

## **Teachers and head teachers performance management during restricted opening May 2020**

All maintained schools must continue to adhere to the School Teachers Pay and Conditions Document, which includes the requirement to ensure that all pay progression for teachers and head teachers is linked to performance management. However the government are also advising 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 e.g. by basing performance on the period schools were open, adjusting, if necessary, for expected trajectory had there been no closures.

Employees should be treated no less favourable due to the pandemic. If management or governing bodies had concerns that they had not yet fully addressed, they need to consider that most staff given constructive feedback and reasonable time could have been able to improve. Therefore, they should probably be given the benefit of the doubt and still receive pay progression in line with the school's pay policy.

There will be cases where schools do have ongoing concerns that they did not have time to fully address and so the member of staff has still been awarded pay progression. Staff should still be given constructive feedback regarding the school's concerns and the need for them to be corrected so they are not left with the wrong impression that since they received a pay award their performance is good. Heads and Governors may wish to consider setting targets for the next academic year around areas for improvement.

There may be exceptions where clear feedback that staff were not meeting targets, were not improving despite support had already been given and where it could be reasonably argued that they should not progress. However, it would be advisable for Heads or Chairs to discuss such cases with HR or their advisors before coming to this conclusion.

Reasonable concerns should still be brought up and addressed informally outside the schools performance management policies. However joint union advice from the ASCL, the NAHT and the NEU is that schools should not be formally monitoring staff "Performance" during this period and that performance management and capability should both be paused until schools formally re-open.