



Appraisal, Capability and Scrutiny Policy

Date Written: February 2016

Date For Next Review: January 2027



Aims and Objectives

This policy is intended to ensure that all teaching and guidance carried out at The Lifehouse meets professional standards and ascertains that all staff are capable within their role. The Lifehouse wants to encourage all staff to achieve excellent outcomes and for them to feel supported and recognised in their performance.

This applies to all staff at The Lifehouse, from the head teachers, experienced qualified teachers, through to learning and wellbeing supports at the start of their careers. Through application of this policy, all staff will be monitored and informed about their work performance, strengths and areas for improvement.

Bettws Lifehouse 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 appraisal are carried out. Other relevant policies that may link to this policy include the school's staff discipline, conduct and grievance policy.

Procedure

A minimum of an annual appraisal will take place for all staff, with a mid term review, where possible. Where an appraiser has concerns about performance, the concerns should first try to be managed through the appraisal process and normal day to day support and management.

Throughout the school year, at times set by the Senior Leadership Team, all staff will have their long and short term planning scrutinised. This will be assessed and feedback will be given to staff with strengths outlined and any areas that require developing highlighted. A time frame for the targeted development area will be given and checked by the appropriate manager.

Pupil work scrutinies will occur on a regular and ad hoc basis by senior leaders. The work will be monitored for appropriate quality and to ensure that the marking policy is being adhered to.

Our teachers should consistently secure the best outcomes for learners through progressively refining teaching, influencing learners and advancing learning. A teacher in a formal leadership role exercises accountability for the pedagogy of others. They do this by creating and sustaining the conditions to realise the purpose for learners and achieve the best for them in terms of standards, well-being and progress.

All our teachers should consistently extend knowledge, skills and understanding and show how reflection, openness to challenge and support informs professional learning to progressively develop pedagogy.



https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/665522/Teachers_standard_information.pdf

<https://www.unison.org.uk/content/uploads/2016/06/Teaching-Assistant-Professional-Standards.pdf>

All our staff should employ an innovative outlook which is exemplified through the controlled and measured development of techniques and approaches to improve pedagogic outcomes. They should take opportunities to work productively with all partners in learning in order to extend professional effectiveness.

Where management have concerns that a member of staff is not improving standards within a reasonable time scale, directors of The Lifehouse may choose to move to formal action under the capability procedure.

Notification of move to capability procedure

The employee will be notified verbally and confirmed by email of the decision to cease use of the appraisal process and that performance will be managed under the capability procedure. The notification will include an invitation to attend a formal capability meeting. At least five school days' notice will be given of the date of the meeting, unless a shorter period is mutually agreed. Employees will be welcome to be accompanied by a work colleague or trade union representative during all stages of the formal process. The representative should be identified to management in advance and should not be someone whose presence would prejudice the meeting or who might have a conflict of interest. The notification will contain sufficient information about the concerns about performance and their possible consequences to enable the employee to prepare to answer the case at a formal capability meeting.

Formal capability meeting

1.1 A Senior Manager will chair the meeting. The intention of the meeting is to establish the facts.

1.2 The appraiser will explain the nature of the performance concerns, and the steps that have been taken to address these informally. The employee will be allowed 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.

1.3 The chair will consider the evidence presented and, after a brief adjournment to consider his/her decision, may decide either;

a) That there are insufficient grounds to pursue formal capability proceedings and that the matter should either be dropped or dealt with informally. In these circumstances the meeting will end and use of the formal procedure will cease;

or

b) To adjourn the meeting to investigate further or to allow time for consideration of the evidence before reaching a decision. Any adjournment should be for a period of normally no more than ten school days. The meeting will be



reconvened to consider any further information and at this point the head teacher or managing director will make a decision under a) or b) of this paragraph; or

c) To issue a first written warning.

1.4 In exceptional circumstances the decision may be to issue a final written warning and invite the employee to a decision meeting.

Issue of written warning

2.1 Where a written warning will be issued, the meeting will continue and the Senior leader, head teacher or managing director will:

a) Identify the area(s) and nature of the underperformance (for teachers, this may include which of the standards expected of teachers are not being met);

b) Give clear guidance on the improved standard of performance needed to ensure that the employee 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);

c) Explain the support that will be available to help the employee improve his/her performance, including who will be involved in providing the support. These might include;

- Changes to working practices within the terms of the employee's job description;
- Increased supervisory support or mentoring for a specified period of time
- Feedback from classroom or other observation
- Work shadowing a competent employee which could include visits to other schools/workplaces
- Modified workload or tasks for a specified period of time
- Further training in the area(s) of deficiency

d) 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 will not normally be for less than six weeks or more than ten weeks in straightforward cases. The period should be reasonable and proportionate, and should provide sufficient opportunity for an improvement to take place; and

e) Warn the employee formally that failure to improve within the monitoring and review period could lead to dismissal.

2.2 The issue of a written warning will be confirmed in writing. The notification will summarise the content of the formal capability meeting and include details of;

- a) The areas and nature of the underperformance identified; and
- b) The standard of performance to be achieved during the monitoring and review period and any success criteria; and
- c) How progress towards achieving these standards will be monitored and assessed; and
- d) The support that will be made available; and



- e) The timescale for improvement; and
- f) The procedure and time limits for appealing against the warning.

Monitoring and review period

The period of formal monitoring, evaluation, guidance and support should start as soon as reasonably possible after the formal capability meeting.

During this period the head teacher, directors or senior management will ensure that the agreed support is provided and will monitor performance against the target improvements to be made. The format of the support and monitoring will depend on the job role and the nature and scale of the underperformance identified.

A formal review meeting will be convened at the end of the period of support to consider the outcome. The employee will be notified in writing at least five school days before of the date and time of the meeting unless a shorter period is mutually agreed (this date may be agreed at the formal capability meeting).

Formal review meeting

3.1 The head teacher or managing director will chair the meeting.

3.2 They will consider the evidence gathered during the monitoring and review period, and any evidence presented and other representations from the employee, before reaching a decision. They may decide that;

- g) The employee has made sufficient improvement. In this case the capability procedure will cease and the appraisal process will re-start;
- h) Some progress has been made and there is confidence that more is likely. In this case the monitoring and review *period* may be extended for a period of up to six school weeks;
- i) No, or insufficient improvement has been made during the monitoring and review period. In this case the employee will be issued with a final written warning. The employee will be invited to a decision meeting.

3.3 Where a final written warning is issued, the employee 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 final monitoring and review period, including any support which will continue, and the procedure and time limits for appealing against the final warning.

3.4 At least ten school days' notice will be given of the date of the decision meeting (unless a shorter period is mutually agreed), which will be at least four weeks after the formal review meeting at which the final written warning was issued.



Decision meeting

The head teacher or managing director will chair the meeting. In any other case (including where the dismissal of the head teacher is under consideration), the meeting will be held by a panel of three of the complaints panel and 2 directors.

The management case will be presented by the manager conducting the earlier stages of the process, or the head teacher, as appropriate.

The head teacher/ panel will consider the evidence gathered during the monitoring and review period, and any evidence presented and other representations from the employee, before reaching a decision. They may decide that;

- j) An acceptable standard of performance has been achieved during the final monitoring and review period. In this case, the capability procedure will end and the appraisal process will re-start.
- k) That performance remains unsatisfactory. In this case, a decision will be made that the employee should be dismissed or required to cease working at the school.

The employee will be informed as soon as possible of the reasons for the decision to dismiss, or to recommend dismissal, the date on which the employment contract will end, the appropriate period of notice and their right of appeal.

Once the decision to dismiss has been taken, the directors will issue notice of dismissal.

The period of notice will be the statutory minimum or contractual notice.

Appeals

An employee may appeal against a decision to dismiss, or to issue a formal warning under this procedure. The appeal should be made in writing, addressed the head teacher or Managing Director within five days of the written notification of the decision, setting out the grounds for appeal.

An appeal meeting will be convened as soon as possible and the employee will be given at least five school days' notice of the time and date, unless a shorter period is mutually agreed.



Appeals will be dealt with impartially and, wherever possible, by managers or panel members who have not previously been involved in the case.

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

Dealing with grievances

Where a member of staff raises a grievance during the capability procedure, the procedure may be temporarily suspended in order to deal with the grievance.

Where the grievance is related to the capability case, it will be appropriate to deal with it under the terms of the capability procedure, either during formal meetings or as part of an appeal.

Sickness absence

Short term sickness absences will not normally interfere with monitoring or other formal procedures.

If long term sickness absence appears to be triggered by the start of monitoring or a formal capability procedure, this will be dealt with in accordance with the school's sickness and absence policy.