

QUINTON PRIMARY SCHOOL



Teacher Appraisal and Capability Policy

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1. Aims

This policy aims to:

- Set out the arrangements for appraising teachers, including the process and the responsibilities of individuals.
- Ensure consistency and fairness across the school.
- Create a process where teachers' professional development is supported and encouraged, in the context of the school's latest Ofsted report, our school improvement plan and the Teachers' Standards.
- Ensure teachers have the skills and knowledge they need to fulfil and excel in their role and provide an excellent education to our pupils.

The policy applies to all teaching staff employed by the school or local authority, except those on contracts of less than one term, those undergoing induction and those undergoing capability procedures.

2. Legislation and guidance

The minimum national requirements for teachers' appraisal in maintained schools are set out in The Education (School Teachers' Appraisal) (England) Regulations 2012.

This policy is based on the model policy produced by the Department for Education (DfE).

3. Definitions

In this policy, the term 'teacher' refers to classroom teachers, middle and senior leaders and the headteacher. Where relevant, further detail regarding arrangements for headteachers have been added.

4. The appraisal period

The appraisal period will run for 12 months beginning on the first day of the Autumn Term. Appraisals will be held during the Autumn Term.

For teachers on fixed-term contracts of less than 12 months, the appraisal period will be determined by the duration of their contract.

Teachers who start at or leave the school during the appraisal period can have a longer or shorter appraisal period in that appraisal round.

It is intended that teachers will have had their annual appraisal meeting and received their appraisal report by **31 October**.

It is intended that the headteacher will have had their annual appraisal meeting and received their appraisal report by **31 December**.

5. Setting objectives

Teachers' objectives will be set before, or as soon as possible after, the start of the appraisal period.

The headteacher's objectives will be set by the governing body in consultation with the External Adviser (see Section 9 for more information on appointing an external adviser).

Objectives will:

- Contribute to improving the education of pupils at the school and the implementation of any school improvement plans. To ensure this happens, the headteacher will quality assure all objectives against the school improvement plan.
- Be specific, measureable, achievable, realistic and time-bound (SMART)
- Be appropriate to the teacher's role and career experience
- Be revised if circumstances change throughout the year

When objectives are set, teachers will also be informed of the standards their performance will be judged against.

The appraiser and teacher will seek to agree the objectives but, if that is not possible, the appraiser will determine the objectives.

6. Standards

Teachers will be assessed against the Teachers' Standards. The headteacher, and other school leaders where relevant, will also be assessed against the National Standards of Excellence for Headteachers.

7. Reviewing performance (including observation protocol)

The school will use a range of evidence to judge a teacher's performance:

- Formal and informal lesson observations
- Observations and results from wider school activities, if applicable
- Performance of their pupils

- Reviews of planning and marking
- Parent and pupil voice, if applicable
- Work and book trawls

7.1 Observation protocol

The school believes that observations are an important way of assessing teachers' performance. They can help identify a teacher's strengths and areas for improvement and can help to identify areas of good practice that can be shared across the school.

There will be both formal and "drop in" observations. Teachers with responsibilities outside the classroom will also have these responsibilities observed.

All observations will:

- Be carried out in an objective, fair, professional and supportive manner
- Be carried out by teachers with Qualified Teacher Status
- Provide constructive feedback
- Remain confidential to those who need to know details as part of their jobs

7.2 'Drop in' observations

Drop-in observations will usually be conducted by the Senior Leadership Team or Subject Leader in order to monitor the quality of teaching and learning.

Notice of 'drop in' observations will be given termly.

They will usually last around 30 minutes and may involve the observer talking to pupils and looking at their work.

The frequency will depend on the individual teacher and the school's needs at the time.

Generally, verbal feedback will be given the following day.

The school will use all reasonable endeavours to provide written feedback within 5 working days.

Please note that the school also carries out drop-in observations where fellow teachers observe a lesson for their own professional development. Notice may not be given and evidence will not be used as part of the appraisal process.

7.3 Formal observations

The purpose of formal observations is to assess the teacher's performance and progress against their objectives and the relevant standards.

The number of formal observations will be agreed with the teacher during their appraisal meeting and will be determined by the teacher's individual circumstances and the needs of the school at the time.

For example, NQTs and less experienced teachers who have recently started at the school will receive a number of formal observations to establish their strengths and areas for development. A very experienced teacher will typically receive fewer observations.

Teachers will not receive more than THREE formal observations over the year.

Generally, verbal feedback will be given the following day.

The school will use all reasonable endeavours to provide written feedback within 5 working days.

7.4 Additional observations

Additional formal observations will take place if:

- The teacher requests them
- There are concerns that the teacher's performance is not up to standard (this may be triggered by poorly performing or poorly behaved pupils)
- The teacher is subject to formal capability proceedings

The above protocols will still apply to these additional observations.

8. Annual assessment

Performance will be reviewed and addressed on a regular basis throughout the year in termly meetings with the teacher's line manager.

The appraisal meeting is the end point of the annual appraisal process and will take place in the summer term. In this meeting, the appraiser will:

- Review the relevant evidence
- Assess performance in the appraisal period against the relevant standards
- Assess performance in the appraisal period against objectives
- Discuss the teacher's professional development needs and identify action that should be taken
- Discuss the teacher's wellbeing, career aspirations and any difficulties they may be facing
- 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.

9. Conducting annual appraisal meetings

The headteacher's appraisal meeting will be conducted by the **governing body**. To support the headteacher appraisal, the governors will appoint an **external adviser** with relevant skills and experience. The adviser may be from the local authority, a neighbouring local authority, or an external consultant.

The governing body will typically delegate the headteacher's appraisal to a sub-group of **three** governing body members with a wide range of experience and knowledge of the school. This will not include any staff governors.

There must also be three non-staff governors, including either the chair or vice-chair, who are not involved in the appraisal whatsoever, to enable them to sit on an appeals panel if necessary.

The headteacher will decide who will appraise teachers. Unless there is a good reason not to, this will normally be the teacher's line manager. By way of example, a "good reason" could be a poor or deteriorating working relationship between the teacher and line manager, including where a formal grievance has been lodged by the teacher citing their line manager.

All appraisers will be provided with appropriate training.

Appraisal meetings will take place within the teacher's normal working hours and will typically last for at least an hour. Scheduling appraisal meetings for an hour and a half is therefore recommended.

10. Appraisal report

Teachers will be provided with a written report of their appraisal. The report will be completed by the person who conducted the appraisal. The school will use all reasonable endeavours to complete this within 5 working days.

This will include:

- An assessment of the teacher's performance against their objectives and the relevant standards
- An assessment of the teacher's training and development needs and the action that should be taken to address them
- Where relevant, a recommendation on pay progression

There will be space in the report for the teacher's own comments.

After the report has been issued, the school will hold review meetings where teachers can discuss the contents of their report if they wish.

Teachers will sign the appraisal report to say they have seen it and agree with its content. Teachers can appeal to the headteacher, and the headteacher can appeal to the governing body, if they disagree with the contents of the report and the pay recommendation it makes.

A template Appraisal Report can be found in Appendix 2.

11. Concerns about a teacher's performance

If it becomes clear a teacher is having difficulties at any point during the appraisal period, they will be provided with additional support.

This will begin with a meeting with their line manager, where the problem will be discussed and potential solutions identified. A performance improvement plan may be created.

The nature of the support will be based on the individual's circumstances. For example, teachers whose difficulties are linked to a long-term health condition may be referred to the occupational health service. Teachers new to the school may be given a mentor or coach.

The concerns may be of a nature that would usually involve beginning the capability procedure. In these cases, refer to the *Capability Policy* below.

12. Confidentiality

The appraisal process and relevant documents are strictly confidential. Only staff members who need the information in order to do their jobs will have access to the information.

Appraisal information will be anonymised when information is reported to the governing body. Appraisal records will be kept securely in the teacher's personnel file.

13. Monitoring arrangements

The governing body will monitor and review the effectiveness of the appraisal arrangements. The headteacher will monitor objectives and assessments to ensure consistency.

The headteacher will meet with all teaching staff mid-point in the year to discuss targets and offer advice and support where necessary.

This policy will be reviewed annually (in the Autumn Term).

The Pay and Personnel Panel will be responsible for approving this policy.

14. Links with other policies

This policy should be read in conjunction with the Capability (see below) and Pay policies.

The Capability Policy (see below) will be used where this policy has not been able to address concerns with a teacher's performance. It applies to all staff, not just teaching staff.

The Pay Policy sets out how pay increases will be awarded, based on the results of a teacher's appraisal.

Appendix 1: Appraisal Timeline

This is a suggestion only. Adjust according to your own appraisal cycle.

Date	Action
End of July	Discuss and set objectives, inform teachers of the standards their performance will be assessed against
First day of autumn term	Appraisal cycle begins
September – October	Appraisal meeting held to review the previous appraisal period
31 October	Appraisal process is completed for teachers, deadline for appraisal reports to be sent
31 December	Appraisal process is completed for the headteacher, deadline for appraisal report to be sent
Termly throughout the year	Meetings held to review progress
Throughout the year	Formal and drop-in observations and monitoring take place, constructive feedback is provided

Appendix 2: Job Descriptions for various teacher pay scales

QUINTON PRIMARY SCHOOL JOB DESCRIPTION – Teacher MPS 1 & 2

FOCUS AREA	Focus: Own class/Year groups with Support and Mentoring
1 Set high expectations which inspire, motivate and challenge pupils	<p>Know the curriculum at year group level. Establish expectations & sufficient challenge to ensure progress by setting appropriate goals & targets for all children. Be a positive role model for children's behaviour.</p>
2 Promote good progress and outcomes by pupils	<p>M1: With support & appropriate mentoring (of the teacher) most pupils achieve in line with school expectations through the use of appropriate differentiation to include children with SEN/G&T & specific groups including gender; ethnicity, P.P, SEND FSM</p> <p>M2: Most pupils achieve in line with school expectations</p>
3 Demonstrate good subject and curriculum knowledge	<p>M1: Know & understand the curriculum at current year group level. This will be evidenced by use of subject knowledge during teaching. Demonstrate high standards of literacy; articulacy & the correct use of standard English regardless of specialist subject.</p> <p>Know who the subject experts are within the school & use their support.</p> <p>M2: Building on M1 but requiring less intensive support. Demonstrate a clear understanding of appropriate teaching strategies.</p> <p>Take responsibility for keeping up to date with curriculum changes</p> <p>Lead Subject area with support</p>
4 Plan and teach well structured lessons	<p>M1: With structured support & mentoring, most lessons are showing good elements including effective use of lesson time; engagement of children; effective questioning; Clear AfL within the lesson leading to progress by all groups.</p> <p>M2: All lessons are showing good elements & there is evidence of on-going improvement.</p>
5 Adapt teaching to respond to the strengths and needs of all pupils	<p>M1: Have a basic understanding of the development of children within the ethos of the school. With support, know when & how to differentiate appropriately.</p> <p>Have a clear understanding of the needs of all children. Have a secure understanding of barriers to learning & begin to make adaptations to meet needs.</p> <p>M2: As M1 but expectation that support is reduced</p>

<p>6</p> <p>Make accurate and productive use of assessment</p>	<p>M1: With significant support, know & understand how to assess relevant subjects & curriculum areas. Make use of formative & summative assessments to secure pupil progress. Use relevant data to monitor progress, set targets & plan subsequent lessons. Give pupils regular feedback orally & through accurate marking and encourage pupils to respond to feedback</p> <p>M2 Make increasing use of formative & summative assessment more independently</p>
<p>7</p> <p>Manage behaviour effectively to ensure a good and safe learning environment</p>	<p>M1: Have clear rules & routines in classroom. Have high expectations of behaviour with clear strategies for developing positive discipline. Establish a safe & stimulating learning environment rooted in mutual respect.</p> <p>M2: Continue to build on strategies to improve the above. Gain greater awareness of the wider learning environment e.g. playground</p>
<p>8</p> <p>Fulfil wider professional responsibilities</p>	<p>M1: Know & understand the priorities of the school.</p> <p>Communicate effectively with parents & other professionals with regards to pupils' achievements & well being</p> <p>M2: Understand the links between effective classroom practice & school improvement & demonstrate this by becoming involved in whole school issues</p> <p>M1 & M2: Able with support to identify key professional development needs & respond to advice & feedback</p>
<p>Personal & Professional Conduct</p>	<p>Meets the standards for professional conduct set out in the Teachers' Standards</p>

QUINTON PRIMARY SCHOOL

JOB DESCRIPTION – Accomplished Teacher MPS 3 & 4

FOCUS AREA	Focus: Year groups/Key Stage Independently
<p>1</p> <p>Set high expectations which inspire, motivate and challenge pupils</p>	<p>M3: Provide support & advice within the context of own year group and Key Stage</p> <p>M4: Provide support & advice beyond own year group e.g. through planning & leading staff INSET</p>
<p>2</p> <p>Promote good progress and outcomes by pupils</p>	<p>M3: Almost all pupils, with appropriate intervention strategies in place (as advised by more experienced teacher) achieve in line with school expectations.</p> <p>M4: Almost all pupils achieve in line with school expectations.</p>
<p>3</p> <p>Demonstrate good subject and curriculum knowledge</p>	<p>M3: Play a more prominent role within school, e.g. carry out designated tasks as directed by Head and SLT.</p> <p>Lead Subject area independently</p> <p>M4: Access advice & adapt practice; feeding back to the SLT to improve teaching & learning.</p> <p>Lead Subject areas.</p>
<p>4</p> <p>Plan and teach well structured lessons</p>	<p>M3: Most lessons are judged good or better</p> <p>M4: All lessons are judged good or better</p>
<p>5</p> <p>Adapt teaching to respond to the strengths and needs of all pupils</p>	<p>M3: Know when and how to differentiate appropriately using approaches which enable pupils to be taught effectively.</p> <p>M4: Develop further skill and independence.</p>
<p>6</p> <p>Make accurate and productive use of assessment</p>	<p>M3: Gain greater skill in use & manipulation of data to support specific groups</p> <p>M4: Embed these skills</p> <p>Keep Assessment Data for subject areas</p>

<p>7</p> <p>Manage behaviour effectively to ensure a good and safe learning environment</p>	<p>M3 & M4: Participate fully in development of school policies and practice relating to all aspects of the management of behaviour.</p> <p>Take joint responsibility with all colleagues for whole school behaviour issues to ensure consistency throughout the school</p>
<p>8</p> <p>Fulfil wider professional responsibilities</p>	<p>M3: Have some experience teaching in more than one year group</p> <p>M4: Have significant experience teaching in more than one year group</p> <p>M3 & M4: Take proactive role in accessing relevant support and professional development from colleagues</p>
<p>9</p> <p>Personal & Professional Conduct</p>	<p>Meets the standards for professional conduct set out in the Teachers' Standards</p>

QUINTON PRIMARY SCHOOL

JOB DESCRIPTION – Accomplished Teacher MPS 5 & 6

FOCUS AREA	Focus: Whole School/Consortium Starting to support others
<p>1</p> <p>Set high expectations which inspire, motivate and challenge pupils</p>	<p>M5: Develop the skills of others, to enable them to be able to inspire, motivate & challenge.</p> <p>M6: Have a significant impact on the work of others to improve teaching across school.</p>
<p>2</p> <p>Promote good progress and outcomes by pupils</p>	<p>M5 & M6: All pupils achieve in line with school expectations meeting individual targets. Some pupils exceed school expectations & targets.</p>
<p>3</p> <p>Demonstrate good subject and curriculum knowledge</p>	<p>M5: Take a lead in significant subject area, including developing & evaluating the subject.</p> <p>M6: Build on M5 & use evaluation evidence to improve subject & curriculum to have impact on learning.</p> <p>Lead the development of others in a way that has a tangible impact on subject & curriculum knowledge & development.</p> <p>Lead on an aspect of the LIP</p>
<p>4</p> <p>Plan and teach well structured lessons</p>	<p>M5: All teaching is good with some elements of outstanding</p> <p>M6: All teaching is good with many elements of outstanding</p>
<p>5</p> <p>Adapt teaching to respond to the strengths and needs of all pupils</p>	<p>M5: Use knowledge & skills in order to develop others to ensure that teaching and learning improves.</p> <p>M6: Have significant knowledge & understanding of the wide range of needs of pupils across the school.</p>
<p>6</p> <p>Make accurate and productive use of assessment</p>	<p>M5: Support colleagues in use of assessment. Broker support for others, when & where appropriate.</p> <p>M6: Monitor whole school data to ensure impact on teaching & learning.</p>

<p>7</p> <p>Manage behaviour effectively to ensure a good and safe learning environment</p>	<p>M5 & M6: Support colleagues with behaviour issues, e.g supporting less experienced colleagues in meeting with parents to discuss challenging issue</p>
<p>8</p> <p>Fulfil wider professional responsibilities</p>	<p>M5: Have relevant experience of leading or managing an aspect or issue across the school & or cluster</p> <p>M6: Be a fully competent practitioner able to keep up to date with changes & adapt practice accordingly.</p>
<p>9</p> <p>Personal & Professional Conduct</p>	<p>Meets the standards for professional conduct set out in the Teachers' Standards</p>

Appendix 3: Job Descriptions for Subject Leader and Phase Leader

QUINTON PRIMARY SCHOOL JOB DESCRIPTION – SUBJECT LEADER

Department of Education Definition

‘Subject leaders provide professional leadership and management for a subject to secure high quality teaching, effective use of resources and improved standard of learning and achievement for all pupils’. It is the role of the subject leader to implement the aims of the school and contribute to the continued drive for improvement through their individual subject area. All teachers, other than NQTs, are expected to contribute to subject leadership.

As a Subject Leader, you will:

1. Within the context of the school’s aims and policies, subject leaders develop and implement subject policies, plans and practices, which reflect the school’s commitment to high achievement and effective teaching and learning. This policy needs to be updated at least three yearly, in line with the Policy review schedule, but may require updating more often if there is a development or change in the subject. Once reviewed by the Subject Leader, it is then reviewed and ratified by the governing body
2. Subject leaders evaluate practice and develop an acceptance of accountability. They monitor the progress made by pupils and the progress towards achieving subject action plans and targets. They evaluate the impact of actions taken on teaching and learning, and use this analysis to guide further improvement, using a variety of Subject Leader tools including work sampling, planning sampling, teacher discussion, data analysis, pupil interviews, drop-ins and lesson observations.
3. Subject leaders ensure curriculum coverage, continuity and progress in their subject for all pupils. They ensure that the plans and schemes of work are in place and understood by all those involved in putting the plans into practice. Subject leaders monitor teacher’s plans to ensure full coverage of the national curriculum.
4. All subject leaders develop a ‘subject action plan.’ In their role, subject leaders create a climate which enables other staff to develop and maintain positive attitudes towards the subject and confidence in teaching it. They carry out a cycle of monitoring throughout the school, ensuring that they are able to make judgements about the standards within their subject. Evidence of monitoring and feedback is shared with teachers and action required is taken. Feedback following monitoring activities is also shared with the Leadership Team.
5. Subject leaders ensure the effective and efficient management and organisation of learning resources to meet the needs of the school. Resources are kept up-to-date and relevant to the needs of the subject. Storage systems for resources need to be managed. Where new resources are needed, these need to be identified and costed as part of action planning prior to annual budget setting. When a budget has been set it will be the subject leader’s responsibility.
6. Subject leaders sustain their own motivation and that of other staff in their subject area. Subject leaders identify training needs of staff and co-ordinate the provision CPD. Subject leaders provide the support, challenge, information and development necessary to sustain motivation and secure improvement in teaching.
7. Subject leaders to establish and maintain a file including information relating to their role.

Accountability

Subject action plans will be monitored termly by the Senior Leadership Team.

QUINTON PRIMARY SCHOOL

JOB DESCRIPTION – PHASE LEADER

The Phase Leader role at Quinton School has the status as a member of the Extended SLT. It is a key position within the school, and very much a collaborative role, working with other Phase Leaders and Senior Leaders, as well as your own Phase, to monitor and raise standards across the school.

As a Phase Leader, you will:

1. Speak with 'one voice' as a member of the leadership team and as such, and whatever your personal view on any aspect of policy, demonstrate complete support and loyalty to the Headteacher in the wider school forum.
2. Be a role model and accountable for standards within the Phase and at all times excel in the personal and academic standards you set.
3. Contribute significantly to implementing whole school policies and practice and to promoting collective responsibility for their implementation.
4. Be an effective communicator, ensuring all staff within your phase are confident as regards to the implementation of whole school policies, including safeguarding arrangements.
5. Commit to regular Phase Leader meetings, and to occasional Extended SLT meetings.
6. Have an extensive knowledge and well-informed understanding of national, local and whole school assessment requirements and how this applies within the Phase
7. Collate assessment and data tracking information for the Phase, moderating it for accuracy with other Phase Leaders, and external moderators within the Consortium and the LA - reporting to senior leaders, governors and external advisers/LA/Ofsted as required
8. Routinely analyse pupil data, detecting variations, organise appropriate interventions for individuals and groups and assess the impact of this support, modifying where required, liaising directly with the Inclusion Manager/teaching staff to ensure high quality provision for all learners.
9. Promote collaboration and work effectively as Phase Leader to develop an ethos of team excellence in line with whole school expectations.
10. Contribute to the professional development of colleagues through coaching and mentoring, demonstrating excellent practice, and providing advice and feedback.
11. Regularly monitor and report to senior leaders the quality of teaching and learning within the Phase through the Phase Data and the triangulation of the learning ethos in classrooms, quality of pupils work, and the classroom environment.
12. Ensure that expectations and standards of behaviour are excellent through strong leadership firmly in line with whole school policies.
13. Take the organisational and logistical lead within the Phase to ensure an overall contribution to the smooth running of school is made.
14. Ensure that your Phase area (classrooms and corridors) provides an inspiring aesthetic learning hub.

Phase Leaders will be entitled to a half-day release a week to supplement the time required to effectively perform their role.

Appendix 4: Appraisal (Performance Management) Report Template/example

Teacher name: 2022 - 2023 Appraisal		
OBJECTIVES 2022-2023		
OBJECTIVE 1	High quality support for bottom 20% of readers	
Success Criteria	1	Daily readers
	2	Intervention groups for phonics/spelling - assessments to see who needs to be on this
	3	Careful progression through the reading scheme
MONITORING	•	
Review/ Summary		
OBJECTIVE 2	To raise the percentage of children achieving expected standard in maths - at least 75%	
Success Criteria	1	Use the RTP criteria
	2	Use of end of block tests to identify necessary intervention
	3	Engagement with the new WR planning to ensure a clear understanding of what has been taught previously and what any potential misconceptions may be
	4	Use of scrap books to encourage open-ended investigations and a trial and error approach
MONITORING	•	
Review/ Summary		
OBJECTIVE 3	Ensure children are knowledge rich in discrete subjects	
Success Criteria	1	Use of Knowledge Organisers in class at home - ensure quizzes are happening
	2	Ensure outcomes in books reflect subject disciplines rather than English outcomes - subject specific explanations rather than observations
	3	Ensure reference back to previous objectives
MONITORING	•	
Review/ Summary		
OBJECTIVE 4	Subject Leader Role	
Success Criteria	1	M
	2	M
	3	M
MONITORING	•	
Review/ Summary		

Salary Grade					
Reviewed Grade			Signed:		
Date			Signed:		

A small number of pupils with SEND do not receive the quality support they need to learn to read. As a result, they do not make as much progress as they could. Leaders should ensure that these pupils receive the support they need to enable them to read fluently and confidently, and understand what they have read.

In some subjects, the work pupils are given does not support their learning of the intended curriculum in that subject. As a result, they do not always know and remember what they should. Leaders should ensure that the work given in the different subjects supports the curriculum delivery and pupils' learning in that subject.

CAPABILITY PROCEDURE – WARWICKSHIRE

1. Formal capability meeting

At least 5 working days' notice will be given of the formal capability meeting. The notification will contain sufficient information about the concerns about the teacher's performance, including copies of any written evidence, and their possible consequences to enable the teacher to prepare to respond. The notification will include details of the date, time and place of the meeting and the right to be accompanied by a trade union representative, colleague or friend. The notification will also include a copy of this policy and procedure document, which signifies initial entry into the capability procedure.

This meeting is intended to establish the facts. It will be conducted by the Headteacher (for teachers capability meetings) or the Chair of Governors (for head teacher capability meetings). The meeting allows the teacher, accompanied by a trade union representative, colleague or friend, 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. Details of support and help provided during the appraisal process will also be shared at the meeting.

The person conducting the meeting may conclude that there are insufficient grounds for pursuing the matter through the capability procedure, or that it is inappropriate to use the procedure and that it would be more appropriate to address the concerns through the appraisal process or some other process (e.g. ill-health, counselling). 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.

In other cases, the meeting will continue. During the meeting the person conducting it will:

- identify the professional shortcomings (for example which of the relevant teachers' standards are not being met);
- review any support that has already been given;
- give clear guidance on the improved standard of performance needed, together with specific objectives for improvement, to ensure that the teacher can be removed from formal capability procedures (objectives set should be SMART, focusing on the specific weaknesses that need to be addressed. Appropriate success criteria and evidence to be used to assess whether or not the necessary improvement has been made should be clarified);
- identify and explain any support that will be available to help the teacher improve their performance over the following weeks (ref: appendix A);

- set 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 will normally be between 6 – 10 working weeks. (It is for the school to determine the set period. It should be reasonable and proportionate, but not excessively long, and will provide sufficient opportunity for an improvement to take place and only in exceptional and evidenced circumstances would a timescale of 4 weeks be appropriate);
 - where possible, agree a date for the next / final review meeting;
 - warn the teacher formally (verbally and then in writing) that failure to improve within the overall set period could lead to dismissal. (In very serious cases, this warning could be a final written warning);
- confirm that the formal capability procedures have commenced and ensure that a copy of the capability policy and procedure has been issued.

An outcome letter will be sent to the member of staff, within 7 calendar days of the meeting, covering the main points discussed and will include the following where a formal warning is issued:

- The nature of the unsatisfactory performance
- The standard(s) expected (relating to the relevant teachers' standards)
- The specific objectives for improvement and success criteria
- The support to be given
- The arrangements and timescale over which the performance will be monitored and reviewed
- That failure to reach and maintain the standard(s) of performance may lead to dismissal
- The procedure and time limits for appealing against the warning

1A. Monitoring and review period following the formal capability meeting

A monitoring and review period (normally of between 6-10 weeks, depending on the circumstances,) will follow the formal capability meeting. Only in exceptional and evidenced circumstances would a timescale of 4 weeks be appropriate. Formal monitoring, evaluation, guidance and support will continue during this period. At the end of this period, the member of staff will attend 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 3 below).

2. Formal review meeting

At least 5 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 trade union representative, colleague or friend.

The purpose of the meeting is to review the teacher's progress against the teachers' standards expected, objectives set and success criteria, as outlined at the capability meeting.

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. If the person conducting the meeting is satisfied that 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.

An outcome letter will be sent to the member of staff, within 7 calendar days of the meeting, covering the main points discussed and confirming the outcome of the meeting and will include the following where a formal warning is issued:

- The nature of the unsatisfactory performance
- The standard(s) expected (relating to the relevant teachers' standards)
- The specific objectives for improvement and success criteria

- The support to be given
- The arrangements and timescale over which the performance will be monitored and reviewed
- That failure to reach and maintain the standard(s) of performance may lead to dismissal
- The procedure and time limits for appealing against the warning/final warning

2A Monitoring and review period following the formal review meeting

A monitoring and review period (normally of between 6 – 10 weeks, depending on the circumstances) will follow the formal review meeting. Only in exceptional and evidenced circumstances would a timescale of 4 weeks be appropriate. Formal monitoring, evaluation, guidance and support will continue during this period. At the end of this period, the member of staff will be invited to a decision meeting (see 3 below).

3. Decision meeting to consider dismissal

At least 5 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 trade union representative, colleague or friend and of the possibility that dismissal may be an outcome.

At the decision meeting, the Headteacher (or Chair of Governors in the case of a headteacher) will consider if an acceptable standard of performance has been achieved during the monitoring and review period and will provide the opportunity for the teacher to comment and make any relevant representations. Where, having considered all the evidence and the teacher's (or headteacher's) representations, the Headteacher (or Chair of Governors) determines that an acceptable standard of performance has been achieved, the capability procedure will end and the appraisal process will re-start.

Where the Headteacher (or Chair of Governors) determines that performance remains unsatisfactory, and there is no evidence or significant reason to agree an extension of the monitoring and review period, s/he will normally suspend the teacher (or headteacher) and will refer the matter for consideration by a Governors Dismissal Panel, with a written recommendation that the teacher (or headteacher) be dismissed or be required to cease working at the school. In certain circumstances, and as an alternative to a recommendation to dismiss, an agreement to redeploy into a different role either within or without the school and/or a reduction of responsibility may be made.

Confirmation of the suspension and decision to recommend dismissal will be confirmed in writing within 7 calendar days of the meeting.

Before convening the Governors Dismissal Panel, the Headteacher (or Chair of Governors) will consult the Local Authority (this is not a legal requirement but schools may find it helpful).

4. Governors Dismissal Panel

A meeting of the Governors Dismissal Panel will be convened as soon as possible after the decision meeting. All parties should be given a minimum of 7 calendar days' written notice and shall include the written recommendation with copies of any reports, documents and evidence to be considered at the hearing.

Before any decision to cease working in a community/voluntary controlled school is taken, the school will consult the LA.

The Headteacher will attend to present the case and the teacher has the right to attend and be accompanied by a trade union representative, colleague or friend. A representative from the LA has the right to attend and offer advice. In voluntary aided/foundation schools, a representative from the LA may offer advice, where such an agreement has been made.

The details of the case are confidential and must not be discussed with a party not involved in the hearing.

The employee will be notified in writing of the decision by the Governors Dismissal Panel within 7 calendar days of the Panel meeting and be notified of the right of appeal. The dismissal notice will be issued in accordance with Section 5 Dismissal. 8

Before the governors' decision is transmitted to the Local Authority, the teacher must be given the opportunity to appeal against the decision. (See Section 6 Appeals).

5. Dismissal

Community, Voluntary Controlled, Community Special and Maintained Nursery Schools only:

Once the Governing Body (*or Governors Dismissal Panel*) has decided that the teacher should no longer work at the school, it will notify the Local Authority of its decision and the reasons for it. This will be confirmed by the Governing Body in writing.

Where the teacher works solely at this school, the Local Authority will issue formal written notice of termination of employment to the teacher within fourteen days of the date of the notification from the Governing Body, in accordance with the School Staffing (England) Regulations 2009. Contractual dismissal dates will be recognised in terminating the teacher's employment (see section 9).

Voluntary Aided, Foundation and Foundation Special schools only :

Once the decision to dismiss has been taken, the Governing Body (*or Governors Dismissal Panel*) will dismiss the teacher with appropriate notice (see section 9). This will be confirmed in writing. Contractual dismissal dates will be recognised in terminating the teacher's employment (see section 9).

6. Appeals

Appeal against a warning

If a teacher feels that a decision to issue a warning is wrong or unjust, s/he may appeal in writing against the decision within 7 calendar 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 trade union representative, colleague or friend will apply as with formal review meetings and notes will be taken and a copy sent to the teacher.

The appeal will be dealt with impartially and, wherever possible, by an appropriate manager or governor who has not previously been involved in the case.

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

Appeals against decision to dismiss

If a teacher feels that a decision to dismiss them is wrong or unjust, they may appeal in writing against the decision within 7 calendar days of the decision, setting out at the same time the grounds for appeal.

Appeals against a decision to dismiss will be heard by an appeals panel, comprising no less than 3 members of the Governing Body, who have not previously been involved in the case.

(see Section 2, paras 14/15 for information about grounds for appeal)

7. Recurrence of concern about performance

Improvements in teachers' performance must be sustained. In cases where, having improved to a satisfactory standard, they subsequently fall to unsatisfactory, a decision will need to be taken about what further action should be taken and what stage in capability procedure should be commenced. Normally, there will be 2 options:

- Where a teacher's performance has improved such that s/he comes out of capability procedures only for the same performance concerns to re-emerge and be identified (through the appraisal process) within a subsequent 2-year period , it is recommended that the teacher capability procedure be re-entered at the point at which originally exited.
- Where a teacher's performance has improved such that s/he comes out of capability procedures, only for different performance concerns to emerge (through the appraisal process), it is recommended that the teacher capability procedure be entered at the beginning.