

Appraisal Policy for Teachers and Headteachers

Frequency of Review	Every 2 years
Author	(DfE) Propeller
Approved by	CEO/COO &Trust Directors
Reviewed	Sept 2023
Date of Next Review	Sept 2025 (unless subject to legislative change)

1. Introduction

Revised appraisal arrangements for teachers came into force from 1 September 2012. They are set out in the Education (School Teachers' Appraisal) (England) Regulations 2012 (the Appraisal Regulations) replacing the Education (School Teacher Performance Management) (England) Regulations 2006 (the 2006 Regulations).

The Appraisal Regulations do not apply to teachers and Headteacher in academies. However, it is good practice for all schools to have a system for managing the performance of staff and therefore the Propeller Academy Trust (PAT) 'Trust' adopts this model policy.

The Appraisal Regulations set out the principles that apply to teachers in all maintained schools and unattached teachers employed by a local authority, in each case where they are employed for one term or more. They retain the key elements of the 2006 Regulations but allow schools more freedom to design arrangements to suit their own individual circumstances. They provide the minimum national framework within which schools should operate.

Schools and local authorities must stay within the legal framework set out in the Appraisal Regulations and in other relevant legislation that affects all employers such as equality legislation, employment protection and Data Protection.

The Trust has an appraisal policy for teachers and a policy, covering all staff, which deals with lack of capability.

This Appraisal Policy has been developed from the model published by the Department for Education. It includes additional details where it is considered that these are helpful to the operation of an effective procedure. The Oxfordshire model policy has been drawn up following consultation with all the recognised Trade Unions and Associations.

2. Scope

This document is applicable for Propeller Academy Trust (PAT) member schools. It is provided as advice for schools where the Trust is the employer.

This policy is applicable only to teachers, including Headteachers and has been revised to take account of the School Teachers' Pay and Conditions document and is in line with the Oxfordshire Model Pay Policy for Teachers which has been adopted by the Propeller Academy Trust (PAT).

3. Definitions

The term "relevant body" has been used throughout this policy. Within the Trust, that is the Board of Trustees for the purposes of pay decisions.

Unless indicated otherwise, all references to "teacher" include the headteacher.

3.1 Consistency of Treatment and Fairness

The Board of Trustees is committed to ensuring consistency of treatment and fairness and will abide by all relevant equality legislation.

3.2 Delegation

Normal rules apply in respect of the delegation of functions by relevant bodies, Chief Executive Officer (CEO), Chief Operations Officer (COO), headteacher and local authorities.

3.3 Monitoring and Evaluation

The relevant body, chief executive officer, chief operations officer and headteacher will monitor the operation and effectiveness of the school's appraisal arrangements.

Advice and guidance on any aspect of this policy is available from the CEO or COO.

Appraisal Policy for Teachers and Headteachers

The Board of Trustees of the Propeller Academy Trust adopted this appraisal policy in September 2023 following consultation with staff and representatives of the recognised trade unions.

It will review it every two years.

1. Purpose

This policy sets out the framework for a clear and consistent assessment of the overall performance of teachers, including the head teacher, and for supporting their development within the context of the school's plan for improving educational provision and performance, and the standards expected of teachers.

Pay progression for all teachers must be linked to performance. Where teachers are eligible for pay progression, the assessment of performance through the appraisal procedure will be the basis on which a recommendation is made, and this will be in accordance with the latest School Teachers' Pay and Conditions Document ("the Document").

The appraisal procedure will be used also to address any concerns that are raised about a teacher's performance. If the concerns cannot be resolved through the appraisal process performance will be managed under the Professional Capability Procedure.

2. Application of the appraisal procedure

This procedure applies to the Headteacher and to all teachers employed by the Trust, except those on contracts of less than one term¹, those undergoing induction (i.e., Early Career Teachers) and those who are subject to formal capability procedures.

Appraisal in this school 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. It will help to ensure that teachers are able to continue to improve their professional practice and to develop as teachers.

3. The appraisal period

The appraisal period will run for twelve months from 1 September to 31 August².

Teachers employed on a fixed term contract of less than one year will have their performance managed in accordance with the principles underpinning this policy. The length of the appraisal period will be determined by the duration of their contract.

Teachers who start their employment part-way through the appraisal cycle will have their performance managed over a longer or shorter appraisal period as the headteacher determines most appropriate, with the aim of bringing them into line with the cycle for all other teachers as

¹ One term refers to the three main terms of the school year as set out in Conditions of Service for School Teachers in England and Wales (the Burgundy Book).

² The Relevant Body may decide a different cycle, it would also be possible to decide different cycles for teachers and the head teacher. Schools are required to carry out an annual review of pay for teachers. The Model Pay Policy includes deadlines for the annual review of 31 October for teachers and 31 December for the head teacher.

soon as possible.

If a teacher transfers to a new post within the school/Trust part-way through the appraisal cycle, or if a centrally employed teacher changes post within the Trust, the headteacher will consider whether it is appropriate to continue with the current cycle and/or to revise the objectives in line with the new post.

4. Appointing appraisers

4.1 For the Headteacher

The Headteacher will be appraised by the Chief Executive Officer and the Chair of the Governing body. The task of appraising the Headteacher, including the setting of objectives, will be delegated to the CEO and the Chair of the Governing body.

4.2 For Teachers

The Headteacher will decide who will appraise other teachers. Where the headteacher decides to delegate appraisal to line managers, this will include all aspects of the process. The Headteacher may choose to decide either of the options:

- a) The Headteacher will be the appraiser for all teachers in the school.
- b) The Headteacher will normally be the appraiser for those teachers they directly line manage, and the relevant line manager will be the appraiser for those teachers who they line manage.

Where a teacher has more than one-line manager, the Headteacher will decide which line manager is best placed to be the appraiser. Where a teacher is of the opinion that the person appointed is unsuitable to act as the appraiser, they may submit a written request to the Headteacher for the appraiser to be replaced, stating the reasons for the request.

All appraisers will receive appropriate training and guidance in these procedures.

5. Setting objectives

5.1 For the Headteacher

Before, or as soon as practicable after the start of each appraisal period, the Chief Executive Officer must inform the headteacher of the standards against which their performance will be assessed and set objectives for that period.

The headteacher's objectives will be set by the CEO after consultation with the Chair of Governing body.

The CEO and the headteacher will seek to agree the objectives but, if that is not possible, the Chair of the Governing body will determine the objectives. Objectives should be revised if circumstances change.

New objectives should be discussed and agreed at each annual appraisal meeting. This will allow the panel to ensure that the headteacher understands what is expected during the coming year and can raise any issues. Depending on the key priorities for the year, it is recommended to setting between three and five objectives.

Objectives should:

- align with the school/ trust vision and strategic priorities
- be specific, measurable, achievable, relevant and timebound (S.M.A.R.T.)
- allow all parties to track progress through agreed success criteria
- be precise and specific in their wording
- have beneficial outcomes for the pupils of the school
- include a timeframe for their achievement (in time for the next formal appraisal meeting for example)
- include at least one objective focused on the headteacher's personal development

Please refer to the <u>Headteacher's standards</u> for more information.

5.2 For Teachers

Before, or as soon as practicable after the start of each appraisal period, the Headteacher must inform each teacher of the standards against which their performance will be assessed and ensure that objectives are set for that appraisal period.

All teachers must be assessed against the <u>Teachers' Standards</u> except for those who hold Qualified Teacher Learning and Skills status (QTLS)³. The Teachers' Standards can be found in Annex A. The Headteacher or Relevant Body (as appropriate) will need to consider whether certain teachers should also be assessed against other sets of standards published by the Secretary of State that are relevant to them.

Objectives for each teacher will be set before, or as soon as practicable after, the start of each appraisal period.

The objectives set for each teacher, will be **Specific, Measurable, Achievable, Realistic and Time-bound** (SMART) and will be appropriate to the teacher's role and level of experience. In setting objectives, the appraiser will have regard to what can reasonably be expected in the context of roles, responsibilities, and experience, consistent with the Trust's strategy for achieving a work/life balance for all staff.

The objectives set for each teacher will, if achieved, contribute to the school's plans for improving the school's educational provision and performance and improving the education of pupils at that school. The objectives should also support teachers' professional development.

It is recommended that all teachers, including the Headteacher, will normally have no more than three objectives.

The appraiser and teacher will seek to mutually agree the objectives but, if that is not possible, the appraiser will determine the objectives. Objectives may be revised if circumstances change.

³ For teachers who are qualified teachers by virtue of holding QTLS status, it is for the governing body or head teacher to decide which standards are most appropriate. Such teachers may be assessed against the Teachers' Standards, against any other sets of standards issued by the Secretary of State, against any other professional standards relevant to their performance or any combination of those three.

Objectives will be moderated across the school by the Headteacher to ensure that they are consistent between teachers with similar experience and levels of responsibility.

6. Pay progression

Where teachers are eligible for pay progression, the recommendation made by the appraiser will be based on the assessment of their performance against the relevant teacher standards and their agreed objectives. The decision made by the Relevant Body will be based on the criteria and guidance set out in the Pay Policy⁴. (NB – pay recommendations for teachers must be made by 31 October and for the Headteacher by 31 December).

7. Reviewing performance

7.1 Observation

It is believed that the observation of classroom practice and other responsibilities is important in assessing teachers' performance in order to identify particular strengths; areas for development and to gain useful information which can inform school improvement more generally.

The teachers' performance should be regularly observed but the amount and type of classroom observation may depend on the individual circumstances of the teacher and the overall needs of the school. All observations must be carried out in a supportive way and in line with the school's Classroom Observation Protocol⁵.

Classroom observation for the purpose of appraisal will only be carried out by those with Qualified Teacher Status (QTS).

In addition to formal observation for the purposes of appraisal, Headteacher or other leaders with responsibility for teaching standards may "drop in" 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 specific circumstances and will be carried out in line with the school's Classroom Observation Protocol.

Teachers (including the headteacher) who have responsibilities outside the classroom should also expect to have their performance of those responsibilities observed and assessed.

7.2 Feedback

Teachers should receive constructive feedback on their performance throughout the year and as soon as practicable after observation has taken place or other evidence has come to light. Feedback will highlight particular areas of strength as well as any areas that need attention. Where there are any areas that require improvement, the manager should support the teacher in making improvements. If the manager requires assistance, they should speak to the Chief Operations Officer (COO) for further guidance.

7.3 Development and support

Appraisal is a supportive process which should be used to inform continuing professional development. The school should encourage a culture in which all teachers take responsibility for improving their teaching through appropriate professional development. Professional development

⁴ Please refer to the Oxfordshire Model Pay Policy for Teachers.

⁵ It is recommended that all schools should have a Classroom Observation Protocol. A model protocol is provided in Annex B.

will be linked to school improvement priorities and to the on-going professional development needs and priorities of individual teachers.

The school's continuing development (CPD) programme will be informed by the professional development needs identified as part of the appraisal process. The Relevant Body will ensure that, as far as possible, resources are made available in the school budget for appropriate training and support agreed through the appraisal process.

7.4 Assessment

Each teacher's performance should be formally assessed in respect of each appraisal period. In assessing the performance of the head teacher, the CEO must consult the Chair of the Governing body.

This assessment is the end point to the annual appraisal process, but performance and development priorities will be reviewed and addressed on a regular basis throughout the year in interim meetings which will take place (e.g., three times a year).

The teacher will receive as soon as practicable following the end of each appraisal period and have the opportunity to comment in writing on, a written appraisal report. In this school, teachers will receive their written appraisal reports by 31 October (31 December for the headteacher).

The appraisal report will include:

- c) details of the teacher's objectives for the appraisal period;
- d) an assessment of the teacher's performance of their role and responsibilities against the relevant standards. Where the standards are being met detailed written evidence will not normally be required. However, if there are concerns that standards are not being met these should be evidenced:
- e) an assessment of the teacher's performance of their role and responsibilities against their objectives;
- f) an assessment of the teacher's professional development needs and identification of any action that should be taken to address them;
- g) a recommendation on pay progression;
- h) a space for the teacher's comments.

A review meeting will take place to discuss the content of the written appraisal report and any action required, and to inform objective setting for the next cycle. The assessment of performance and of professional development needs will inform the planning process for the following appraisal period.

8. Appeals

Teachers have a right of appeal against any of the entries in their written appraisal report. If a teacher feels that an entry is wrong or unjust, they may appeal in writing within five working days of receiving their written appraisal report, setting out at the same time the grounds for appeal. Where a teacher wishes to appeal on the basis of more than one entry, this would constitute one appeal hearing.

If the reason for appeal is associated with a decision on pay progression the appeal process in the Trust's Pay Policy should be followed.

In all other cases the appeal will be considered by a senior manager or an individual member of the relevant body who has not been previously involved with the case. Appeals will be heard without

unreasonable delay and, where possible, at an agreed time and place. The teacher will be given at least five working days' notice of the date of the hearing and has the right to be accompanied by a trade union representative or a work colleague. Notes will be taken, and a copy sent to the employee.

Appeals should normally be restricted to considering the reasonableness of the decision made, any relevant new evidence or any procedural irregularities.

The employee will be informed in writing of the results of the appeal hearing within three working days of the date of the hearing.

9. Confidentiality

The appraisal process and the written appraisal report is confidential. However, confidentiality does not override the need for the Headteacher and relevant body to quality-assure the operation and effectiveness of the appraisal system.

10. Record Retention

The relevant body and Headteacher will ensure that all written appraisal records are retained in a secure place for six years from the date of issue, and then destroyed. This includes written appraisal records for the Headteacher. If there is a change in the line management, the current manager must ensure to securely transfer the appraisal records to the new line manager before leaving.

11. Concerns about a teacher's performance – Structured Managerial Support

Where there are concerns about any aspects of a teacher's performance at any time during the year, the appraiser will, as part of the appraisal process, meet the teacher to arrange the provision of structured managerial support: The Appraiser should:

- give clear feedback about the nature and seriousness of the concerns;
- give them the opportunity to comment on and discuss the concerns;
- agree any support e.g., coaching, mentoring, structured observations, that will be provided to help address those specific concerns;
- identify the cause of concerns and whether the staff requires Occupational health support / referral
- make clear how progress will be monitored and when it will be reviewed; ensure the timelines
 are realistic i.e., gives reasonable time to the staff to improve their performance with support
 mechanisms put in place
- explain the implications and process if no or insufficient improvement is made.

The teacher should be advised, in advance, of the nature and purpose of the meeting and given the opportunity to bring a union representative or work colleague to the meeting, if they wish.

Notes will be taken of the meeting and a copy given to the member of staff within three working days of the meeting, including where appropriate an action plan setting out the structured managerial support. The teacher's progress will continue to be monitored as part of the appraisal process. It may be appropriate to revise objectives. It will be necessary to allow sufficient time for improvement; this will depend on the circumstances but will normally be for a period of not less

than four to six working weeks⁶.

When progress is reviewed, if the appraiser is satisfied that the teacher has made, or is making, sufficient improvement, the appraisal process will continue as normal, with any remaining issues continuing to be addressed through that process.

If the appraiser is not satisfied with progress, the teacher will be notified in writing that the appraisal system will no longer apply and that their performance will be managed under the Professional Capability Procedure. They will be invited to a "Formal capability meeting" under this Procedure. The appraiser should contact their HR team for advice and guidance.

Full details of the procedure to be followed are contained in a separate Professional Capability Procedure.

Further advice and support is available from the COO.

Other relevant policies and procedures

Pay Policy for Teachers

VARIATION OF PROCEDURES

This procedure is not contractual, and it may be varied by the Trust from time to time.

Examples of variation include the need to comply with new legislation or best practice guidance. Should the Trust decide not to apply the procedure, either in its entirety or in part, that will not amount to a breach of contract.

Changes to the procedure will be made in line with the relevant consultation process and through raising employee awareness.

VERSION CONTROL

Date approved and published: September 2023 (Version 1.1)

Date to review policy: September 2025 (unless subject to legislative change)

⁶ It is for the person conducting the meeting to determine the set period which should be between four and ten working weeks. It should be reasonable and proportionate and should provide sufficient opportunity for an improvement to take place.

Annex A

TEACHERS' STANDARDS

PREAMBLE

Teachers make the education of their pupils their first concern and are accountable for achieving the highest possible standards in work and conduct. Teachers act with honesty and integrity; have strong subject knowledge, keep their knowledge and skills as teachers up-to-date and are self-critical; forge positive professional relationships; and work with parents in the best interests of their pupils.

PART ONE: TEACHING

A teacher must:

- Set high expectations which inspire, motivate and challenge pupils
- establish a safe and stimulating environment for pupils, rooted in mutual respect
- set goals that stretch and challenge pupils of all backgrounds, abilities, and dispositions
- demonstrate consistently the positive attitudes, values and behaviour which are expected
 of pupils.

2 Promote good progress and outcomes by pupils

- be accountable for pupils' attainment, progress, and outcomes
- be aware of pupils' capabilities and their prior knowledge, and plan teaching to build on these
- guide pupils to reflect on the progress they have made and their emerging needs
- demonstrate knowledge and understanding of how pupils learn and how this impacts on teaching
- encourage pupils to take a responsible and conscientious attitude to their own work and study.

3 Demonstrate good subject and curriculum knowledge

- have a secure knowledge of the relevant subject(s) and curriculum areas, foster, and maintain pupils' interest in the subject, and address misunderstandings
- demonstrate a critical understanding of developments in the subject and curriculum areas, and promote the value of scholarship
- demonstrate an understanding of and take responsibility for promoting high standards of literacy, articulacy, and the correct use of standard English, whatever the teacher's specialist subject
- if teaching early reading, demonstrate a clear understanding of systematic synthetic phonics
- if teaching early mathematics, demonstrate a clear understanding of appropriate teaching strategies.

4 Plan and teach well-structured lessons

- impart knowledge and develop understanding through effective use of lesson time
- promote a love of learning and children's intellectual curiosity
- set homework and plan other out-of-class activities to consolidate and extend the knowledge and understanding pupils have acquired
- reflect systematically on the effectiveness of lessons and approaches to teaching
- contribute to the design and provision of an engaging curriculum within the relevant subject area(s).

5 Adapt teaching to respond to the strengths and needs of all pupils

- know when and how to differentiate appropriately, using approaches which enable pupils to be taught effectively
- have a secure understanding of how a range of factors can inhibit pupils' ability to learn, and how best to overcome these
- demonstrate an awareness of the physical, social, and intellectual development of children, and know how to adapt teaching to support pupils' education at different stages of development
- have a clear understanding of the needs of all pupils, including those with special educational needs; those of high ability; those with English as an additional language; those with disabilities; and be able to use and evaluate distinctive teaching approaches to engage and support them.

6 Make accurate and productive use of assessment

- know and understand how to assess the relevant subject and curriculum areas, including statutory assessment requirements
- make use of formative and summative assessment to secure pupils'
- progress
- use relevant data to monitor progress, set targets, and plan subsequent lessons
- give pupils regular feedback, both orally and through accurate marking, and encourage pupils to respond to the feedback.

7. Manage behaviour effectively to ensure a good and safe learning environment

- have clear rules and routines for behaviour in classrooms, and take responsibility for promoting good and courteous behaviour both in classrooms and around the school, in accordance with the school's behaviour policy
- have high expectations of behaviour, and establish a framework for discipline with a range of strategies, using praise, sanctions, and rewards consistently and fairly
- manage classes effectively, using approaches which are appropriate to pupils' needs in order to involve and motivate them
- maintain good relationships with pupils, exercise appropriate authority, and act decisively when necessary.

8 Fulfil wider professional responsibilities

- make a positive contribution to the wider life and ethos of the school
- develop effective professional relationships with colleagues, knowing how and when to draw on advice and specialist support
- deploy support staff effectively
- take responsibility for improving teaching through appropriate professional development, responding to advice and feedback from colleagues
- communicate effectively with parents with regard to pupils' achievements and well-being.

PART TWO: PERSONAL AND PROFESSIONAL CONDUCT

A teacher is expected to demonstrate consistently high standards of personal and professional conduct. The following statements define the behaviour and attitudes which set the required standard for conduct throughout a teacher's career.

Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by:

- treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
- having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
- showing tolerance of and respect for the rights of others
- not undermining fundamental British values, including
 - democracy, the rule of law, individual liberty, and mutual respect,
 - and tolerance of those with different faiths and beliefs
 - ensuring that personal beliefs are not expressed in ways which exploit pupils' vulnerability or might lead them to break the law.
 - Teachers must have proper and professional regard for the ethos, policies, and practices of the school in which they teach and maintain high standards in their own attendance and punctuality.
 - Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

ANNEX B - Model Classroom Observation Protocol

Introduction

- 1. The relevant body is committed to ensuring that classroom observation is developmental and supportive and that those involved in the process will:
 - carry out the role with professionalism, integrity, and courtesy;
 - · seek to reach agreement in advance on how classroom observations are to be carried out;
 - evaluate objectively;
 - · report accurately and fairly; and
 - respect the confidentiality of the information gained.
- 2. Headteachers have a duty under the School Teachers' Pay and Conditions Document (STPCD) to *lead, manage and develop the school workforce, including appraising and managing performance.* Classroom observation is essential for appraisal and for evaluating standards of teaching and learning.
- 3. Classroom observation may take different forms, including formal classroom observation, dropins and learning walks.

Planning for observation

- 4. The teachers' performance will be regularly observed but the amount and type of classroom observation will depend upon the individual circumstances of the teacher and the overall needs of the school. The amount of observation for each teacher should reflect and be proportionate to the needs of the individual, taking into account factors such as their appraisal objectives and whether the teacher works part or full time.
- 5. The Headteacher will consult teachers on the number, pattern, and types of observation that they can expect during the year and ensure that they receive reasonable notice of observations. As far as possible, formal classroom observations will take place at a time agreed between the teacher and the observer.
- 6. Information gathered during classroom observations will be used, as appropriate, for a variety of purposes including to inform school self- evaluation and school improvement strategies in accordance with the school's commitment to streamlining data collection and minimising bureaucracy and workload burdens on all staff.
- 7. The arrangements for classroom observation for appraisal will be included in the discussion of objectives and will include the amount of observation and its focus, the duration of the observation, when during the appraisal cycle the observation will take place and who will conduct the observation.

8. Where there are concerns about a teacher's performance additional classroom observations may be arranged. These will be discussed and agreed in a 'concerns' meeting between the appraiser and the teacher, as described in the Appraisal Policy (paragraphs 49-55).

Conducting observations

9. Classroom observations for appraisal will only be undertaken by persons with qualified teacher status (QTS). In addition, classroom observation will only be undertaken by those who have had adequate preparation and possess the appropriate professional skills to undertake observation and to provide constructive oral and written feedback and support, in the context of professional dialogue between colleagues.

Feedback and records

- 10. Oral feedback will be given as soon as possible after an observation and no later than the end of the following working day. It will be given during directed time in a suitable, private environment.
- 11. Written feedback will be provided within five working days of the observation taking place. If issues emerge from an observation that were not part of the planned focus of the observation these should also be covered in the written feedback and appropriate action discussed with the teacher.
- 12. The written record of feedback will include the date on which the observation took place, the lesson observed and the length of the observation. The teacher has the right to append written comments on the feedback document. No written notes in addition to the written feedback will be kept.
- 13. Ofsted style grades are not a part of the appraisal process and should not feed into the assessment of a teacher's performance. However, a school may choose to use Ofsted grades to inform their evaluation of the standards of teaching and learning in the school.

Drop-in observations and Learning Walks

- 14. In addition to formal classroom observations, the headteacher or other leaders with responsibility for teaching standards may "drop in" on lessons to evaluate the standards of teaching and to check that high standards of professional performance are established and maintained.
- 15. Evidence from drop-ins and learning walks should not be used in the assessment of an individual teacher's performance unless this has been agreed as evidence in the appraisal process.
- 16. The duration, frequency and scope of drop-ins and learning walks should be considered carefully. They should have a clear rationale and focus which should be communicated to teachers.

Peer observation

17. Teachers should have the opportunity to engage in classroom observation with other professional colleagues through peer observation in order to review and develop their practice. Professional development through peer observation is voluntary.

Early Career Teachers (ECTs)

18. Observations are an important part of the statutory induction process and support for Early Career Teachers (ECTs). The general principles set out above apply equally to ECTs, in particular reasonable notice of observations and the provision of feedback.

Professional capability procedures

19. Classroom observation may be used as part of a programme of structured support for teachers who are subject to formal capability procedures and to provide evidence of a teacher's progress. The amount and focus of observation will be discussed with the teacher.