

---

WELSH STATUTORY INSTRUMENTS

---

**2002 No. 1394 (W.137)**

**EDUCATION, WALES**

**The School Teacher Appraisal (Wales) Regulations 2002**

*Made* - - - - *21st May 2002*

*Coming into Force* - - *30th September 2002*

In exercise of the powers conferred on the Secretary of State by sections 49 and 63(3) of the Education (No 2) Act 1986<sup>(1)</sup>, and now vested in the National Assembly for Wales<sup>(2)</sup> and after consulting in accordance with section 49(4) of the Act such associations of local authorities, and representatives of teachers, as appeared to be concerned and other persons with whom consultation appeared to be desirable, the National Assembly for Wales makes the following Regulations:

**PART I —  
INTRODUCTION**

**Citation, commencement and application**

1.—(1) These Regulations may be cited as the School Teacher Appraisal (Wales) Regulations 2002 and shall come into force on 30th September 2002.

(2) These Regulations apply in relation to Wales.

**Revocation**

2. The Education (School Teacher Appraisal) (Wales) Regulations 1999<sup>(3)</sup> are revoked.

**Interpretation**

3.—(1) Except where the context otherwise requires, in these Regulations—

---

(1) 1986 c. 61. Section 49 is amended by paragraphs 36 and 101 of Schedule 12 to the Education Reform Act 1988 (c. 40), by paragraph 23 of Schedule 8 to the Further and Higher Education Act 1992 (c. 13) and by paragraph 14 of Schedule 30 to the School Standards and Framework Act 1998 (c. 31). Section 63(3) was amended by paragraph 107 of Schedule 19 to the Education Act 1993 (c. 35). For matters to be prescribed see section 67(3) of the 1986 Act (amended by paragraph 66 of Schedule 37 to the Education Act 1996 (c. 56), and section 579(1) of that Act).

(2) See the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(3) S.I. 1999/2888 (W.25).

“appraisal statement” (“*datganiad gwerthuso*”) has the meaning given to it by, as the case may be, regulation 16(10) or regulation 30(11);

“external adviser” (“*cynghorydd allanol*”) means a person whose name appears on a list of advisers in relation to the appraisal of teachers maintained by a local education authority;

“governing body” (“*corff llywodraethu*”) in relation to a school means the governing body of the school, and a “governor” (“*llywodraethwr*”) means a member of that governing body;

“head teacher” (“*pennaeth*”) includes an acting head teacher;

“school” (“*ysgol*”) means a community, voluntary, foundation, community special or foundation special school;

“school day” (“*diwrnod ysgol*”) means a day on which the school meets;

“school teacher” (“*athro neu athrawes ysgol*”) means a teacher employed at no more than two schools, by a local education authority or by the governing body of a foundation, voluntary aided or foundation special school, but does not include a teacher employed under a fixed term contract of employment the term of which is less than one year;

“school which has a religious character” (“*ysgol sydd â chymeriad crefyddol*”) means a foundation or voluntary school designated as a school having such character under section 69(3) of the School Standards and Framework Act 1998<sup>(4)</sup>; and

“statement of objectives” (“*datganiad amcanion*”) means the written statement of objectives recorded under regulation 12 (3) or regulation 26(3) as the case may be.

(2) Any reference in these Regulations to—

- (a) a numbered regulation is a reference to the regulation bearing that number in these Regulations; and
- (b) a numbered paragraph is a reference to the paragraph bearing that number in the regulation in which the reference appears.

### **Duty to appraise**

**4.—**(1) It is the duty of the governing body and head teacher of a school to exercise their functions under these Regulations with a view to securing that the performance of school teachers and head teachers in discharging their duties at the school is regularly appraised in accordance with these Regulations.

(2) In the case of a school teacher or head teacher employed at two schools, his or her performance at both schools must be appraised and accordingly “school” in paragraph (1) is to be read as referring to both schools.

### **Head teacher’s report**

**5.** At least once during each school year the head teacher must make a written report to the governing body about the operation of appraisal at the school under these Regulations, the effectiveness of the school’s appraisal procedures, and the training and development needs of the school teachers and the head teacher.

---

(4) 1998 c. 31.

## **PART II —**

### **APPRAISAL OF HEADTEACHERS**

#### **Application of Part II**

6. Regulations 7 to 19 apply to the appraisal of head teachers only.

#### **Appointment of appraisers and external adviser**

7.—(1) The governing body of a school must appoint as appraisers of a head teacher two or three governors, at least one of whom must be a foundation governor of the school if it is a school which has a religious character or a voluntary aided school which does not have a religious character.

(2) The governing body may appoint a new appraiser in place of any existing appraiser at any time.

(3) No governor who is a teacher or other member of staff at the school may be appointed as an appraiser of the head teacher.

(4) The governing body of a school must also appoint an external adviser in relation to the appraisal of a headteacher.

(5) The governing body may appoint a new external adviser in place of an existing external adviser at any time.

#### **The appraisal cycle**

8.—(1) Subject to the following provisions of this regulation, and to regulation 9, the governing body must determine the timing of the appraisal cycle for the head teacher of the school.

(2) Except as provided for in paragraph (3) and regulation 9(3) the length of an appraisal cycle shall be one year.

(3) In the case of the first appraisal cycle under these Regulations of a head teacher in post on the date on which these Regulations come into force, the governing body may determine that the length of that appraisal cycle is a period other than one year provided that it ends no earlier than 30th November 2003 and no later than 31st October 2004.

(4) Once begun, appraisal cycles for every head teacher shall be continuous.

(5) The appointment of a new appraiser or external adviser shall not cause a head teacher's appraisal cycle to begin again.

#### **New appraisal cycle**

9.—(1) If a head teacher moves to a post as head teacher in another school, the appraisal cycle shall begin again.

(2) Where a school teacher (who is not a head teacher) becomes a head teacher (in the same or in another school) so that regulations 7 to 19 apply to his or her appraisal, the timing of the appraisal cycle for him or her shall as soon as practicable be determined afresh by the governing body under regulation 8(1).

(3) Where the appraisal cycle of a head teacher begins again under paragraph (1), or is determined afresh under paragraph (2), the governing body may determine that the length of the head teacher's first appraisal cycle in his or her new post shall be a period of less than one year.

### **First appraisal cycle**

10. The governing body must take all reasonable steps to secure that the first appraisal cycle for a head teacher of the school in post on the date on which these Regulations come into force begins no later than 31st January 2003.

### **Appraisal procedures**

11. Subject to regulations 12 to 16, the governing body of a school must determine the procedures for the appraisal of the head teacher at the school.

### **Planning of appraisal and setting of objectives**

12.—(1) Before or at the start of the appraisal cycle, all the appraisers, the external adviser and the head teacher must meet to plan and prepare for the appraisal and to seek to agree objectives which must include objectives relating to—

- (a) school leadership and management; and
- (b) pupil progress.

(2) If objectives are not agreed under paragraph (1), the appraisers must set out in writing such objectives as they consider appropriate, and the head teacher may add comments in writing.

(3) The objectives agreed under paragraph (1), or where objectives have not been agreed the objectives set out in writing under paragraph (2), and the head teacher's written comments, must be recorded in a written statement of objectives.

### **Revising objectives**

13.—(1) A headteacher's objectives may be revised at any time during the appraisal cycle where the head teacher and all the appraisers agree.

(2) Where a headteacher's objectives are revised under paragraph (1)—

- (a) the statement of objectives must be amended to show the agreed revision;
- (b) references in these Regulations to the headteacher's objectives shall be read as references to the revised objectives; and
- (c) references in these Regulations to the headteacher's statement of objectives shall be read as references to the amended statement of objectives.

### **Monitoring progress**

14.—(1) All the appraisers and the head teacher must seek to agree at a meeting held under regulation 12(1) on the procedures for monitoring the head teacher's performance against the objectives agreed under regulation 12(1) or where objectives have not been agreed the objectives set out in writing under regulation 12(2).

(2) If procedures are not agreed under paragraph (1), the appraisers must set out in writing such procedures for monitoring the head teacher's performance as they consider appropriate.

(3) Subject to paragraph (4), an appraiser may not obtain from any other person information, whether written or oral, relevant to the head teacher's performance unless the head teacher consents or the information is obtained in accordance with the procedures agreed under paragraph (1) or where procedures have not been agreed the procedures set out in writing under paragraph (2).

(4) Paragraph (3) does not apply to any information which an appraiser is entitled to receive under any other provision of these Regulations.

## **The appraisal review and the appraisal statement**

**15.—**(1) At or near the end of the appraisal cycle all the appraisers, the external adviser and the head teacher must hold an appraisal review, with the object of—

- (a) reviewing the head teacher's performance and identifying his or her achievements and any aspects in which further progress would be desirable;
- (b) assessing the extent to which the head teacher has met the objectives recorded in the statement of objectives; and
- (c) identifying any training and developmental needs and ways of meeting such needs.

(2) The date on which an appraisal review is to be held must be determined by the appraisers, but at least 10 school days notice (in writing) must be given to the head teacher of that date.

(3) The head teacher may, at least five school days before the appraisal review, submit to the appraisers—

- (a) the head teacher's own assessment of his or her performance against the objectives recorded in the statement of objectives;
- (b) particulars of any training which the head teacher considers it would be desirable to receive having regard to that assessment; and
- (c) particulars of any factors which the head teacher considers affected his or her performance against the recorded objectives;

and any such assessment and other information submitted to the appraisers under this paragraph must be considered at the appraisal review.

(4) Within 10 school days after each appraisal review all the appraisers must prepare a written statement recording the main points made by the appraisers and the head teacher at the review and the conclusions reached, and there shall be recorded in an annex to the statement (which shall form part of the statement) the training and developmental needs and ways of meeting such needs identified at the review.

(5) An appraisal review under paragraph (1) may be combined with a meeting under regulation 12 in relation to the following appraisal cycle.

(6) The appraisers must give the head teacher a copy of the statement, prepared under paragraph (4) within 10 school days after the appraisal review.

(7) The head teacher may, within 10 school days of receiving a copy of that statement, add to it his or her comments in writing, and such comments shall form part of the statement prepared under that paragraph.

## **Appeals**

**16.—**(1) A head teacher is entitled to appeal against his or her appraisal under these Regulations within 10 school days of receiving a copy of an appraisal statement under regulation 15(6).

(2) An appeal shall be made in writing to the governing body.

(3) The appeals officer in relation to such an appeal shall be the chairman of the governing body, but where the chairman of the governing body has participated in the appraisal which is the subject of the appeal, the governing body shall appoint one or two governors who have not participated in that appraisal as appeals officers in relation to such an appeal.

(4) No governor who is a teacher or other staff member at the school shall be appointed as an appeals officer for the head teacher at such school.

(5) An external adviser who did not advise in relation to the appraisal must assist the appeals officer or officers.

(6) The appeals officer or officers must within 10 school days of receiving the appraisal statement under regulation 17(3) conduct and conclude a review of the appraisal, and in so doing must take account of any representations made by the head teacher.

(7) The appeals officer or officers may—

- (a) order the appraisal statement to stand with or without observations of the appeals officer or officers; or
- (b) with the agreement of all the appraisers amend the appraisal statement; or
- (c) order that the appraisal statement be expunged and order a new appraisal.

(8) Where a new appraisal is ordered under paragraph (7)(c) all the appraisers and the external adviser must be replaced by new appraisers and a new external adviser appointed in accordance with regulation 7 and the appeals officer or officers must determine which appraisal procedures must be repeated.

(9) All appraisal procedures determined to be repeated under paragraph (8) must be completed within 15 school days from the date of the order of the appeals officer or officers under paragraph (7)(c).

(10) Appeals officers may not—

- (a) determine that new objectives be agreed or set in accordance with regulation 12; or
- (b) determine that the objectives agreed or set under regulation 12 be revised.

(11) References in this regulation and regulations 17 and 18 to an appraisal statement are references to a statement prepared under regulation 15(4), including, in the case of regulations 17 and 18, any observations added by an appeals officer or officers under paragraph (7)(a).

### **Provision and retention of appraisal statements**

**17.—**(1) The appraisers must provide a copy of the appraisal statement to—

- (a) the head teacher;
- (b) the chairman of the governing body;
- (c) any governors responsible for advising about, or taking decisions in relation to, the promotion of school teachers or the use of any discretion in relation to pay, upon request; and
- (d) in the case of the head teacher of a school which does not have a delegated budget (within the meaning of Chapter IV of Part II of the School Standards and Framework Act 1998) any officer or adviser specifically designated by the Chief Education Officer to be responsible for advising about, or taking decisions in relation to, the use of any discretion in relation to pay, upon request.

(2) The chairman of the governing body must, upon request, provide a summary of the appraisal statement to the Chief Education Officer or any officer or adviser specifically designated by the Chief Education Officer to be responsible for advising about, or taking decisions in relation to, the performance of head teachers pursuant to paragraph 23 of Schedule 16 and paragraph 22 of Schedule 17 to the School Standards and Framework Act 1998.

(3) The chairman of the governing body must provide any appeals officer and any external adviser assisting the appeals officer with a copy of the appraisal statement and the statement of objectives within five school days of the governing body receiving notice of an appeal under regulation 16(2).

(4) Where a new appraiser or external adviser is appointed otherwise than at the beginning of an appraisal cycle, the chairman of the governing body must provide that person with a copy of any current statement of objectives.

(5) The chairman of the governing body must provide a copy of the annex to the appraisal statement referred to in regulation 15(4) to the person or persons responsible for planning the training and development of the head teacher in the school.

(6) A head teacher must keep a copy of his or her appraisal statement until at least three years after the next appraisal statement has been finalised.

(7) The governing body must keep a copy of the head teacher's appraisal statement until at least three years after the next appraisal statement has been finalised.

### **Information from appraisal statements**

**18.**—(1) Relevant information from appraisal statements may be taken into account by school governing bodies (including committees of governing bodies), Chief Education Officers or any officers or advisers specifically designated by a Chief Education Officer under regulation 17(1)(d) or (2) in taking decisions, and in advising those responsible for taking decisions, about the promotion, dismissal or discipline of head teachers or the use of any discretion in relation to pay.

(2) Appraisal procedures must not form part of any disciplinary or dismissal procedures.

### **Transitional provision**

**19.** Regulations 17 and 18 apply in relation to appraisal records produced and maintained under the Education (School Teacher Appraisal) (Wales) Regulations 1999 as they apply in relation to appraisal statements.

## **PART III —**

### **APPRAISAL OF SCHOOL TEACHERS OTHER THAN HEAD TEACHERS**

#### **Application of Part III**

**20.** Regulations 21 to 33 apply to the appraisal of school teachers other than head teachers.

#### **Appointment of appraisers for school teachers**

**21.**—(1) Subject to regulation 30(8) the head teacher must appoint as appraiser for every school teacher at the school, a school teacher at the school or the head teacher.

(2) The head teacher may appoint a new appraiser in place of an existing appraiser at any time.

#### **The appraisal cycle**

**22.**—(1) Subject to the following provisions of this regulation, and to regulation 23, the head teacher must determine the timing of the appraisal cycle for every school teacher at the school.

(2) Except as provided for in paragraphs (3) and (4) and regulation 23(3) the length of an appraisal cycle shall be one year.

(3) In the case of the first appraisal cycle under these Regulations of a school teacher in post on the date on which these Regulations come into force, the head teacher may determine that the length of the appraisal cycle shall be a period other than one year provided that it ends no earlier than 30th November 2003 and no later than 31st October 2004.

(4) In the case of the first appraisal cycle under these Regulations of a school teacher not in post on the date which these Regulations come into force, the head teacher may determine that the length of the cycle shall be a period of less than one year.

(5) Once begun, appraisal cycles for every school teacher shall be continuous.

(6) The appointment of a new appraiser shall not cause a school teacher's appraisal cycle to begin again.

### **New appraisal cycle**

**23.**—(1) If a school teacher moves to a post as a school teacher in another school, the appraisal cycle shall begin again.

(2) If a school teacher moves to a new post as a school teacher in the same school, the head teacher may determine that the appraisal cycle shall begin again.

(3) Where a school teacher's appraisal cycle begins again under paragraph (1) or (2), the head teacher may determine that the length of the school teacher's first appraisal cycle in his or her new post shall be a period of less than one year.

### **First appraisal cycle**

**24.** The governing body must take all reasonable steps to secure that the first appraisal cycle for every school teacher at the school in post on the date on which these Regulations come into force begins no later than 30th April 2003.

### **Appraisal procedures**

**25.** Subject to regulations 26 to 30, the governing body of a school must determine the procedures for the appraisal of the school teachers at the school.

### **Planning of appraisal and setting of objectives**

**26.**—(1) Before or at the start of the appraisal cycle, the appraiser and the school teacher must meet to plan and prepare for the appraisal and to seek to agree objectives which must include objectives relating to—

- (a) developing and improving the school teacher's professional practice; and
- (b) pupil progress.

(2) If objectives are not agreed under paragraph (1), the appraiser must set out in writing such objectives as he or she considers appropriate, and the school teacher may add comments in writing.

(3) The objectives agreed under paragraph (1), or where objectives have not been agreed the objectives set out in writing under paragraph (2), and the school teacher's written comments, must be recorded in a written statement of objectives.

### **Revising objectives**

**27.**—(1) A school teacher's objectives may be revised at any time during the appraisal cycle where the school teacher and the appraiser agree.

(2) Where a school teacher's objectives are revised under paragraph (1)—

- (a) the statement of objectives must be amended to show the agreed revision;
- (b) references in these Regulations to the school teacher's objectives shall be read as references to the revised objectives; and
- (c) references in these Regulations to the school teacher's statement of objectives shall be read as references to the amended statement of objectives.



## **Monitoring progress**

**28.—**(1) The appraiser and the school teacher must seek to agree at a meeting held under regulation 26(1) on the procedures for monitoring the school teacher's performance against the objectives agreed under regulation 26(1) or where objectives have not been agreed the objectives set out in writing under regulation 26(2).

(2) If procedures are not agreed under paragraph (1), the appraiser must set out in writing such procedures for monitoring the school teacher's performance as the appraiser considers appropriate.

(3) The procedures agreed under paragraph (1) or where procedures have not been agreed the procedures set out in writing under paragraph (2) must include a requirement for the appraiser in appraising a school teacher to observe the school teacher teaching on at least one occasion during the appraisal cycle.

(4) Subject to paragraph (5), an appraiser may not obtain from any other person information, whether written or oral, relevant to the school teacher's performance unless the school teacher consents or the information is obtained in accordance with the procedures agreed under paragraph (1) or where procedures have not been agreed the procedures set out in writing under paragraph (2).

(5) Paragraph (4) does not apply to any information which an appraiser is entitled to receive under any other provision of these Regulations.

## **The appraisal review and the appraisal statement**

**29.—**(1) At or near the end of the appraisal cycle the appraiser and the school teacher must hold an appraisal review, with the object of—

- (a) reviewing the school teacher's performance and identifying his or her achievements and any aspects in which further progress would be desirable;
- (b) assessing the extent to which the school teacher has met the objectives recorded in the statement of objectives; and
- (c) identifying any training and developmental needs and ways of meeting such needs.

(2) The date on which an appraisal review is to be held shall be determined by the appraiser, but at least 10 school days notice (in writing) must be given to the school teacher of that date.

(3) The school teacher may, at least five school days before the appraisal review, submit to the appraiser—

- (a) the school teacher's own assessment of his or her performance against the objectives recorded in the statement of objectives;
- (b) particulars of any training which the school teacher considers it would be desirable to receive having regard to that assessment; and
- (c) particulars of any factors which the school teacher considers affected his or her performance against the recorded objectives;

and any such assessment and other information submitted to the appraiser under this paragraph must be considered at the appraisal review.

(4) Within 10 school days after each appraisal review, the appraiser must prepare a written statement recording the main points made by the appraiser and the school teacher at the review and the conclusions reached, and there must be recorded in an annex to the statement (which shall form part of the statement) the training and developmental needs and ways of meeting such needs identified at the review.

(5) An appraisal review under paragraph (1) may be combined with a meeting under regulation 26 in relation to the following appraisal cycle.

(6) The appraiser must give the school teacher a copy of the statement prepared under paragraph (4) within 10 school days after the appraisal review.

(7) The school teacher may, within 10 school days of receiving a copy of that statement add to it his or her comments in writing, and such comments shall form part of the statement prepared under that paragraph.

## Appeals

**30.**—(1) A school teacher is entitled to appeal against his or her appraisal under these Regulations within 10 school days of receiving a copy of the appraisal statement under regulation 29(6).

(2) An appeal shall be made in writing to the governing body.

(3) The appeals officer in relation to such an appeal must be the head teacher, except where the appraiser is the head teacher, when the appeals officer must be the chairman of the governing body.

(4) Where the appeals officer is the chairman of the governing body, an external adviser must assist him or her.

(5) The appeals officer must within 10 school days of receiving the appraisal statement under regulation 31(2)(b) conduct and conclude a review of the appraisal and must take account of any representations made by the school teacher.

(6) The appeals officer may—

- (a) order the appraisal statement to stand with or without observations of the appeals officer; or
- (b) with the agreement of the appraiser amend the appraisal statement; or
- (c) order that the appraisal statement be expunged and order a new appraisal.

(7) Where a new appraisal is ordered under paragraph (6)(c), a new appraiser must be appointed in accordance with regulation 21 and the appeals officer must determine which appraisal procedures must be repeated.

(8) Where it appears to the appeals officer that there is no suitable new appraiser who can be appointed for the school teacher under regulation 21, the appeals officer must appoint as a new appraiser for the school teacher a member of the school's governing body.

(9) No governor who is a teacher or other member of staff at the school may be appointed as an appraiser of a school teacher under paragraph (8).

(10) All appraisal procedures determined to be repeated under paragraph (7) must be completed within 15 school days from the date of the review officer's order under paragraph (6) (c).

(11) The appeals officer may not—

- (a) determine that new objectives be agreed or set in accordance with regulation 26; or
- (b) determine that the objectives agreed or set under regulation 26 be revised.

(12) References in this regulation and in regulations 31 and 32 to an appraisal statement are references to a statement prepared under regulation 29(4), including, in the case of regulations 31 and 32, any observations added by an appeals officer under paragraph (6)(a).

## Provision and retention of appraisal statements

**31.**—(1) The appraiser must give the appraisal statement to the head teacher.

(2) The head teacher must make the appraisal statement available upon request to—

- (a) the appraiser;

- (b) any appeals officer and any external adviser assisting the appeals officer within five school days of the governing body receiving notice of an appeal under regulation 30(2), who must also be given a copy of the statement of objectives;
  - (c) any governors responsible for advising about, or taking decisions in relation to, the promotion of school teachers or the use of any discretion in relation to pay; and
  - (d) in the case of a school teacher employed at a school which does not have a delegated budget (within the meaning of Chapter IV of Part II of the School Standards and Framework Act 1998) the Chief Education Officer or any officer or adviser specifically designated by the Chief Education Officer to be responsible for advising about, or taking decisions in relation to, the promotion of school teachers or the use of any discretion in relation to pay.
- (3) The head teacher must provide a copy of the annex to the appraisal statement referred to in regulation 29(4) to the person or persons responsible for planning the training and development of school teachers at the school.
- (4) The head teacher must make a school teacher's current statement of objectives available to a new appraiser appointed otherwise than at the beginning of an appraisal cycle.
- (5) A school teacher's appraisal statement must be kept by the head teacher until at least three years after the next appraisal statement has been finalised.

### **Information from appraisal statements**

**32.**—(1) Relevant information from appraisal statements may be taken into account by head teachers, school governing bodies (including committees of governing bodies), Chief Education Officers or any officers or advisers specifically designated by a Chief Education Officer under regulation 31(2)(d) in taking decisions, and in advising those responsible for taking decisions, about the promotion, dismissal or discipline of school teachers or the use of any discretion in relation to pay.

- (2) Appraisal procedures must not form part of any disciplinary or dismissal procedures.

### **Transitional provision**

**33.** Regulations 31 and 32 apply in relation to appraisal records produced and maintained under the Education (School Teacher Appraisal) (Wales) Regulations 1999 as they apply in relation to appraisal statements.

Signed on behalf of the National Assembly under section 66(1) of the Government of Wales Act 1998(5).

21st May 2002

*D.Elis-Thomas*  
The Presiding Officer of the National Assembly

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

## EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These Regulations revoke and replace the Education (School Teacher Appraisal) (Wales) Regulations 1999 (S.I. [1999/2888](#)(W.25)).

The Regulations provide for the appraisal of the performance of school teachers (including unqualified teachers) at community, voluntary, foundation, community special, or foundation special schools, other than teachers employed under a fixed term contract for less than one year.

Part I of the Regulations contains introductory provisions, including the duty of the governing body and head teacher to secure that the performance of all school teachers at the school is appraised regularly (regulation 4) and the duty on head teachers to make an annual written report on the effectiveness of appraisal procedures to the governing body (regulation 5).

Part II of the Regulations deals with the appraisal of head teachers.

Regulation 7 provides for the governing body to appoint two or three governors as appraisers for a head teacher. An external adviser will also be appointed.

Regulations 8 and 9 make provision in relation to the appraisal cycle. The appraisal cycle normally lasts for one year, although the governing body can decide on a different length for a head teacher's first appraisal cycle. On moving to a new post as head teacher or on becoming a head teacher, the appraisal cycle begins again.

Regulation 10 imposes a duty on the governing body to ensure that a head teacher's first appraisal cycle begins by 31st January 2003. Regulation 11 requires the governing body to decide on the procedures for appraisal.

Regulation 12 provides for a meeting to be held between the appraisers, the external adviser and the head teacher at which they plan the appraisal and objectives are agreed or set. Regulation 13 provides that these objectives may be revised. Regulation 14 requires the procedures for monitoring performance to be set or agreed and provides for the obtaining of information by the appraisers.

Regulation 15 provides that an appraisal review must be held towards the end of the cycle. The head teacher can submit an assessment of his or her performance to be considered at the review. After the review the appraisers must prepare a written statement.

Regulation 16 gives the head teacher the right to appeal against an appraisal and sets out the procedures for appeal.

Regulations 17 and 18 provide for the disclosure, retention and use of appraisal statements. Copies must be given to certain people and may be given to others. Statements must be kept for three years.

Regulation 19 contains a transitional provision.

Part III of the Regulations deals with the appraisal of school teachers other than head teachers.

Regulation 21 provides for the head teacher to appoint an appraiser for each school teacher at a school. The appraiser can be the head teacher or another school teacher.

Regulations 22 and 23 make provision in relation to the appraisal cycle. The appraisal cycle normally lasts for one year, although the head teacher can decide on a different length for the first appraisal cycle may last up to 18 months but no less than nine months. On moving to a new post in another school, the appraisal cycle begins again, but on moving to a new post in the same school, it is for the head teacher to decide whether or not the cycle begins again.

Regulation 24 imposes a duty on the governing body to ensure that a school teacher's first appraisal begins by 30th April 2003.

Regulation 25 requires the governing body to decide on the procedures for appraisal.

Regulation 26 provides for a meeting to be held between the appraiser and the school teacher at which they plan the appraisal and objectives are agreed or set. Regulation 27 provides that these objectives may be revised. Regulation 28 requires the procedures for monitoring performance to be set or agreed. The appraiser must observe the school teacher teaching on at least one occasion. It also provides for the obtaining of information by the appraisers.

Regulation 29 provides that an appraisal review must be held towards the end of the cycle. The school teacher can submit an assessment of his or her performance to be considered at the review. After the review the appraiser must prepare a written statement.

Regulation 30 gives the school teacher the right to appeal against an appraisal and sets out the procedures for appeal.

Regulations 31 and 32 provide for the disclosure, retention and use of appraisal statements. Copies must be given to certain people and may be given to others. Statements must be kept for three years.

Regulation 33 contains a transitional provision.