

# Performance Management: The changed landscape and how to navigate it

As schools continue to cope with the fall-out from the COVID-19 pandemic, how can they resume appraisals and guarantee the system is both fair to the individual and effective for the school? What data is appropriate? And how should staff wellbeing influence the process?

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## Introduction

The pandemic has seriously disrupted all aspects of school life and, under immense pressure, leaders and staff have adapted teaching and learning to a temporary 'new normal'.

Performance management for staff has also continued in some form, even if elements of the carefully thought-through professional development plans and objectives set at the start of the year may have had to be set aside.

Now, as schools begin to welcome back more of their pupils to the classroom, leaders and staff will be assessing how the content of end-of-year appraisals might need to change in light of the impact that COVID-19 has had.

## What remains non-negotiable?

Appraisals and other performance management processes for teachers must continue during this period, as guidance from the Department for Education sets out.

Maintained schools and academies that have adopted the STPCD as part of their pay and appraisal policies must continue to adhere to the [School Teachers Pay and Conditions Document \(STPCD\)](#). The document includes the requirement to ensure that all pay progression for teachers is linked to performance management.

## What has changed?

Although the DfE has stipulated that schools should continue to follow the STPCD and ensure that pay progression remains linked to performance management, it advised schools to revise their arrangements in view of the circumstances:

“We would expect schools to use their discretion and take pragmatic steps, consistent with the Education (School Teachers’ Appraisal) (England) Regulations 2012 to adapt performance management and appraisal arrangements to take account of the current circumstances, for example, by basing performance on the period schools were open, adjusting, if necessary, for expected trajectory had there been no closures.”

The DfE has also made clear that support staff appraisals and performance management should continue, in line with an employee’s contract of employment (the DfE does not specify pay or terms and conditions of employment for support staff).

The guidance for schools was then [updated in early June](#). Schools are required to adhere to the STPCD but have further licence to “use their discretion and take pragmatic steps, to adapt performance management and appraisal arrangements to take account of the current circumstances.”

The key point was also made in the [guidance](#) that schools must avoid any unintended detriment to staff pay progression if they cannot achieve objectives as expected due to the circumstances:

“Schools must ensure that teachers are not penalised during the appraisal process or in respect of any subsequent pay progression decisions as a result of partial school closures, where this has impacted on the ability of the teacher to meet fully their objectives.”

## What are the teacher unions saying?

The unions have taken differing positions:

In a [joint statement](#), ASCL, NAHT and NEU said:

“Given that schools are now officially ‘closed’ and only open for a small number of pupils, performance management and capability should both be paused until schools formally re-open.”

[NASUWT](#) extended the point, insisting:

“All schools ensure pay progression for every teacher who would otherwise be entitled to pay progression this year.”

And:

“The process of performance appraisal and pay progression decisions for 2020-21 and 2021-22 must not be deferred or otherwise delayed by schools.”

## What happens if performance targets are linked to outcomes?

Remember the underlying principle: Teachers who are subject to performance management and appraisal should suffer no detriment as a result of COVID-19 school closure.

It also needs to be considered alongside previous DfE advice that objectives should NOT be based on assessment data from a single group of students. Many schools have moved away from setting such objectives but many have also retained the practice.

The [DfE guidance from April](#) also made clear that the department did not intend to publish performance and related data for this academic year at school, college or MAT-level performance data and or primary school assessments:

“We will not be publishing school, college or multi-academy trust (MAT) level performance data based on summer 2020 tests, assessments and exams at any phase.”

“We will not be publishing, or sharing, school, college or MAT level accountability measures, such as Progress 8 and level 3 value added, using the summer 2020 data.

“The performance tables that were due to be released in October and December 2020, and in January and March 2021, will not go ahead.

“We will also not publish any institution-level qualification achievement rates in the national achievement rate tables for the 2019 to 2020 academic year.

“We will not publish any national, regional, local or constituency statistics for any primary school assessments for the 2019 to 2020 academic year. This includes:

- Early years foundation stage profile
- Phonics
- Key Stage 1
- Multiplication tables check
- Key Stage 2

Schools who have set objectives based on such data will not have the evidence base on which to judge performance of teachers. As such, it should be inevitable that they disregard these objectives when undertaking any review process in order to avoid any detriment to staff on pay progression.

## Make a plan

A more pared down process for performance management is likely to be the result for most schools in the current situation. Clearly, however, it still needs to have meaning and reducing appraisals to a box-ticking exercise rather than a focused conversation will waste precious time and help no one.

So, consider drawing up a simple action plan with steps that you can begin to take now in preparation for the review and planning meetings with staff in the early autumn. (See Appendix 1 for suggestions of potential scenarios that might arise.)

It is going to be vital to take staff with you on this journey and many of them will be finding the current circumstances and the uncertainty difficult. Being mindful of staff wellbeing will be key to maintaining their positivity and commitment to an open dialogue about performance.

Engage your governing body, too, in establishing this process; keep in mind your own policy and consult quickly with unions.

When your plan is in place, communicate it to staff in a simple written form, setting out your underlying principles and rationale and clarifying what they need to do or think about.

### Key principles might include:

#### Our approach is inclusive for all staff:

Teachers and support staff who are subject to performance management/appraisal will suffer no detriment as a result of school restrictions and staffing arrangements due to COVID-19

#### Individual circumstances will be considered:

The circumstances of each individual will be part of a conversation about progress and objectives. Those issues may include:

- Living alone, struggling with a lack of contact
- Unable to exercise and feeling a real impact on their well being
- Shielding
- Caring for others
- Bereavement
- A demanding and irregular work rota
- Juggling home responsibilities and shifting workloads

#### Reasonable adaptation will be made:

We recognise that some objectives set for the 2019-20 period, which may or may not have been subject to a mid-year review, may not be achievable post-20<sup>th</sup> March 2020.

### **An evidence-based review will apply:**

Evidence is vital and any judgement regarding the progress towards objectives will be based on agreed, documented evidence available on or up to 20<sup>th</sup> March 2020. Evidence which is inaccessible in the current circumstances will be included in any review of progress. Staff are entitled to draw attention to any relevant information post 20<sup>th</sup> March as part of the dialogue with their reviewer but staff who chose not to do so will not be disadvantaged.

### **Communication:**

We will continue to provide clear documented guidance and record keeping at all times during this process.

### **A potential action plan**

Make decisions on some key operational elements as a school and then ensure that all line managers are very clear about agreed protocols. Remember to put everything in writing.

Some examples to think about:

### **Objectives**

- Line managers should revisit the objectives set prior to any professional dialogue to consider which elements of the agreed evidence are likely to be available and communicate this to the teacher or support staff before the review. They should then consider, as part of a professional conversation, what progress against objectives was reasonably achievable ahead of the school closure on 20<sup>th</sup> March 2020.
- Ensure line managers know they should NOT modify objectives or set new ones.
- Don't ask for new evidence – the evidence required was agreed when the objective was set or possibly modified before the lockdown. Only this evidence should be brought forward and only if this is possible.
- Keep your staff informed – make sure they know what to expect, how objectives will be assessed and what will and will not be used to assess progress.

These points could be then expanded to give more detail for staff and managers:

- Any objectives set that rely on the outcomes of student data will be 'null and void' for the 2019-20 performance management cycle.
- We will be asking staff to provide evidence to support the completion of their objectives where possible up to Friday 20<sup>th</sup> March 2020. Some of this evidence may be inaccessible as it may well be in school so it can be validated once it is available.
- If line managers have the evidence, they should document what and where.
- Line managers need to be mindful of staff personal circumstances and take this into account when discussing progress towards 2019-20 objectives.
- Consider what progress against objectives was realistic before the lockdown. What could have been reasonably achieved before initial closure on 20<sup>th</sup> March 2020?

### **Mid-year reviews**

Many of you will have been in the process of carrying out mid-year reviews at the point of lockdown which may or may not have been completed. Some useful steps now would be:

- Carry out a simple audit that identifies for each member of staff whether a mid-year review has taken place to review progress towards the achievement of objectives for 2019-20. Was the review documented? Were staff fully engaged in the dialogue and were both successes and concerns recorded?
- If mid-year reviews did take place, follow up with line managers to identify any issues that were raised and determine whether:
  - o Support had been offered to overcome identified challenges.
  - o Progress had been made or work was in progress to overcome challenges.

- o There was not enough time to achieve any outcomes or progress to be identified.
- o Objectives had been changed to reflect any changes to an individual's circumstances (prior to 20<sup>th</sup> March 2020, non-COVID related).
- o Progress towards the achievement of objectives was noted.
- If mid-year reviews did not take place and have not done so since the lockdown ask line managers to begin a conversation with individual team members to 'look back' before 20<sup>th</sup> March 2020 to determine how progress towards objectives was being made and document that conversation. As above, this dialogue needs to be a supportive conversation which is mindful of the individual's circumstances regarding wellbeing, caring for others and so on.

### Monitoring staff post-lockdown

Clearly, it is important to ensure that you monitor your staff in this situation. As at any other time, you would be setting out your expectations of staff in line with the needs of the school and the needs of the teams within it. You would then want to give written guidance on those expectations and to monitor your staff in achieving the aims required.

However, it would not be appropriate to use this as part of the annual performance management review of your staff unless they were in breach of their terms of employment or were evidently not meeting the teacher standards.

In this instance using the professional standards as a frame of reference for your expectations of staff professional practice is an important safeguard.

## Appendix 1

### Possible scenarios and questions to consider

As part of your planning you could use the scenarios outlined below to test out your strategy for completing the cycle.

- I have a member of staff who has limited evidence of change in her planning up to 20<sup>th</sup> March but has been actively engaging in online CPD during lockdown. She is asking me to take this activity into account as well as the subsequent work she has been doing to improve her planning as evidence that she has met her objective around planning for learning. I also have another colleague with a very similar target and in a similar position who is not volunteering 'additional' evidence. How do I ensure there is no disadvantage to either in my judgement?
- I have a member of staff for whom no issues were raised at the mid-year review. However, in the period since lockdown – with no extenuating circumstances – this person has repeatedly failed to complete tasks, been absent from meetings and shown little regard to her obligations as agreed with her team lead. How should I approach judgement of her targets?
- We have set objectives with staff that rely wholly or partly on pupil outcome data. Given that there is no outcome data, should we still review these targets?
- I have a colleague who is unable to be in school as he is vulnerable. We need to complete his review but the evidence he has collected isn't accessible to him from home. What should we do?
- I have significant concerns about the wellbeing of a colleague who I appraise. I know that when we do his review, I will have to challenge the progress he had made prior to 20<sup>th</sup> March. I had raised concerns with him in our mid-cycle review in February. How should I approach this?