

General Principles Underlying this Policy

1. ACAS Code of Practice on disciplinary and grievances procedures

The conduct of the formal capability stage will be undertaken in accordance with the provisions of the ACAS Code of Practice.

2. Consistency of treatment and fairness

The Governing Body is committed to ensuring consistency of treatment and fairness and will abide by all relevant legislation.

3. Sickness

If long term sickness absence appears to have been triggered by the commencement of monitoring or a formal capability procedure, the case will be dealt with in accordance with the school's absence policy and will normally be referred to the occupational health service to assess the member of staff's health and fitness for continued employment and the appropriateness or otherwise of continuing with monitoring of formal procedures. In some cases, it may be appropriate for formal procedures to continue during a period of sickness absence. However, the views of the occupational health physician will be always being taken into account before a decision is reached.

4. Grievances

Where a member of staff raises a grievance during the appraisal or capability process, the appraisal or capability process may be temporarily suspended in order to deal with the grievance. Where the grievance and appraisal or capability cases are related it may be appropriate to deal with both issues concurrently.

5. Confidentiality and Professional Relationships

The appraisal and capability processes will be treated with confidentiality. Only the appraiser's line manager or, where s/he had more than one, each of her/his statements. This will be done upon request and only where this is necessary to enable the line manager to discharge her/his line management responsibilities. Appraisees will be consulted on request for access to statements in the context of this policy.

The process of gathering evidence for performance review will not compromise normal professional relationships between teachers. The Governing Body recognises that the reviewer will consult with, and seek to secure the agreement of, the reviewee before seeking information from other colleagues about the work of the reviewee.

However, the desire for confidentiality does not override the need for the Headteacher and Governing Body to quality –assure the operation and effectiveness of the appraisal system. The Headteacher or appropriate colleague might, for example, review all teachers' objectives and written appraisal records personally – to check consistency of approach and expectation between different appraisers. The Headteacher might also wish to be aware of any pay recommendations that have been previously made.

6. Monitoring and Evaluation

The Governing Body and Headteacher will monitor the operation and effectiveness of the school's appraisal arrangements.

The Headteacher will provide the Governing Body with a written report on the operation of the school's/academy's appraisal and capability policies annually. The report will not identify any individual by name. The report will include assessment of the impact of these policies on:

- Race
- Sex
- Sexual Orientation
- Disability
- Religion and Beliefs
- Age
- Part – time status
- Maternity and pregnancy

The Headteacher will report on whether there have been any appeals or representations on an individual or collective basis on the grounds of alleged discrimination.

7. Retention

The Governing Body and Headteacher will ensure that all written appraisal records are retained in a secure place for six years and then destroyed.