilities without the provision of appropriate preparation and support.

The Teachers' Standards will be used to assess an ECT's performance. There will be two formal assessment points, one midway through induction, and one at the end of the induction period. These will be supported by regular progress reviews to monitor progress, to take place in each term where a formal assessment is not scheduled. Monitoring and support throughout induction will be sufficient that there are no surprises when an ECT reaches a formal assessment point. Any concerns should be raised at an early stage and a support plan put in place to assist the ECT in getting back on-track. The induction tutor is expected to notify the appropriate body of this determination and share both the progress review record and support plan for the appropriate body to review.

### **CHAPTER 3: TEACHERS AND SUPPORT STAFF APPRAISAL POLICY OVERVIEW**

The core principle of the appraisal process is that all staff should be supported and developed to be the best they can be. To this end, regular feedback and support will be given through the normal management process for example regular 1:1s, team meetings, feedback from colleagues etc. Where a potential performance issue is identified, this should be discussed and appropriate support put in place immediately, it should not wait for the formal appraisal process. There should be no surprises when it comes to the formal appraisal.

We aim for every employee to have an annual appraisal discussion. For teachers, this will usually be in the first half of the Autumn term. For TAs, this will usually be in the first half of the spring term. The headteacher will be appraised by a panel of the governing body, supported by a relevant professional. Teachers will be appraised by the headteacher, or a suitable person nominated by the headteacher. Anyone undertaking appraisals must have been trained to do so.

Performance will be reviewed through a range of mechanisms including pupil performance and behaviour, parent feedback, lesson observations, and 'drop-ins'.

The appraisal discussion will formally review the following.

1. There will be a review of objectives set the previous year and the extent to which these have been achieved.
2. Objective-setting for the next year will be in line with school priorities and (for teaching staff) teacher standards. The objectives set for each teacher will be specific, measurable, achievable, realistic and time-bound (SMART) and will be appropriate to the member of staff's role and level of experience. The appraiser and member of staff will seek to agree the objectives but if that is not possible, the appraiser will determine the objectives. Objectives may be revised if circumstances change. Objectives will be moderated across the school to ensure that they are consistent between teachers with similar experience and levels of responsibility.
3. Professional development and training activities will be discussed.

A written report detailing the appraisal discussion will be issued to the employee for signature, within 5 working days. The annual appraisal will be confidential and employee appraisal documentation will be placed on the employee's file for 6 years.

## **CHAPTER 4: PERFORMANCE-RELATED PAY FOR TEACHERS**

For teachers, there is a clear expectation that good performance should lead to pay progression. In circumstances where a teacher does not receive pay progression, an important part of the feedback will be to outline the evidence that was taken into account to support this decision, and to explain how any development issues can be addressed. Teachers who do not wish to progress through the pay ranges will continue to be set objectives so that they continue to develop as a professional teacher.

Staff will be eligible to be considered for performance-related pay up to the top of their pay range. Progression will not be automatic but will be subject to performance review and linked to the appraisal system, but where the employee meets their objectives and where there are no known performance issues it is expected that the employee will move up the pay range. The government's expectation is that good classroom teachers should expect to reach the maximum of the main pay range by the start of the sixth year from the start of their teaching career.

A classroom teacher will be awarded pay progression on the Main Pay Range following each successful performance management/appraisal review.

Any qualified teacher may apply to be paid on the upper pay range. It is the responsibility of the teacher to decide whether or not they wish to apply to be paid on the upper pay range. Applications may be made at least once a year by 1<sup>st</sup> July, and it will take at least two years from the point of application to progress to the upper pay range.

Where appropriate teachers will be properly remunerated when they carry out duties which warrant the awarding of a TLR, payment of a SEN allowance or payment on the leadership or leading practitioner pay ranges.

The pay progression of Early Career Teachers will be determined through their induction process.

The headteacher and senior management team will receive no more than a two-point increase in pay based on their performance as assessed via their appraisals.

Where an employee is off for a substantial amount of time (e.g. maternity or shared parental leave, sick leave) then a decision about their pay award will be based on their performance for the time they were in in that year, and previous performance.

The final decision on pay awards will be made by the relevant sub-committee of the governing body, ensuring that sufficient people are not involved in the decision to form an appeals panel should this be necessary.

An appeal about a pay award may be made to the headteacher or the clerk to the governing body. The clerk will then convene a governor panel of people not involved in the original decision to review the decision.

## **CHAPTER 5: PERFORMANCE MANAGEMENT ARRANGEMENTS (SUPPORT STAFF) OVERVIEW**

The emphasis of the policy is on the headteacher or nominated representative and employee jointly taking action to resolve the performance issue. As a last resort, the policy specifies the circumstances in which the employee may be redeployed to more suitable work, where available, or dismissed on the ground of capability.

Where an employee's poor performance is believed to be the result of deliberate negligence, or where serious errors have been made by him/her to the detriment of the school, the school may decide to use its disciplinary procedure instead.

Employees who are having difficulty coping with their work, or who have personal difficulties, are encouraged to ask their headteacher or nominated representative for help and they can expect a constructive response. When formal procedures are necessary headteachers or nominated representatives are expected to use them, and act in accordance with them, remembering that capability problems may be outside the employee's control and not a matter for blame.

Before this procedure is engaged, the employee should receive feedback from his/her manager setting out the concerns about the employee's performance and how his/her performance can be improved. This procedure is designed to be used when such informal discussions have not led to the employee improving his/her performance to an acceptable level.

The procedure consists of the following stages.

### **Stage 1: informal**

A meeting will seek to understand the reasons for under-performance and the support needed to address it. An agreed process will be put in place including clear objectives, timescales and support and a date for a review meeting. If suitable progress has been made, the process will remain informal. However, if insufficient progress has been made then a formal process may be initiated.

### **Stage 2: formal review interview will be arranged.**

In exceptional circumstances, where the concerns are such that an employee's capability represents a significant danger to themselves or others or the financial/physical resources of the school, suspension on normal pay or a transfer to suitable alternative work on a temporary basis pending a formal review interview may be considered.

At least five working days' notice will be given of a formal meeting, including details of the concerns. The meeting will focus on establishing the facts and will be chaired by the headteacher or nominated representative. The outcome of the meeting may be that there is no further action; that it will be addressed through the disciplinary procedure; or the implementation of a performance improvement plan, designed to bring the employee's performance up to an acceptable level.

### **Stage 3 Performance Management Plan and review**

Where a performance improvement plan is put in place, a timescale will be set for improvement, usually 4-6 weeks. At the end of this period, progress will be reviewed. If sufficient progress has been made, the process will end. If some progress has been made, the monitoring period will be extended. If insufficient progress has been made, a further review meeting will be held with the headteacher (if not involved in the first meeting) or panel of governors. The outcome may be to take no further action; refer the matter for investigation under the disciplinary procedure; institute another performance improvement programme; and / or issue a formal warning to the employee.

#### **Stage 4 Final warning**

Where a formal warning is issued, a final formal review meeting will be held with a panel of governors. The result of this meeting could include a decision to take no further action; the issuing of another performance management warning; an offer to redeploy the employee to alternative work if available; or a decision to dismiss the employee. Where the employee has a medical condition affecting their performance (but not attendance) the Occupational Health advice will indicate whether the condition/prognosis is sufficient to meet the criteria for ill health retirement.

An appeal against a formal warning, dismissal or redeployment can be made by writing to the clerk to the governors who will convene an appeal panel.

## **CHAPTER 6: TEACHER CAPABILITY ARRANGEMENTS OVERVIEW**

Where the appraisal process and any management meetings which have taken place have been unable to address professional capability or performance of a teacher/ headteacher which has given cause for concern, it may be necessary to enter formal capability processes.

The intention of this process is to serve as a means for those with performance issues to be supported back to a good level of performance. The teacher/headteacher should be given proactive and positive assistance from colleagues within the school and the Learning and Achievement Service, particularly at the early stages to identify, acknowledge and manage performance issues. It should also be acknowledged that a teacher/headteacher's performance may suffer as a result of health problems or family/ home-related reasons. Consideration, in these circumstances, should be given to any practical support that the school can offer or the involvement of Occupational Health.

Where it is decided to initiate formal capability proceedings, the following process will be followed.

- At least five working days' notice of a formal capability meeting, including details of the concerns.
- The capability meeting will focus on establishing the facts and will be chaired by the headteacher (or chair of governors where the headteacher is the subject of the meeting). The outcome of the meeting may be that there are insufficient grounds to continue the capability process, in which case then any remaining issues will be managed through the performance management and appraisal process.
- Where there is deemed to be a capability issue, a capability warning (or, rarely, final warning) will be issued that dismissal may occur if improvement is not seen within a set period. The letter will outline the performance standard that needs to be achieved, timescales, and any support available.
- There will be an initial review within 4 to 10 weeks of the letter.
- A review meeting will then take place, which will determine whether sufficient progress has been made to end the process; whether to continue it; or whether to issue a final written warning.
- Where a final written warning has been issued, at the end of the review period, a final decision meeting will be convened where it will be decided if sufficient progress has been made; if it has not then the meeting will recommend dismissal.

At any stage in the process, if a teacher/headteacher wishes to appeal a capability warning, they must write to the clerk to the governors who will organise a panel of the governing body to review the decision.