
WELSH STATUTORY INSTRUMENTS

2011 No. 2940

The School Teacher Appraisal (Wales) Regulations 2011

PART III

Appraisal of School Teachers other than Head Teachers

Appeals

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

(2) An appeal must 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 chair of the governing body.

(4) Where the appeals officer is the chair of the governing body, the local authority must appoint a representative to assist the appeals officer.

(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 appeals 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).