

## Appraisal and Capability Policy

<b>This policy has been written for...</b>	All staff at West Heath School
<b>Copies of this policy may be obtained from...</b>	<ul style="list-style-type: none"> <li>• The HR Department</li> <li>•</li> </ul>
<b>This policy links with the following policies</b>	CPD policy
<b>Participants and consultees in the formulation of this policy were...</b>	The Principal, Senior Management Team and the trustees of the School.
<b>Edition, Review frequency and dates</b>	<p>Edition 6 September 2023</p> <p>This policy will be reviewed on annually and is due for review September 2024</p>
<b>Relevant statutory guidance, circulars, legislation &amp; other sources of information are...</b>	Education (School Teachers' Appraisal) Regulations 2012 (HR to check this)
<b>The Lead Member of staff is</b>	Principal & Deputy Principal
<b>Definitions and key terms used in this policy...</b>	
<b>The Rationale and Purpose of this policy</b>	This policy sets out the framework for a clear and consistent assessment for the overall performance of all staff 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 any member of staff falls below the levels of competence expected of them.
<b>Copying</b>	No school policy is ever written in isolation. Acknowledgement of sources of advice and significant influence in the development and recording of policies at West Heath School are noted on the front page. We request that any schools or organisations incorporating large sections of this policy without alteration should make similar appropriate acknowledgement.

## Introduction

Appraisal in this school will be a supportive and developmental process designed to provide that all staff have the skills and support they need to carry out their role effectively.

## The Aim of this policy..

To assist all staff in improving their professional practice and to continue to develop as an effective member of staff.

## The Objective of this policy..

To provide clarity for all concerned about how the appraisal and capability procedures will be operated in accordance with current best practice and where applicable advice and guidance.

## Procedures & Practices

### Part A – Appraisal

#### The Appraisal Period

The appraisal period will run for 12 months from the month of June. Staff who are employed on a fixed term contract 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.

The Principal will be appraised by the Chair of the Trustee body. The Principal will decide who will appraise all other staff.

#### Setting Objectives

The Principal's objectives will be set by the Trustee body.

The objectives for all other staff will be set before or as soon as practicable after the start of each appraisal period. Objectives will be Specific, Measurable, Achievable, Realistic and Time bound for all staff. The appraiser and appraisee will seek to agree the objectives however if that is not possible then the appraiser will set the objectives.

The objectives set for each member of staff will, when achieved, contribute to the school's plans for improving the school's educational provision and performance and improving the educational performance of students at the school. This will be achieved by ensuring that all objectives are linked to the strategic priorities of the school.

In the case of teachers, before or as soon as practicable after the start of each appraisal period, each teacher will be informed of the standards against which their performance will be assessed.

#### Reviewing Performance

##### Observation

This school believes that observation of classroom practice and other responsibilities is a key tool in assessing teachers' performance and helps to both identify strengths and areas for development as well as gaining useful information which can inform school improvement generally. All observation will be conducted supportively and according to the lesson observation schedule, see appendix 1.

Teachers' performance will be regularly observed. The amount and type of observation will depend on the individual circumstances of the teacher and the overall needs of the school. In addition to formal observation, senior staff with responsibility for teaching standards may "drop in" in order to evaluate the standards of teaching and to check that high standards of professional performance are established and maintained. Drop in sessions will vary in

length of time and frequency. Employees who have responsibilities outside of the classroom should also expect to have their performance observed and assessed.

### **Development and Support**

Appraisal is a supportive process which will be used to inform continuing professional development. The school encourages all staff to take responsibility for improving their performance through appropriate professional development. Professional development will always be linked to the strategic priorities of the school.

### **Feedback**

Staff will participate in constructive supportive dialogue on their performance throughout the year and as soon as practicable after an observation has taken place or other evidence has come to light. Supportive dialogue will highlight areas of strength as well as areas that require attention. Where there are concerns about any aspect of performance, the appraiser will meet the employee formally to:

- Give clear supportive feedback about the nature and seriousness of the concerns
- Provide the opportunity for a response and further discussion
- Agree any support that will be provided to address the specific concerns
- Make clear how and by when the appraiser will review progress
- Explain the implications and the process if no or insufficient progress is made.

When progress is reviewed, if the appraiser is satisfied that sufficient progress has been or is being made, the appraisal process will continue as normal with any remaining issues being managed via that process.

### **Transition to Capability**

If the appraiser is not satisfied with progress, the employee will be notified in writing that the appraisal system will no longer apply and that their performance will be managed under the capability procedure. The employee will be invited to a formal capability meeting. Part B of this policy details the capability procedures.

### **Annual assessment**

Each employee's performance will be formally assessed in respect of each appraisal period. The Trustees will assess the performance of the Principal.

The assessment is the final stage of the appraisal process, however performance and development priorities will be addressed and reviewed on a regular basis throughout the year in interim meetings which will take place once a term.

The employee will receive as soon as practicable following the end of the each appraisal period a written appraisal report. The employee will have the opportunity to comment in writing on the report. The appraisal report will be received by all employees by the end of the autumn term. The appraisal report will comprise:

- Details of the objectives for the appraisal period.
- An assessment of the employees' training and development needs and identification of any action that should be taken to address them.

- An assessment of the employee's performance of their role and responsibilities against their objectives and, where applicable, teacher standards.

### **Part B: Capability Procedure**

This procedure applies only to employees about whose performance there are serious concerns that the appraisal process has been unable to address. All timescales referred to in this policy should be considered in the context of term time days.

At least five working days notice will be given of the formal capability meeting. The notification will contain sufficient information regarding the concerns about performance and their possible consequences to enable the employee 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 employee of their right to be accompanied by a companion who may be a work place colleague, or a trade union representative.

#### **Formal capability meeting**

This meeting is intended to establish the facts. It will be conducted by a Vice-Principal, and in the case of the Principal being the subject of the capability meeting, by the chair of Trustees. The meeting allows the employee (accompanied by a companion if they wish) to respond to the concerns about their performance and to make any relevant representations. This may provide new information or a different context / interpretation to the information / evidence already presented.

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 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 if they decide further investigation is needed, or that more time is needed in which to consider additional information.

The person conducting the meeting will:

- Identify the professional shortcomings and, in the case of teachers, which standards are not being met.
- Give clear guidance on the improved standard of performance required so that the employee can be removed from formal capability procedures. This may include setting new objectives focused on the specific areas that require development, the success criteria, and the evidence that will be used to assess if the necessary improvement has been made.
- Explain any support that will be available to help improve performance.
- Set out the timetable for improvement and explain how performance will be monitored and reviewed. The timetable will be between 4 and 10 weeks depending on the individual circumstances of the case being reviewed.
- Warn the employee that failure to improve within the set period could lead to dismissal. In very serious cases a final written warning will be given.

Notes will be taken of formal meetings and a copy sent to the member of staff. Where a warning is issued, the member of staff 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.

### **Monitoring and review period following a formal capability meeting.**

A performance monitoring and review period will follow the formal capability meeting. The member of staff will be invited to a formal review meeting, unless they have been issued with a final written warning, in which case they will be invited to a decision making meeting.

### **Formal review meeting**

Five working days notice of the meeting will be given. The notification will give details of the time and place of the meeting, and, will advise the employee of their right to be accompanied by a companion, who may be a work place colleague or a trade union representative.

If the person conducting the meeting is satisfied that the employee has made sufficient improvement, the capability procedure will cease and the appraisal process will restart. In other cases:

- If some improvement 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 employee will receive a final written warning.

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 written warning is issued, the member of staff will be warned that failure to reach an acceptable standard of performance within the set timescale may result in dismissal. Further information about continued monitoring will also be given along with how to appeal against the final warning.

### **Decision meeting**

Five working days notice will be given for the decision making meeting. The notice will include information regarding the time and place of the meeting and will also advise the employee of the right to be accompanied by a work place colleague or trade union representative.

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 restart. If performance remains unsatisfactory, a decision or recommendation to the Principal that the employee should be dismissed will be made.

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

### **Decision to dismiss**

The power to dismiss in this school rests with the Principal.

### **Dismissal**

Once the decision to dismiss has been taken, the Principal will dismiss with notice.

### **Appeal**

If an employee feels that a decision to dismiss them (or other action taken against them) is wrong, they may appeal against the decision within ten

days of the date of dismissal. The appeal will need to set out the grounds for the appeal. The appeal 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 companion will apply as with formal capability and review meetings. Notes of the meeting will be taken and sent to the employee.

The appeal will be dealt with impartially by a Trustee not previously involved in the case.

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

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**Persons with particular responsibilities**

The Principal  
Head of Staff Training & Outreach

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**Other Participants & Stakeholders**

All staff  
Trustees

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**Monitoring & Evaluation**

The policy will be reviewed on an ongoing basis by SLT  
Student services will review the policy in the timescale prescribed.