



Capability Policy

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1. Introduction

This policy sets out the framework for a clear and consistent assessment of the overall performance of employees at Hamwic Education Trust (HET), and for supporting their development within the context of the relevant development plan for improving educational provision and performance, and the standards expected of all staff. It also sets out the arrangements that will apply when employees fall below the levels of competence that are expected of them.

Any links within this document to other documents are for ease of use and do not form part of this procedure.

This policy and procedure will be reviewed every three years or whenever a change in employment legislation necessitates a review, whichever is sooner. This policy does not form part of any employee's contract of employment and may be amended at any time following consultation with staff [and the recognised trade unions].

Schools and HET should ensure that employees clearly understand the ethos of the school and HET and that professional development arrangements are in place to support employees to achieve their individual and school aspirations. It should be recognised that there is a collective responsibility to achieve these goals. The capability policy is a supportive process aimed at generating sustained improvement.

2. Scope

2.1 This policy is for all employees working within a HET school or establishment (which for ease of reference are referred to throughout this document as 'schools') or the HET Managed Service (MS) Team.

2.2 It does not apply to agency workers, consultants, self-employed contractors, volunteers, or work experience students.

3. Definitions

- 'HR' in this policy, means Hamwic Education Trust HR.
- 'Local Governing Committee' in this policy, where reference is made to the Governing Committee, this means the Local Governing Committee of the school, or the Trust in the case of a school where no Local Governing Committee is present. Where a Governing Committee is not present in a school, or numbers are low, Governors from other schools/partnerships may be used. For HET MS Team, the Governing Committee is the Trust Board.
- 'Manager' in this policy, is anyone as identified in the staffing structure with line management responsibilities.
- 'Representative' in this policy means a representative of a professional association or trade union who is accredited to accompany a member when the member is subject to formal policies where they are entitled to be represented. Staff may also be accompanied by an appropriate work colleague.

4. Principles



- 4.1 This policy is designed to support an employee in improving their practice and will apply in circumstances where poor performance is assessed to be as a result of an employee's lack of skill, ability, knowledge, experience or aptitude. Where poor work performance is assessed to be due to a deliberate or wilful failure to fulfil the duties of an employee's role and/or a deliberate lack of care, the matter will be dealt with under the HET Disciplinary Policy as this is a conduct concern.
- 4.2 Where an employee wilfully and unreasonably refuses to co-operate with the application of the HET Capability Policy, the matter will be dealt with under the HET Disciplinary Policy.
- 4.3 Poor performance due to health problems and/or sickness absence will be dealt with via the Absence Policy. This is likely to lead to a referral to Occupational Health in order to assess the employee's fitness for work. In exceptional cases, it may be appropriate for the Capability Policy to continue during a period of sickness absence, however the line manager will have regard to the views of Occupational Health and employees GP. The following may be considered:
- The process may be put on hold and any review period may be extended as appropriate, for example, if the outcome of an Occupational Health referral is awaited; reasonable adjustments are being put in place; learning and development is being arranged or if extenuating circumstances have been identified.
- 4.4 Prior to the implementation of this policy, the line manager, will need to be able to show that, through the professional development process, reasonable efforts have been made to identify any performance concerns, discuss them with the employee and, as appropriate, provide support designed to facilitate improvement. Line managers may from time to time have discussions about minor performance concerns with an employee, but generally these would not form part of a capability process. Formal capability process should only be invoked where there is clear evidence of sustained underperformance that the appraisal process has failed to address, following an informal process. The instigation of a capability process should not come as a surprise to the employee concerned.
- 4.5 This policy aims, through advice and support, to improve, the performance of an employee who is causing concern. This should be followed within the timescales, as set out in this policy. Such advice and support will be agreed and may be provided:
- From within the school/HET.
 - Through accessing expertise in another school/HET.
 - Via the Hamwic Managed Service Team.
 - From other expert sources external to the school/HET.
 - Through training courses or events.
- 4.6 The stages specified in this policy must be dealt with on a professional and confidential basis. Governors / trustees will be notified in the event that the formal capability process is applied to a member of staff, but will not be provided with any details, as this may prejudice governors'/trustee involvement in a later stage if recourse to that stage eventually becomes necessary.
- 4.7 Employees are encouraged to be accompanied by a professional association or trade union representative or by an appropriate work colleague of their choice under any stage of the HET Capability Policy and to seek advice at the earliest opportunity where they are subject to formal action. The companion is allowed to make representations on behalf of the employee, submit papers, ask questions and address a meeting on behalf of the employee

but is not allowed to answer questions on behalf of the employee. It is the employee's responsibility to arrange their own companion and advise management of this. If the employee, or their companion, is unable, for good reason, to attend a meeting, an alternative date will be arranged, once only, normally within ten school working days of the original meeting.

- 4.8 Before the capability process has commenced, the employee will be provided with a copy of this policy as well as any appropriate evidence.
- 4.9 All targets, support and review meetings will be minuted during the capability process.
- 4.10 Where an employee 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, and at the same meeting.
- 4.11 The employee will have the right of appeal against any formal action taken against them in accordance with [section 13](#) of this procedure.
- 4.12 The school / HET will have the right to request that a member of the HR team attends any meetings under any stage of the Capability Policy, in order to provide support to the line manager. HET HR supporting the case will be separate to those who advise the Board.
- 4.13 In the interests of fairness, both parties are expected to provide details of any significant issues and relevant papers in advance of meetings arranged under the formal procedure. Management documents will be supplied with the letter inviting the employee to the formal meeting. The employee, or their representative/colleague, must submit their information to arrive at least three working school days before the meeting.
- 4.14 Responsibility for decision-making within this procedure rests with the line manager for MS employees and the School Leader, or Governors' Committee where convened in relation to the school.
- 4.15 Where this procedure is used in relation to school leader poor performance, the Governor Representative/Trust CEO (or delegated suitable person will undertake the role of school leader/line manager. In such cases, an additional professional adviser from the HET MS Team will be present, at any stage, to provide governors with professional advice.
- 4.16 The time periods in this procedure will also apply to part-time employees.
- 4.17 The warning will normally remain active for 12 months from the end of the monitoring and review period. During this time any further performance concerns will be considered at the next stage of the process (stage 2). After the active period the warning will remain on the employee's personnel file but will be disregarded in deciding the outcome of any future capability proceedings.
- 4.18 Where a warning has been issued the letter will set out the length of the monitoring and review period and the procedure and time limits for appealing against the warning. If under performance occurs again shortly after the end of the live period of the warning, we reserve the right to deal with the matter at the same stage of the procedure and not return to earlier stage.
- 4.19 Action involving use of a formal written warning and beyond will not be taken in respect of an accredited representative of a Trade Union unless the line manager or HR (as appropriate) has informed the relevant full-time official of the action that is being contemplated.

- 4.20 The audio or video recording of any meetings or hearings held under this procedure is not permitted. Where an employee is unable to take his or her own notes of a meeting due to a physical, sensory or mental impairment, it is expected that the employee's representative will take notes on their behalf and/or alternative options will be considered to remove any potential disadvantage that an employee may have. Only in exceptional cases may an employee request an audio or video recording of the meeting as an alternative, In such cases, consideration will be given as to whether or not recording the meeting is appropriate in all the circumstances, including an assessment of whether other options have been considered as above.

5. Elements of the Process

- 5.1 There are four elements to the capability process, as follows:

- Element 1 – Managerial Support Stage (and review). This is classed as the informal stage.
- Element 2 - Formal Meeting Stage 1 (and review)
- Element 3 – Formal Meeting Stage 2 (and review)
- Element 4 – Committee hearing

- 5.2 At every element of the formal process the employee will be advised of the nature of the concern, be given an opportunity to provide their view, and have the right to be accompanied by a companion, who may be a colleague or a trade union representative.

6. Element 1 – Managerial Support

- 6.1 On occasions, an employee's performance can be deemed to be below accepted standards and support is needed to help them re-attain and sustain the required level of performance.
- 6.2 Minor concerns about performance will be addressed as part of the ongoing day-to-day line management at the time they are identified and should not be left. This will assist the employee to recognise issues at an early stage.
- 6.3 Where a School Leader may need managerial support, this will be undertaken by a member of the HET Executive Team, and the Chair of Governors will be kept apprised of the situation. the Trust CEO reserves the right to input.
- 6.4 When raising performance concerns with an employee, any factors which may be having an impact on the employee's ability to perform their duties (e.g., health, experience, workload, personal factors, etc.) will be taken into consideration. Discretion should be applied. However, such factors in themselves do not negate the need to address concerns.
- 6.5 Whilst there are no formal rights of representation at this stage, employees are encouraged to contact their Professional Association or Trade Union Representative for advice and support. HET will allow an employees' representation at meetings should such a request be made.

Identifying when performance is deemed to be below accepted standards

An employee may be deemed to be underperforming where:

- The standard of performance falls below that which is required to meet or make progress towards a specific and reasonable professional development target; and/or
- The standard of performance falls below that which is required to meet the expectations of a particular role in their school/Trust; and/or
- The performance falls below the relevant standards/accountabilities for the role; and/or
- The overall school performance falls below that which is required (in the case of the School Leader).

Determining possible initial courses of action

Low level concerns of underperformance, could be dealt with through;

- An early conversation to confirm the expected standards of the role;
- Coaching/mentoring support

If the above approaches do not have an impact and/or underperformance has been significant and evidenced, then managerial support must be given.

Managerial Support Process

If an employee is identified as requiring managerial support, the line manager (or appropriate person) will invite the employee to a meeting. The invite will be in writing and give at least 5 school working days.

The purpose of this meeting is to set out the concerns, discuss the support already put in place and to agree a managerial support plan with appropriate timescales. As part of the discussion, the following will be taken into consideration/discussed;

- The nature and severity of the underperformance;
- The impact on pupils and colleagues both in the short and longer term;
- The likely and required timescale for improvements to be made;
- Mitigating circumstances of the employee;
- The engagement of the employee in the programme;
- Clear objectives for the required improvements and how these can be achieved;
- Any support that is required (for example coaching, mentoring, training, structured observations, observing others in a similar role etc);
- Explain the implications and process if no - or insufficient - improvement is made during the informal review period for example, potential move to formal capability under stage 2 of this policy.

A managerial support plan would usually be for 4-6 weeks with regular reviews.

See Appendix A for a template managerial support plan.

If it becomes clear that the employee is not making adequate progress towards making improvement within these timescales, then the nature of the support should be reviewed and adjusted where necessary.

At the end of the period, if some improvements have been attained then managerial support can be extended for a further period. The evidence gathered from this stage of the process will be used should it be necessary to commence Stage 2 of the procedure.

If improvements have not been evidenced, then the employee will move to stage 2 of the procedure.

7. Element 2 – Formal Meeting Stage 1

7.1 Invite to a Stage 1 formal Meeting

The line manager will write to the employee to invite them to a Stage 1 Formal Meeting. The invitation letter will:

- Inform the employee of the stage of the procedure being followed.
- Provide the employee with a minimum of ten school working days' notice of the meeting.
- Inform the employee of the right to be accompanied at the meeting.
- Inform the employee of the requirement to confirm before the meeting whether they intend to be accompanied at the meeting, and, if so, by whom.
- Inform the employee that, if they wish to refer to any written information at the meeting, this must be submitted to arrive three school working days before the meeting.
- Explain that if the employee needs special support or assistance during the meeting, they should notify the line manager in advance of the meeting.
- Remind the employee of their access to HET's Employee Assistance Programme.
- Enclose a copy of the Capability Policy (if they have not already been provided with a copy) and all written information the line manager wishes to rely upon during the meeting.

7.2 Conduct of the Formal Meeting

The line manager will:

- Clearly set out the nature of the performance concerns, discuss the measures put in place during any period of structured managerial support and explain why progression to the Capability Policy may be required.
- Refer to any documents or evidence (for example, evidence of support provided, monitoring and training records and examples of the employee's work) and clarify the requirements of the employee's role and the standards expected.
- Ask the employee to account for their continued under-performance including any mitigation the employee feels is relevant.
- Consider all the facts including employee's submission of evidence and, if necessary, adjourn the meeting to consider these further before making a decision about whether the employee will move onto the Capability Process.
- Define success criteria and the evidence that will be used to assess whether the necessary improvement has been made. The amount of objectives set should be reasonable in number. Objectives should be SMART (Specific, Measurable, Achievable, Realistic and Time Bound).

- Define the nature and frequency of any support to be provided (through an action plan), and of the monitoring process, and the dates of interim progress reports and formal reviews.
- The employee's line manager may attend the meeting to present the management case. Relevant witnesses may be called by the person conducting the meeting. Such a request should be provided in writing [at least 2 school working days prior to the meeting with details of why such a witness should be called. The person conducting the meeting shall determine who shall be called as a witness and may request a written statement is provided instead of attendance.

7.3 Outcomes of the Formal Meeting

Possible outcomes include:

- No formal action required (in which case it may be appropriate to continue to address the concerns through the performance management process and the Capability Policy will not apply).
- A Formal Warning is issued.
- (In serious cases) a Final Warning is issued ([see section 11](#));
- (In exceptional cases) a decision is made to suspend the employee pending an investigation into a concern of gross incapability ([see section 12](#)). In such circumstances, the line manager may consider referring the matter directly to a hearing under Stage 3.

An employee issued with a warning will be told the consequences of further poor performance or failure to improve within the set review period. Failure to improve within the set timescale under Stage 1 formal meeting where a formal warning has been issued may lead to a Stage 2 formal Meeting. The length of the review period will depend on the circumstances of the individual case but in most cases will be between four and ten weeks. Progress will be formally reviewed at the end of this period; however interim reviews will also be held to assess progress (noting section 10).

The outcome of the meeting will be confirmed in writing to the employee, normally within five school working days. If it is necessary to vary this timescale the employee should be notified at the conclusion of the meeting. A copy of this letter will be placed on the employee's personal file. The employee will be notified of their right to appeal.

8. Element 3 – Formal Meeting Stage 2

8.1 Invite to a Stage 2 Formal Meeting

The line manager will write to the employee to invite them to a Stage 2 Formal Meeting. The invitation letter will be in accordance with paragraph 7.1.

8.2 Conduct of the Stage 2 Formal Meeting

The line manager will:

- Clearly set out the nature of the performance concerns, discuss the measures put in place during any period of structured managerial support and explain why progression to the next stage of the policy may be required.
- Refer to any documents or evidence (for example, evidence of support provided, monitoring and training records and examples of the employee's work) and clarify the requirements of the employee's role and the standards expected.
- Discuss with the employee the reasons for their continued underperformance, including any mitigating factors.
- Consider all the facts including employee's submission of evidence and, if necessary, adjourn the meeting to consider this further before making a decision about whether the next formal stage will be commenced or the current stage extended.

8.3 Outcomes of the Stage 2 Formal Meeting

Possible outcomes include:

- No further action, in which case the Capability Process will cease ([see section 9](#));
- The Formal Warning remains in place for a further specified period of time under Stage 1 (if one was issued).
- A Final Warning is given.

The employee will be told the consequences of further poor performance or failure to improve within the set review period (as defined in section 6.4.2 below). In most cases, a review period will be set of no more than four weeks. However, this can be extended in exceptional circumstances.

The outcome of the meeting will be confirmed in writing to the employee, normally within 5 working days. If it is necessary to vary this timescale the employee should be notified at the conclusion of the meeting. The employee will be notified of their right to appeal. A copy of this letter will be placed on the employee's personal file.

8.4 Stage 2 Final Review Meeting

At the end of the review period in Stage 2, the employee will be invited to a Final Review Meeting. The invitation letter will be in accordance with paragraph 7.1. The conduct of the meeting will be in accordance with paragraph 7.2.

Possible outcomes include:

- A decision to refer the matter to a Committee Hearing to consider dismissal on the grounds of capability.
- The Final Warning remains in place for a further specified period of time.
- The review period will be extended if the employee is making sufficient progress to warrant this.
- No further action, in which case the Capability Policy will cease ([see section 10](#)).

The line manager will inform the Governing Committee and HR of the outcome of the Stage 2 Final Review Meeting.

The outcome of the meeting will be confirmed in writing to the employee, normally within five school working days. If it is necessary to vary this timescale the employee should be notified at the conclusion of the meeting. A copy of this letter will be placed on the employee's personal file.

8.5 Consideration of alternative options

Before any meeting takes place under Stage 3 of this procedure (with the exception of potential gross incapability cases), HR and, where appropriate, a member of HET Executive Team, may meet with the employee and the line manager separately to examine any available alternatives which would obviate the need for the application of Stage 3 or beyond. This will include consideration of whether it is feasible to make any offer of alternative employment to the employee, demotion, withdrawal of TLRs or other responsibilities.

9. Element 4 – Committee Hearing

9.1 Invitation to a Stage 3 Hearing

The line manager will write to the employee to invite them to a Stage 3 Hearing. The employee will be entitled to representation. The invitation letter will be in accordance with paragraph 7.1 and the employee must be advised that dismissal is a potential outcome. The employee must be advised of their right to be accompanied at the Hearing in accordance with paragraph 3.7.

9.2 Conduct of a Stage 3 Hearing

Where the school leader / CEO has formally delegated powers of dismissal and has not had part of the

decision making in Stages 1 and/or 2 of the procedure, the school leader / CEO may hear the matter. As part of the Governor's Committee.

In the case of the school leader, the Governor Representative will commission a senior member from the MS Team/Trust CEO and a senior officer from HR to present the management case. The Chair of the Governors will normally be called as a witness.

9.3 Outcomes of the Stage 3 Hearing

Possible outcomes include:

- No further action, in which case the Capability Policy will cease ([see section 9](#));
- The previous Final Warning should remain in place for a further specified period of time (in which case the required improvement in performance will be identified as well as the support that will be provided to help the employee achieve this and the period of time in which the necessary improvement must be made).

- The employee is dismissed on the grounds of capability with the appropriate contractual notice.
- The employee is dismissed summarily (in gross incapability cases – [see section 12](#)).

The outcome of the meeting will be confirmed in writing to the employee, normally within five school working days. If it is necessary to vary this timescale the employee should be notified at the conclusion of the meeting. If the decision is to dismiss the employee the letter will:

- Specify the reason for the decision to dismiss.
- Confirm that the dismissal will take place with notice (or without notice in the case of gross incapability).
- Confirm that the employee has the right of appeal against the decision, and the mechanism for doing so.

10. Improvement in performance achieved

If the employee's performance improves as required, the line manager will meet the employee to tell them this. This will be confirmed in writing to the employee and the letter will be placed on the employee's file. The Capability Policy will cease at this point and performance management will re-start. If the employee was at Stage 1 of the capability process, their improvement in performance will need to be sustained for at least 12 months from the date it was issued, at Stage 2 the improvement would need to be sustained for at least 12 months. If the employee's performance declines during this period of time, the line manager will have the option to re-enter the procedure at the appropriate point.

11. Fast-track procedure

In very serious and exceptional cases and where this is compelling and substantial evidence, it may be necessary to issue a Final Warning at a Stage 1 meeting. For example it is considered that the professional inadequacies of the teacher are so serious that the education of pupils is in jeopardy, the school leader (or their designate) must discuss the matter with the HR. They should then meet with the relevant professional association representative to consult on the matter before proceeding. In such cases, if the necessary improvement in performance is not achieved during the review period, the line manager will proceed to a Stage 4 Committee Hearing. Guidance must be sought from HR should the fast-track procedure be implemented.

12. Gross Incapability

When an employee's performance is regarded as gross incapability such as serious safeguarding matter, it would be inappropriate to take them through a staged procedure, particularly if the health and safety of pupils or other employees is in serious jeopardy or there are serious consequences for the school, to the extent that dismissal would be justified. In such cases, a full investigation must take place and the employee must be given the opportunity to respond. The employee may be asked to remain at home while the investigation is carried out. The matter would normally be referred straight to a Committee Hearing and a potential outcome is that the employee is summarily dismissed on the grounds of gross incapability.

HET HR advice must be sought.

13. Failure to make progress during a review period

The review periods set at each stage of the process are the maximum number of weeks in which an employee will normally make the necessary improvements in performance except where exceptional circumstances apply. However, where during a stage there is evidence to suggest a more serious problem or that progress is insufficient or the individual is unlikely to make the required improvements, the line manager may decide to move to the next stage of the process.

14. Right of Appeal

An employee may appeal against any warning issued to them through the capability process and/or against a decision to dismiss them. For appeals against warnings under this procedure, the employee must submit an appeal in writing to the line manager who signed the letter confirming the action to be taken under the procedure. Appeals against dismissal under Stage 4 of this procedure must be addressed to the HET Head of Governance governance@hamwic.org. In both instances, the appeal must be received within ten school working days of receipt of the letter confirming the warning/dismissal and the employee must state in full the reasons for their appeal.

The purpose of an appeal is to enable an impartial review to be carried out as to the 'reasonableness' of the previous decision. The appeal should not become another capability hearing but should focus on reviewing the process followed, and the reasonableness of the decision that was taken.

14.1 Invitation to Appeal Meeting

If the employee lodges an appeal in line with the procedure, they will be invited by letter to an appeal meeting and given at least ten school working days' notice of the meeting date. Any relevant documentation must also be included with the letter.

The letter inviting the employee to the appeal meeting must include their right to be accompanied at that meeting.

If the warnings have been issued by a senior manager during the formal stages, the appeal may be heard by the school leader / CEO. If the warnings have been issued by the school leader during the formal stages, the appeal will be heard by a governors' committee. Where the school leader has heard appeals under Stage 2 and/or Stage 3, this will preclude the school leader from forming part of the committee under Stage 4 of this procedure.

Any appeal against dismissal will be heard by a governors' committee. The school leader or Clerk to the Governors' Committee (depending on who is hearing the appeal), will issue documentation with the letter of invitation to the appeal meeting. This will consist of the documentation used at the original hearing, supplemented with the employee's letter of

appeal. Where either party wishes to provide additional information, this must arrive at least three school working days in advance of the meeting to allow time for the information to be considered.

14.2 Conduct of Appeal Meeting

The conduct of the meeting will be in accordance with the Procedure for a Governor's Appeal Committee Hearing.

The outcome should normally be confirmed to the employee in writing within five school working days. If it is necessary to vary this timescale, the employee should be notified at the conclusion of the meeting.

15. Requirement for schools to pass on information about a teacher's capability to a new employer

The School Staffing (England) (Amendment) Regulations 2012 require maintained schools to pass on information to a prospective employer about any teacher or school leader who has been on the formal capability process in the last two years. Specifically they will need to provide details of the duration of capability and an explanation of the outcome. Whilst the Regulations do not apply to academies, academies can also ask for the information as part of their recruitment processes.

16. Support

Employee Support is a confidential counselling and support service provided by trained, experienced counsellors, providing telephone and face-to-face counselling.

Employees can also seek advice and support from their professional association or trade union and will be advised to do so at the start of the process.

17. Links to other policies and documents:

- HET Appeals Committee Guidance
- HET Professional Development & Target Setting Policy
- HET Disciplinary Policy
- HET Equalities Policy
- HET Pay Policy
- HET Professional Standards for Teachers and School Leaders
- HET Employee Handbook & Code of Conduct

Version	Updates	Approved Date

1. 18. Appendices

1.1 18.1 Appendix A Managerial Support Template Form

NOTE OF DISCUSSION WITH EMPLOYEE AS PART OF STRUCTURED MANAGERIAL SUPPORT
INSTRUCTIONS FOR COMPLETION CAN BE FOUND AT THE END OF THIS FORM

SECTION 1

SCHOOL/MS Team:

EMPLOYEE:

SCHOOL LEADER/

JOB TITLE:

LINE MANAGER*:

*delete as applicable

DATE OF DISCUSSION:

/ /

SECTION 2

REASON FOR DISCUSSION (define/clarify where performance is below what is required):

SECTION 3

AREAS OF CONCERN (e.g. managing behaviour, pupil progress, assessment, planning, whole school contribution, poor communication, time keeping, organisation, failing to follow management instruction):

Purpose of the Form for use by School Leader or Line Manager

This provides a note of a discussion as part of structured managerial support.

The discussion should be held on a 1:1 basis.

The formal Capability Procedure may be invoked if improvement is not forthcoming, and it must therefore be clearly explained to the employee exactly what is below standard and what they need to do to improve to reach the standard required and by when.

Points on Conducting the Meeting

1. Complete Section 1 of the form.
2. Prepare information for background understanding under Section 2, 3 and 4 referring to other sources of information as appropriate, e.g. performance objectives, observations, feedback, etc.
3. Conduct the meeting in confidence with the employee and listen to their viewpoint. If the employee becomes distressed, use an adjournment to allow time for them to compose themselves. This should normally mean the discussion can continue after a short break.
4. Take into account any mitigating circumstances.
5. If the employee needs time to prepare a response, e.g. if the employee needs to gather information, allow them time for this and continue the meeting as soon as possible afterwards.
6. Advise the employee that you will be making a note which will be placed on their personal file. Make sure the employee understands that, if no improvement is forthcoming or there is any reason to take further action, the Capability Procedure is likely to be applied.
7. Clearly explain what improvements are required and/or what action is to be taken. The required improvements must be measurable and a timescale must be agreed for when improvements are to be made.
8. Complete the reverse of this form immediately the meeting is over, where possible with the employee.
9. Arrange any necessary training and/or any help or support you have agreed to put in place.
10. Diary to review the actions taken and/or monitor the employee's performance (e.g., weekly, fortnightly, monthly) as discussed with the employee.

IF YOU ARE IN DOUBT ABOUT ANY ASPECT OF THIS PROCESS PLEASE CONTACT HET HR BEFORE TAKING ANY ACTION