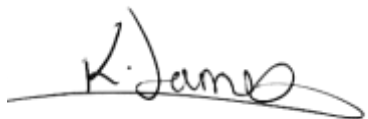




PERFORMANCE MANAGEMENT POLICY

DRAFT

Purpose:	To inform all Stanborough Secondary School staff of the procedures for Performance Management
Approval Body:	The Stanborough Secondary School Governing Body
SLT Lead Person:	Head teacher
Lead Governor for Policy:	School Board Chair
Date of Approval:	March 2022 (pending ratification)
Proposed Review Date:	

	
Kaz James Interim Headteacher	Pastor Brooks Chair of Governors

INTRODUCTION

Stanborough Secondary School is committed to enabling staff to work to the high standard expected of them with the aim of delivering outstanding educational provision. This policy complies with current legislation, including the Education (School Teachers' Appraisal) (England) Regulations 2012 (the Appraisal Regulations), and is a key part of our school's effort to ensure that effective performance management and staff appraisals are carried out. Other relevant policies that may link to this policy include the school's staff disciplinary procedures, code of conduct and grievance policy.

The Board of Governors undertakes an annual review of this policy and of the efficiency with which the related duties have been discharged, no later than one year from the date shown above, or earlier if changes in legislation, regulatory requirements or best practice guidelines so require.

Implications of COVID-19

- We believe that no teacher should be disadvantaged as a result of the Covid-19 outbreak, in respect of perceptions of their performance during the course of the performance management cycle.
- The DFE advised us to use our discretion in 2020/21 to set aside appraisal of teachers and school leaders against their objectives and we will adopt a similar approach for 2021/22.
- Staff and appraisers will revisit their objectives to consider the extent to which achievement of them has been impeded or made impossible by the disruption we have experienced during the course of the current academic year. Where it is clear that an objective has not been achieved as a result of Covid-related disruption, staff will be given the opportunity to 'carry over' the objective into the 2021-2022 cycle.

1. Purpose

- 1.1 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. It also sets out the arrangements that will apply when teachers fall below the levels of competence that are expected of them.
- 1.2 This policy sets out the framework for a clear and consistent assessment of the overall performance of all staff and for supporting their development needs within the context of the school's development plan and their own professional needs.

2. Application of the policy

- 2.1 The policy is in two separate sections:

Part A of the policy, which covers appraisal, applies to the head teacher, all teachers and support staff employed by the school, except those on contracts of less than one term, those undergoing induction (*i.e.* NQTs) and those subject to capability procedures as described in Part B of this policy. Note that specific objectives can be found on the objectives form.

- 2.2 **Part B** of the policy, which sets out the formal capability procedure, applies to teachers (including the head teacher) only where there are serious concerns about performance that the appraisal process has been unable to address. The policy also applies to support staff, teaching assistants and administrative staff, where performance concerns have been raised.

Part A – Appraisal

Stanborough School is committed to safeguarding and promoting the welfare of our students and expects all staff and volunteers to share this commitment. It is our aim that all our students fulfil their potential

3. Rationale

- 3.1 Appraisal in this school will be a supportive and developmental process designed to ensure that all teachers and staff have the skills and support they need to carry out their role effectively. It will help to ensure that teaching and non-teaching staff are able to continue to improve and develop their professional practice. It is a continuous professional development system.

4. The appraisal period

- 4.1 The appraisal period will run for twelve months from October/November for Teachers, November/December for the Head Teacher and from January/February for Support Staff, or as soon as is practicable after that. However, in circumstances such as a pandemic, appraisals may be extended for one term. Given the impact of the pandemic, the performance management cycle 2021-2022 for teaching staff will run from February 2022 to October/November 2022 (9 months) and will remain the same for support staff. This is so that we can revert to the normal cycle for 2022-2023.
- 4.2 Teachers who are 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 period will be determined by the duration of their contract.

5. Appointing appraisers

- 5.1 The head teacher will be appraised by the Governing Body, supported by a suitably skilled and experienced external adviser who has been appointed by the BUC for that purpose.
- 5.2 In this school the task of appraising the head teacher, including the setting of objectives, will be delegated to a sub-group consisting of two members of the Governing Body.
- 5.3 The head teacher and suitably competent staff will be the appraisers for teachers. Members of SLT and Faculty Leaders may appraise the individuals they line manage. The head teacher will ensure that the SLT is trained to carry out performance management if they are required to do so.

6. Setting objectives

- 6.1 The head teacher's objectives will be set by the Governing Body after consultation with the external adviser.
- 6.2 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 and will be appropriate to the teacher's role and level of experience. The appraiser and teacher will seek to agree the objectives but, if that is not possible, the appraiser will determine the objectives. Objectives may be revised if circumstances change.
- 6.3 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. This will be ensured by making sure objectives reflect current school improvement priorities.
- 6.4 Given the shorter time period for the performance management cycle 2021-2022, consideration will be given to ensuring objectives are achievable in and to the number of objectives set.
- 6.5 Before, or as soon as practicable after, the start of each appraisal period, each teacher will be informed of the standards against which that teacher's performance in that appraisal period

will be assessed. All teachers will be assessed against the standards contained in the document “Teachers’ Standards” published in July 2011 (introduction updated June 2013).

The head teacher, teachers with extra responsibilities and support staff will also be assessed against the set of standards that are relevant to them.

7. Reviewing performance

Observation

- 7.1 This school believes that observation of classroom practice and other responsibilities is important both as a way of assessing teachers’ performance in order to identify any particular strengths and areas for development they may have and of gaining useful information which can inform school improvement more generally. All observation will be carried out in a supportive fashion.
- 7.2 In this school, teachers’ performance will be regularly observed but the amount and type of classroom observation will depend on the individual circumstances of the teacher and the overall needs of the school (see capability procedures).
- 7.3 Formal classroom observations will be carried out by those with UK accredited QTS. Observers will ensure that those being observed will be notified at least five working days in advance. Teachers will be informed of the focus of the observation and observations will not last longer than one hour. Teachers are required to send a lesson plan before the lesson takes place.
- 7.4 Head teachers or other leaders with responsibility for teaching standards may “drop in” to lessons (remote or face-to-face). 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 a “drop in” will vary, depending on specific circumstances, however, will not last longer than 30 minutes.
- 7.5 Head teachers or other leaders with responsibility for teaching standards may also scrutinise work. This can take place in isolation or as part of an observation/drop-in.
- 7.6 When staff are required to hand work in for scrutiny, they will be given at least 5 five working days’ notice.
- 7.7 Teachers (including the head teacher) who have responsibilities outside the classroom should also expect to have their performance of those responsibilities observed and assessed.

Evidence – All Employees

- 7.8 During the appraisal period, each employee has a responsibility for gathering evidence of their progress throughout the year for them to identify any particular strengths or areas for further development. The appraiser will then record the discussion on this evidence in the appraisal report.

Teachers

- 7.9 In addition, a range of evidence should be available to the appraiser on a teacher’s performance as part of the quality assurance processes. Evidence may include but is not limited to:
 - lesson observations
 - Drop-ins
 - work scrutiny
 - questionnaires (pupil or parent – where obtained)
 - planning scrutiny
 - learning walks

- pupil feedback (where obtained)
- tracking data of pupil's progress
- progress of individuals/groups
- evidence of meeting Standards

Development and support

7.10 Appraisal is a supportive process which will be used to inform continuing professional development. The school wishes to encourage a culture in which all teachers take responsibility for improving their teaching through appropriate professional development. Professional development will be linked to school improvement priorities and to the ongoing professional development needs and priorities of individual teachers.

Feedback

7.11 Teachers will receive constructive feedback on their performance throughout the year. For formal observations, appraisers will attempt to feedback to teachers verbally within 24 hours and provide written feedback within 5 working days. Teachers are then required to comment on the written feedback within 5 working days. For 'drop-ins', feedback will be given to the teacher or to teachers collectively (as a group/together) in a meeting or during briefing.

7.12 Feedback will highlight particular areas of strength as well as any areas that need attention. This will be in liaison with the teacher, who will be coached to identify the areas for development relating to the school's pedagogy. This will enable them to be a more reflective practitioner.

7.13 Where there are concerns about any aspects of the teacher's performance the appraiser will meet the teacher formally to:

- give clear feedback to the teacher about the nature and seriousness of the concerns.
- give the teacher the opportunity to comment and discuss the concerns.
- agree any support (e.g. coaching, mentoring, structured observations), that will be provided to help address those specific concerns.
- make clear how, and by when, the appraiser will review progress (*it may be appropriate to revise objectives, and where necessary allow sufficient time for improvement. The amount of time will reflect the seriousness of the concerns*).
- explain the implications and process if no – or insufficient – improvement is made.

7.14 The n 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.

8. Transition to capability

8.1 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 capability procedure and will be invited to a formal capability meeting. The capability procedures will be conducted as in part B of this policy.

9. Annual assessment

- 9.1 Each teacher's performance will be formally assessed in respect of each appraisal period. In assessing the performance of the head teacher, the Governing Body must consult the external adviser.
- 9.2 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 each term.
- 9.3 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.
- 9.4 The appraisal report will include:
- details of the teacher's objectives for the appraisal period in question.
 - an assessment of the teacher's performance of their role and responsibilities against their objectives and the relevant standards;
 - an assessment of the teacher's training and development needs and identification of any action that should be taken to address them;
 - Discuss the teacher's wellbeing, career aspirations and any difficulties they may be facing
 - a recommendation on contract renewal, where that is relevant.
 - If necessary, discuss the teacher's underperformance and put a plan in place to address it. They should also inform the teacher that if performance does not improve, capability proceedings may begin, where applicable (see 8.1)
- 9.5 The assessment of performance, training and development needs will inform the planning process for the following appraisal period.

THE PERFORMANCE MANAGEMENT PROCESS FOR TEACHING STAFF

This process includes the use of the Teacher review Objectives and the Employee Performance Evaluation each indicating the steps that need to be followed. In addition, teachers need to submit updated scheme of work in their evidence folders; will be observed formally twice in the Performance Management cycle (lesson observation) and pupil evaluation will be carried out on each individual staff (unless there is a requirement to carry out further observations – see 7.2). All these must be included in the Performance Management folder for each teacher.

THE PERFORMANCE MANAGEMENT PROCESS FOR NON-TEACHING STAFF

The primary purpose of the policy is to build a workforce motivated to the development of skills and competencies focused on the establishment of an effective, efficient and accountable workforce.

1. To set challenging and realistic objectives for individuals, teams and departments; and
2. To improve and maintain customer service and delivery throughout the school

LINKS TO SCHOOL DEVELOPMENT PLAN AND SCHOOL SELF EVALUATION PLANNING

The performance management policy is linked to the school development plan. The performance management process will be the main source of information as appropriate for school self-evaluation and the wider school improvement process.

Similarly, the school development plan and the school's self-evaluation form are key documents for the performance management process.

All reviewers are expected to explore the alignment of reviewees' objectives with the school's priorities and plans. The objectives should also reflect reviewees' professional aspirations.

CONSISTENCY OF TREATMENT AND FAIRNESS

The Governing Body is committed to ensuring consistency of treatment and fairness in the operation of performance management.

To ensure this the following provisions are made in relation to moderation, quality assurance and objective setting.

QUALITY ASSURANCE

The head teacher has determined that s/he will delegate the reviewer role for staff for whom s/he is not the line manager. In these circumstances, the head teacher will moderate all the planning statements to check that the plans recorded in the statements of teachers at the school:

- i) are consistent between those who have similar experience and similar levels of responsibility
- ii) comply with the school's performance management policy, the regulations and the requirements of equality legislation
- iii) Where possible, the headteacher will ensure quality assurance by requesting that the Education Director and/or other headteachers from neighbouring schools support the process of moderation.

The Head Teacher will also review and comment on all staff performance management twice a year.

The Governing Body will nominate the Chair of the Governing Body, who will not be involved in the head teacher's performance management or any appeal regarding the head teacher's performance management to ensure that the head teacher's planning statement is consistent with the school's improvement priorities and complies with the school's performance management policy and the Regulations.

The Governing Body will review the quality assurance processes when the performance policy is reviewed.

Appointment of Reviewers

If the line Manager has been allocated as reviewer, where there is more than one line manager, the Head teacher will determine which line manager is best placed to manage and review the person's performance.

Where a member of staff is of the opinion that the reviewer is unsuitable for professional reasons, they may submit a written request to the Head teacher for the reviewer to be replaced stating the

reasons. The member of staff will be permitted one reallocation of reviewer, selected by the Head teacher.

OBJECTIVE SETTING

The objectives set will be rigorous, challenging, achievable, time-bound, fair and equitable in relation to teachers with similar roles/responsibilities and experience. They will have regard to what can reasonably be expected of any employee in that particular position given the desirability of the reviewee being able to achieve a satisfactory balance between the time required to discharge his professional duties and the time required to pursue his personal interests outside work. Punctuality and the meeting of set deadlines will form part of the objectives to be met.

Objectives should be made with reference to the school's development plan and be focussed on organisational goals such as pupil achievement/attainment and the professional development of the reviewee. They shall also take account of the employee's professional aspirations. They should be such that, if they are achieved, they will contribute to improving the progress of pupils at the school and the overall improvement/development of the school.

A copy of the job description and the SDP should be made available to the reviewee.

The reviewer and reviewee will seek to agree the objectives but where a joint determination cannot be made, the reviewer will make the determination.

Though performance management is an assessment of overall performance of staff and the head teacher, objectives cannot cover the full range of the roles/responsibilities of a member of staff. Objectives will, therefore, focus on the priorities for an individual for the cycle. At the review stage, it will be assumed that those aspects of an individual's roles/responsibilities not covered by the objectives or any amendment to the statement, which may have been necessary in accordance with the provisions of the regulations, have been carried out satisfactorily.

Reviewing Progress

At the end of the cycle, assessment of performance against an objective will be on the basis of the performance criteria set at the beginning of the cycle. Good progress towards the achievement of a challenging objective, even if the performance criteria have not been met in full, will be assessed favourably.

The performance management cycle is annual, but on occasions it may be appropriate to set objectives that will cover a period over more than one cycle. In such cases, the basis on which the progress being made towards meeting the performance criteria for the objective will be assessed at the end of the first cycle and will be recorded in the planning and review statement at the beginning of the cycle.

APPEALS

At specified points in the performance management process all staff have a right of appeal against any of the entries in their planning and review statements. Where a reviewee wishes to appeal on the basis of more than one entry, this would constitute one appeal hearing.

CONFIDENTIALITY

The whole performance management process and the statements generated under it, in particular, will be treated with strict confidentiality at all times. Only the reviewee's line manager or, where s/he has more than one, each of her/his line managers will be provided with access to the reviewee's plan recorded in her/his statement, upon request, where this is necessary to enable the line manager to discharge her/his line management responsibilities. Reviewees will be told who has requested and has been granted access.

TRAINING AND SUPPORT

The school's CPD programme will be informed by the training and development needs identified in the training annex of the reviewees' planning and review statements.

The governing body will ensure in the budget planning that, as far as possible, appropriate resources are made available in the school budget for any training and support agreed for reviewees in accordance with both the BUC policy handbook and the staff policy handbook.

An account of the training and development needs of staff in general, will form a part of the head teacher's annual report to the governing body about the operation of the performance management in the school.

With regard to the provision of CPD in the case of competing demands on the school budget, a decision on relative priority will be taken with regard to the extent to which: (a) the CPD identified is essential for a reviewee to meet their objectives; and (b) the extent to which the training and support will help the school to achieve its priorities. The school's priorities will have precedence.

APPOINTMENT OF REVIEWERS FOR THE HEAD TEACHER

At Stanborough Secondary School, the Governing Body is the reviewer for the head teacher and to discharge this responsibility on its behalf may appoint 2 or 3 governors. The BUC may appoint an external reviewer for the Head Teacher who will be ratified by the governing body.

Where a head teacher is of the opinion that any of the reviewers appointed under this regulation is unsuitable for professional reasons, s/he may submit a written request to the governing body for that governor to be replaced, stating those reasons.

APPOINTMENT OF REVIEWERS FOR STAFF

In the case where the head teacher is not the teacher's line manager, the head teacher may delegate the duties imposed upon the reviewer, in their entirety, to the teacher's line manager. In this school, the head teacher has decided that: the head teacher will be the reviewer for the staff s/he directly line manages and will delegate the role of reviewer, to the relevant line managers for some or all other staff.

Where a teacher falls in more than one faculty, the head teacher will determine which faculty leader will be best placed to manage and review the teacher's performance (if they are indeed the appraiser). Where a teacher is of the opinion that the person to whom the head teacher has delegated the reviewer's duties is unsuitable for professional reasons, s/he may submit a written request to the head teacher for that reviewer to be replaced, stating those reasons.

Where it becomes apparent that the reviewer will be, absent for the majority of the cycle or is unsuitable for professional reasons the head teacher may perform the duties himself/herself or

delegate them in their entirety to another leader in the school. Where this leader is not the reviewee's line manager that leader will have an equivalent or higher status in the staffing structure as the reviewee's line manager.

A performance management cycle will not begin again in the event of the reviewer being changed. All line managers to whom the head teacher has delegated the role of reviewer will receive appropriate preparation for that role.

THE PERFORMANCE MANAGEMENT CYCLE

The performance of teachers must be reviewed on an annual basis. Performance planning and reviews must be completed for all staff by 31 October and for head teachers by 31 December. However, reviews will be completed by 31st December for staff, in situations such as the Pandemic and will be agreed with the Headteacher and employee.

The performance management cycle in this school, therefore, will run for an academic year from September to August every year for staff and from 1st December to 31st November for the head teacher, except during the pandemic.

Staff, who are employed on a fixed term contract of less than one year, will have their performance managed in accordance with the principles underpinning the provisions of this policy. The length of the cycle will be determined by the duration of their contract.

Where staff begin their employment at the school part way through a cycle, the head teacher shall determine the length of the first cycle for that staff member, with a view to bringing the cycle into line with the cycle for other staff at the school, as soon as possible. This shall be the case in the event that the member of staff is the head teacher.

Where staff transfers to a new post within the school part way through a cycle, the head teacher shall determine whether the cycle shall begin again and whether to change the reviewer. The above shall apply in the case where the member of staff is the head teacher.

RETENTION OF STATEMENTS

Performance management planning and review statements will be retained for a minimum period of 6 years.

MONITORING AND EVALUATION

The governing body will monitor the operation and outcomes of performance management arrangements.

The head teacher will provide the governing body with a written report on the operation of the school's performance management policy annually. The report will not contain any information, which would enable any individual to be identified. The report will include:

- the operation of the performance management policy.
- the effectiveness of the school's performance management procedures.
- staff training and development needs.

The Governing Body is committed to ensuring that the performance management process is fair and non-discriminatory. There will be no discrimination based on race, sex, Sexual orientation, disability,

religion, age or part time contracts. The Head teacher will monitor the process and include any monitoring data in the report where appropriate.

The head teacher will also report on whether there have been any appeals or representations on an individual or collective basis on the grounds of alleged discrimination under any of the categories above.

REVIEW OF THE POLICY

The Governing Body will review the performance management policy every school year at its personnel committee meeting.

The Governing Body will take account of the head teacher's report in its review of the performance management policy. The policy will be revised as required to introduce any changes in regulation and statutory guidance to ensure that it is always up to date.

To ensure staff are fully conversant with the performance management arrangements, all staff who join the school will be briefed on these arrangements as part of their introduction to the school.

ACCESS TO DOCUMENTATION

Copies of the School Development Plan and SEF are published on the school's intranet and/or can be obtained from the school PA office.

CLASSROOM OBSERVATION PROTOCOL

All classroom observation will be undertaken in accordance with the school's protocol for lesson observations as in the school handbook and in keeping with the performance management regulations.

PERFORMANCE & DEVELOPMENT REVIEW PROCESS

Stanborough Secondary School Performance Management

February 2022 – October 2022 (modified due to the pandemic)

Reviewee: _____

Reviewer: _____

Date of review meeting: _____

Date of Objective planning meeting (Between 21st October 2022 – 4th March 2022)	
Date of first observation (Completed in Spring 1)	
Date of second observation (18th April 2022 to 29th April 2022)	
Date of mid-year review meeting (7th May 2022 – 17th May 2022)	
Date of Final review meeting and statement completed (17th October 2022 – 31st October 2022)	
Not that documentation will be presented at the review meeting (data, observations, lesson plans etc.) and saved on your performance management area on the shared drive)	

OPTIONAL PERFORMANCE MANAGEMENT FEEDBACK TO BE COMPLETED BY THE REVIEWER (should be detached from final Performance Management Report if not completed)

Section 13- Performance Factors

1. Select only those factors that apply, with a minimum of three

Key E-Exceptional G-Good N-Needs Improvement U-Unsatisfactory

<p>Initiative and Resourcefulness</p> <p><input type="checkbox"/> E</p> <p><input type="checkbox"/> G</p> <p><input type="checkbox"/> N</p> <p><input type="checkbox"/> U</p>	<p>Judgement</p> <p><input type="checkbox"/> E</p> <p><input type="checkbox"/> G</p> <p><input type="checkbox"/> N</p> <p><input type="checkbox"/> U</p>	<p>Adaptability</p> <p><input type="checkbox"/> E</p> <p><input type="checkbox"/> G</p> <p><input type="checkbox"/> N</p> <p><input type="checkbox"/> U</p>	<p>Decisiveness</p> <p><input type="checkbox"/> E</p> <p><input type="checkbox"/> G</p> <p><input type="checkbox"/> N</p> <p><input type="checkbox"/> U</p>	<p>Customer Service</p> <p><input type="checkbox"/> E</p> <p><input type="checkbox"/> G</p> <p><input type="checkbox"/> N</p> <p><input type="checkbox"/> U</p>	<p>Innovation and Creativity</p> <p><input type="checkbox"/> E</p> <p><input type="checkbox"/> G</p> <p><input type="checkbox"/> N</p> <p><input type="checkbox"/> U</p>
<p>Job Knowledge and Skills</p> <p><input type="checkbox"/> E</p> <p><input type="checkbox"/> G</p> <p><input type="checkbox"/> N</p> <p><input type="checkbox"/> U</p>	<p>Interpersonal Relationships</p> <p><input type="checkbox"/> E</p> <p><input type="checkbox"/> G</p> <p><input type="checkbox"/> N</p> <p><input type="checkbox"/> U</p>	<p>Oral Communication</p> <p><input type="checkbox"/> E</p> <p><input type="checkbox"/> G</p> <p><input type="checkbox"/> N</p> <p><input type="checkbox"/> U</p>	<p>Written Communication</p> <p><input type="checkbox"/> E</p> <p><input type="checkbox"/> G</p> <p><input type="checkbox"/> N</p> <p><input type="checkbox"/> U</p>	<p>Supervision (Direct)</p> <p><input type="checkbox"/> E</p> <p><input type="checkbox"/> G</p> <p><input type="checkbox"/> N</p> <p><input type="checkbox"/> U</p>	<p>Leadership</p> <p><input type="checkbox"/> E</p> <p><input type="checkbox"/> G</p> <p><input type="checkbox"/> N</p> <p><input type="checkbox"/> U</p>

Performance factor Definitions

1. Initiative and Resourcefulness

Deals skilfully and promptly with new situations, difficulties, or regularly assigned work. Demonstrates a readiness and ability to take action within prescribed limits

2. Judgement

Applies sound logic in making decisions. Maintains awareness of organisational realities and audience perspectives

3. Adaptability

Able to adjust e.g. to changing responsibilities, supervisors, work environment

4. Decisiveness

Able to make decisions or resolve problems within reasonable time frames

5. Customer Service

Interacts with customers in a professional manner

6. Innovation and creativity

Able to develop new approaches or procedures, adapts existing procedures to meet new work demands

7. Job Knowledge and Skills

Has the knowledge and skills to perform effectively. Adds value to the organization through professional or vocational abilities, knowledge of legislation, regulation, use of tools etc.

8. Interpersonal Relationships

Works well with others. Resolves conflicts amicably and professionally. Maintains composure in stressful situations

9. Oral Communication

Able to communicate information clearly so that the listener can readily and fully understand

10. Written Communication

Able to communicate information in writing at the level commensurate with the job

11. Supervision (Direct)

Respects, motivates and oversees career development of staff

12. Leadership

Able to guide others by example or by fostering teamwork or by direct/indirect leadership.

10. Part B – Capability Procedure

10.1 This procedure applies only to teachers or head teachers about whose performance there are serious concerns that the appraisal process has been unable to address.

At least five working days' notice will be given of the formal capability meeting. The notification will contain sufficient information about the concerns about performance and their possible consequences to enable the teacher to prepare to answer the case at a formal capability meeting. It will also contain copies of any written evidence; the details of the time and place of the meeting; and will advise the teacher of their right to be accompanied by a workplace colleague or a certified trade union representative.

11. Formal capability meeting – Stage 1

11.1 This meeting is intended to establish the facts. It will be conducted by the Chair of Governors (for head teacher capability meetings) or head teacher (for other teachers). The meeting allows the teacher, accompanied by a colleague if they wish, to respond to concerns about their performance and to make any relevant representations. This may provide new information or a different context to the information/evidence already collected.

11.2 The person conducting the meeting may conclude that there are insufficient grounds for pursuing the capability issue and that it would be more appropriate to continue to address the remaining concerns through the appraisal process. In such cases, the capability procedure will come to an end. The person conducting the meeting may also adjourn the meeting *for example if they decide that further investigation is needed, or that more time is needed in which to consider any additional information.*

11.3 In other cases, the meeting will continue. During the meeting, or any other meeting which could lead to a formal warning being issued, the person conducting the meeting will:

- identify the professional shortcomings, *for example which of the standards expected of teachers are not being met;*
- give clear guidance on the improved standard of performance needed to ensure that the teacher can be removed from formal capability procedures (*this may include the setting of new objectives focused on the specific weaknesses that need to be addressed, any success criteria that might be appropriate and the evidence that will be used to assess whether or not the necessary improvement has been made*);
- explain any support that will be available to help the teacher improve their performance;
- set out the timetable for improvement and explain how performance will be monitored and reviewed. The timetable will depend on the circumstances of the individual case but in straightforward cases could be *six weeks*, and
- warn the teacher formally that failure to improve within the set period could eventually lead to dismissal. In very serious cases, this warning could be a final written warning.

11.4 Notes will be taken of formal meetings and a copy sent to the member of staff. Where a warning is issued, the teacher will be informed in writing of the matters covered in the bullet points above and given information about the timing and handling of the review stage and the procedure and time limits for appealing against the warning.

12. Monitoring and review period following a formal capability meeting

12.1 A performance monitoring and review period will follow the formal capability meeting. Formal monitoring, evaluation, guidance and support will continue during this period. The member of staff will be invited to a formal review meeting, unless they were issued with a final written warning, in which case they will be invited to a decision meeting (see below).

13. Formal review meeting – Stage 2

13.1 As with formal capability meetings, at least five working days' notice will be given and the notification will give details of the time and place of the meeting and will advise the teacher of their right to be accompanied by a workplace colleague or a certified trade union representative.

13.2 If the person conducting the meeting is satisfied that the teacher has made sufficient improvement, the capability procedure will cease and the appraisal process will re-start. In other cases:

- If some progress has been made and there is confidence that more is likely, it may be appropriate to extend the monitoring and review period;
- If no, or insufficient improvement has been made during the monitoring and review period, the teacher will receive a final written warning.

13.3 As before, notes will be taken of formal meetings and a copy sent to the member of staff. The final written warning will mirror any previous warnings that have been issued. Where a final warning is issued, the member of staff will be informed in writing that failure to achieve an acceptable standard of performance (within the set timescale), may result in dismissal and given information about the handling of the further monitoring and review period and the procedure and time limits for appealing against the final warning. The teacher will be invited to a decision meeting.

14. Decision meeting – Stage 3

14.1 As with formal capability meetings and formal review meetings, at least five working days' notice will be given and the notification will give details of the time and place of the meeting and will advise the teacher of their right to be accompanied by a workplace colleague or a certified trade union representative.

14.2 If an acceptable standard of performance has been achieved during the further monitoring and review period, the capability procedure will end and the appraisal process will re-start. If performance remains unsatisfactory, a decision, or recommendation to the Governing Body, will be made that the teacher should be dismissed or required to cease working at the school.

14.3 The teacher will be informed as soon as possible of the reasons for the dismissal, the date on which the employment contract will end, the appropriate period of notice and their right of appeal.

15. Decision to dismiss

15.1 The power to dismiss staff in this school has been delegated to two governors (from the personnel committee where possible) acting with the head teacher.

16. Dismissal

16.1 Once the decision to dismiss has been taken, the Head teacher will inform the Chair of Governors who will dismiss the teacher with notice.

17. Appeal

17.1 If a teacher feels that a decision to dismiss them, or other action taken against them, is wrong or unjust, they may appeal in writing against the decision within five days of the decision, setting out at the same time the grounds for appeal. Appeals will be heard without unreasonable delay and, where possible, at an agreed time and place. The same arrangements for notification and right to be accompanied by a colleague will apply as with formal capability and review meetings and, as with other formal meetings, notes will be taken and a copy sent to the teacher.

17.2 The appeal will be dealt with impartially and, wherever possible, by managers or governors who have not previously been involved in the case.

17.3 The teacher will be informed in writing of the results of the appeal hearing as soon as possible.

18. General principles underlying this policy

ACAS Code of Practice on Disciplinary and Grievance Procedures

18.1 Part B of the policy will be implemented in accordance with the provisions of the ACAS Code of Practice.

Confidentiality

18.2 The appraisal and capability processes will be treated with confidentiality. However, the desire for confidentiality does not override the need for the head teacher and governing body to quality-assure the operation and effectiveness of the appraisal system. The head teacher will review all teachers' objectives and written appraisal records personally, in order to check consistency of approach and expectation between different appraisers.

Consistency of Treatment and Fairness

18.3 The Governing Body is committed to ensuring consistency of treatment and fairness and will abide by all relevant equality legislation.

Definitions

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

Delegation

18.5 Normal rules apply in respect of the delegation of functions by governing bodies, head teachers and BUC.

19. Grievances

19.1 Where a member of staff raises a grievance during the capability procedure the capability procedure may be temporarily suspended in order to deal with the grievance. Where the grievance and capability cases are related it may be appropriate to deal with both issues concurrently.

20. Sickness

20.1 If long term sickness absence appears to have been triggered by the commencement of monitoring or a formal capability procedure, the case will be dealt with in accordance with the school's absence policy and will be referred immediately to the occupational health service to assess the member of staff's health and fitness for continued employment and the appropriateness or otherwise of continuing with monitoring or formal procedures. In some cases, it may be appropriate for monitoring and/or formal procedures to continue during a period of sickness absence.

21. Monitoring and Evaluation

21.1 The governing body is responsible for creating this policy and reviewing it. The governing body and the head teacher will monitor the operation and effectiveness of the school's appraisal arrangements.

22. Retention

22.1 The governing body and head teacher will ensure that all written appraisal records are retained in a secure place, in line with the Data Protection Policy and then destroyed.