

## Teacher appraisal and capability policy



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Next review due by		September 2026

## **Purpose**

This policy establishes a framework for the comprehensive and consistent assessment of the performance of all teachers at Earley Springs, including the headteacher. It supports their professional development within the context of the school's improvement plan and the standards expected of teachers and support staff. The policy also outlines the procedures to be followed when staff performance falls below expected levels.

This policy must be read alongside the Earley Springs Child Protection and Safeguarding Policy, the Staff Code of Conduct and Keeping Children Safe in Education (KCSIE). Safeguarding responsibilities apply at all times, and nothing in this policy supersedes the requirement to report any concern about a child or member of staff immediately to the Designated Safeguarding Lead (DSL).

This policy is divided into two parts:

### **Part A: Appraisal**

This section applies to the headteacher, all teachers, and support staff employed by the school, except those on contracts of less than one term, those undergoing induction (i.e., Early Careers Teachers), and those subject to Part B of the policy.

### **Part B: Capability**

This section outlines the formal capability procedure and applies to teachers and support staff, including the headteacher, when serious concerns about performance arise that cannot be addressed through the appraisal process.

Both parts of the policy will be implemented in a robust manner while minimising workload for all involved.

### **Part A: Appraisal**

Appraisal at Earley Springs is a supportive and developmental process aimed at ensuring that all teachers possess or develop the necessary skills and support to fulfill their roles effectively. It promotes continuous improvement and professional growth.

### **Appraisal Period**

The appraisal period runs for twelve months, from September 1st to September 1st of the following year. Teachers and support staff on fixed-term contracts of less than one year will have their performance managed according to the principles of this policy, with the appraisal period adjusted accordingly. Flexibility is allowed for longer or shorter appraisal periods in cases of teachers starting or leaving employment or changing positions within the same authority.

### **Appointing Appraisers**

The Executive Board, supported by a suitably skilled external advisor, will appraise the headteacher. The task of appraising the headteacher, including setting objectives, may be delegated to a sub-group of the Executive Board. The headteacher will determine the appraisers for other teachers and support staff.

### **Setting Objectives**

The Executive Board, in consultation with the external advisor, sets the headteacher's objectives, taking into account their work-life balance.

Objectives for all other teachers and support staff will be set before, or as soon as possible after, the start of each appraisal period. These objectives will be Specific, Measurable, Achievable, Realistic, and Time-bound (SMART), and appropriate to the individual's role and experience.

All appraisal objectives will include consideration of statutory safeguarding duties, including adherence to the Staff Code of Conduct, safer working practice, and responsibilities under KCSIE. Any concerns regarding safeguarding conduct or failure to follow safeguarding procedures will be managed under the school's safeguarding policies, not the appraisal or capability routes.

Importantly, objectives and performance management discussions will not be based solely on teacher-generated data, predictions, or the assessment data of a single group of pupils. While robust assessment data can inform objectives, they will not be used in isolation, and other factors will be considered when making decisions about pay progression.

The appraiser and appraisee will work collaboratively to agree on objectives. If agreement cannot be reached, the appraiser will make the final determination. Objectives may be revised if circumstances change.

Objectives should contribute to the school's improvement plan and the educational progress of pupils. For teachers with Qualified Teacher Learning and Skills (QTLS) status, the Executive Board or headteacher will determine the most appropriate standards to focus on.

### **Reviewing Performance**

#### **Observation**

At Earley Springs, we recognise the value of observing teaching practice and other responsibilities as a means of assessing performance, identifying strengths and areas for development, gathering information for school improvement, and fostering collaboration and learning among staff. All observations will be conducted in a supportive manner and will not contribute to unnecessary workload. (Further details regarding the specific procedures for classroom observation may be outlined in a separate document or within this policy).

#### **Development and Support**

The appraisal process is designed to be supportive and will inform decisions regarding pay progression and continuing professional development. We aim to cultivate a culture where all teachers and support staff take ownership of their professional growth. Professional development activities will be aligned with school improvement priorities and the individual needs of staff members.

## **Feedback**

Teachers and support staff will receive constructive feedback on their performance throughout the year, and as soon as practicable after any observation or evidence of performance is gathered. Feedback will highlight both strengths and areas for further development.

When concerns about performance arise, the appraiser will meet formally with the teacher or support staff member to:

- Clearly communicate the nature and seriousness of the concerns.
- Provide the individual with an opportunity to respond and discuss the concerns.
- Set clear objectives for improvement.
- Agree on support strategies (e.g., coaching, mentoring, structured observations).
- Establish a timeline for reviewing progress, allowing sufficient time for improvement.
- Explain the potential implications if insufficient improvement is made (e.g., impact on pay progression and potential move to formal capability procedures).

Where performance concerns relate in any way to safeguarding practice, safer working practice, recording concerns, professional boundaries, or conduct described in Part 4 of KCSIE, the appraiser must inform the Designated Safeguarding Lead (DSL). Safeguarding concerns will always be addressed under safeguarding procedures, not appraisal or capability processes.

If, upon review, the appraiser is satisfied with the progress made, the appraisal process will continue as normal, with any remaining issues addressed through that process.

## **Evidence**

The collection of evidence for appraisal and pay determination will be proportionate and focused on minimising workload.

No safeguarding concern, whether relating to a child, a colleague, low-level concerns, or allegations, will ever be managed under appraisal or capability. Such concerns must be referred immediately to the DSL in line with KCSIE Part 4 and the school's safeguarding policies. Appraisal and capability processes must not be used to investigate or address safeguarding issues.

## **Transition to Capability**

If a teacher or support staff member demonstrates serious underperformance and does not respond to support provided through the appraisal process, they will be informed in writing that

the appraisal system will no longer apply. Their performance will then be managed under the formal capability procedure (Part B of this policy).

### **Annual Assessment**

Each teacher and support staff member's performance will be formally assessed annually. The Executive Board, in consultation with the external advisor, will assess the headteacher's performance.

This annual assessment is the culmination of the appraisal process, but performance and development priorities will be reviewed regularly throughout the year in interim meetings (at least once per term).

Teachers and support staff will receive a written appraisal report, which they will have the opportunity to comment on, as soon as practicable after the end of each appraisal period. (Online performance management systems may be used to streamline this process and reduce workload.) Appraisal reports will be issued by October 31st (December 31st for the headteacher) and will include:

- Details of objectives for the appraisal period.
- An assessment of performance against objectives and relevant standards.
- An assessment of professional development needs and identification of any actions to address them.
- A recommendation on pay, where applicable (pay recommendations must be made by December 31st for the headteacher and October 31st for other staff).

The assessment of performance and professional development needs will inform the planning process for the following appraisal period.

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

Concerns or allegations about staff conduct that meet the threshold set out in Part 4 of Keeping Children Safe in Education, or which relate to low-level concerns, will be managed under the appropriate safeguarding or conduct procedures and not through capability. Capability procedures apply only to performance issues, not safeguarding or conduct matters.

This procedure applies to teachers, school support staff, and headteachers when serious underperformance persists despite support provided through the appraisal process.

### **Formal Capability Meeting**

- **Notification:** At least five working days' notice will be given for a formal capability meeting. The notification will include detailed information about the performance concerns, potential consequences, copies of relevant evidence, meeting details, and the employee's right to be accompanied by a companion (colleague, union official, or

certified union representative). Employees can request an alternative meeting date within five days of the original date.

- **Meeting Purpose:** The meeting, conducted by the Chair of the Executive Board (for headteacher cases) or the headteacher (for other staff), aims to establish the facts and allow the employee to respond to the concerns and provide any relevant information.
- **Possible Outcomes:**
  - If insufficient grounds for pursuing the capability issue are found, the process may end, and remaining concerns can be addressed through the appraisal process.
  - The meeting may be adjourned for further investigation or consideration of new information.
  - If the meeting proceeds, the following will be addressed:
    - Identification of specific professional shortcomings.
    - Clear guidance on the required improvements, including objectives, success criteria, and evidence used for assessment.
    - Explanation of available support.
    - Setting a reasonable timetable for improvement (e.g., 4-10 weeks) and explaining how performance will be monitored.
    - Issuing a formal warning that failure to improve could lead to dismissal or other serious implications (e.g., no pay progression).
- **Documentation:** Notes will be taken and shared with the employee. Written warnings will summarise the meeting's key points, including information about the review process and appeal procedures.

### **Monitoring and Review Period**

A formal monitoring and review period will follow the capability meeting, with continued support and guidance. The employee will be invited to a formal review meeting, unless a final written warning was issued, in which case they will be invited to a decision meeting.

### **Formal Review Meeting**

- **Notification:** At least five working days' notice will be provided, including meeting details and the right to be accompanied.
- **Possible Outcomes:**
  - If sufficient improvement is demonstrated, the capability procedure ends, and the appraisal process resumes.
  - If some progress is evident, the monitoring and review period may be extended.
  - If insufficient improvement is made, a final written warning will be issued.
- **Documentation:** Meeting notes will be shared, and the final written warning will reiterate previous warnings and inform the employee of potential dismissal for continued failure to improve. Information about the further monitoring and review period and appeal procedures will also be provided.

### **Decision Meeting**

A decision meeting will follow a final written warning to determine further action, which may include dismissal.

### **Decision Meeting**

- **Notification:** As with previous meetings, at least five working days' notice will be given for the decision meeting. The notification will include meeting details and advise the employee of their right to be accompanied.
- **Outcomes:**
  - If performance has reached an acceptable standard, the capability procedure concludes, and the appraisal process resumes.
  - If performance remains unsatisfactory, a decision (or recommendation to the Executive Board) will be made regarding dismissal or cessation of employment.
- **Informing the Employee:** The employee will be informed promptly of the reasons for dismissal, the termination date, the notice period, and their right to appeal.

### **Decision to Dismiss**

The headteacher has the authority to dismiss staff at Earley Springs.

### **Dismissal**

Once the decision to dismiss is made, the headteacher will formally dismiss the employee, providing appropriate notice.

### **Appeal**

- **Submitting an Appeal:** Employees can appeal a dismissal or other disciplinary action in writing within five days of the decision, stating the grounds for appeal.
- **Appeal Hearing:** Appeals will be heard without unreasonable delay, at an agreed time and place. The employee will be notified and retains the right to be accompanied. Notes will be taken and shared with the employee.
- **Impartiality:** The appeal will be handled impartially, ideally by individuals not previously involved in the case.
- **Outcome:** The employee will be informed in writing of the appeal outcome as soon as possible.

### **General Principles**

- **ACAS Code of Practice:** Part B of this policy will be implemented in accordance with the ACAS Code of Practice.
- **Confidentiality:** Appraisal and capability processes will be treated confidentially. However, the headteacher and Executive Board retain the right to quality-assure the system's operation and effectiveness. This may involve reviewing objectives, appraisal records, and pay recommendations to ensure consistency.

- **Consistency and Fairness:** The Executive Board is committed to ensuring consistency and fairness in all procedures. The school will comply with all relevant equality legislation, including the duty to make reasonable adjustments for disabled employees. The Executive Board is aware of the guidance on the Equality Act issued by the Department for Education.

## **Definitions**

Unless otherwise stated, all references to "teacher" in this policy include the headteacher.

## **Delegation**

Standard procedures apply to the delegation of functions by the Executive Board, headteachers, and local authorities.

## **Grievances**

If a staff member raises a grievance during the capability process, the capability procedure may be temporarily suspended to address the grievance. When the grievance and capability cases are related, it may be appropriate to address both concurrently.

## **Sickness**

If long-term sickness absence appears to be linked to the commencement of performance monitoring or a formal capability procedure, the case will be managed in accordance with the school's absence policy. This may involve referral to occupational health services to assess the employee's fitness for continued employment and the appropriateness of continuing with the performance management process. In some cases, it may be appropriate to continue monitoring and/or formal procedures during sickness absence.

## **Monitoring and Evaluation**

The Executive Board and headteacher will monitor the effectiveness of the school's appraisal arrangements, ensuring they minimise workload for all involved.

## **Retention**

The Executive Board and headteacher will ensure that all written appraisal records are retained and stored securely in accordance with the school's Retention and Disposal Policy.