



Appraisal and Capability Policy

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Prime7 Appraisal and Capability Policy

Prime7 Multi Academy Trust has adopted this policy with effect from 1 September 2026. It applies Trust-wide to teachers, Headteachers, support staff, central staff and employees working across more than one Prime7 academy, subject to the exceptions set out below.

1. Definitions

- 1.1. “Headteacher” also refers, where appropriate, to any other title used to identify the Headteacher.
- 1.2. “Employee” refers to any member of staff employed by Prime7 Multi Academy Trust to whom this policy applies, including staff working at one academy, across more than one academy or within the Trust central team. This policy will be applied fairly, consistently and reasonably in accordance with the Equality Act 2010. Reasonable adjustments will be considered before and throughout appraisal and capability processes, including adjustments to duties, objectives, evidence, support, meetings, monitoring arrangements and timescales where appropriate.
- 1.3. “Senior manager” refers to an appropriately senior employee authorised by the Headteacher or CEO to deal with an appraisal and/or capability matter under this procedure. A senior manager may issue a formal warning only where this is within their delegated authority. Decisions to dismiss and appeals will be taken by the person or panel authorised under the Trust’s current Scheme of Delegation.
- 1.4. Where the Headteacher, following consultation with the CEO and HR adviser, considers that there is no suitable senior manager to whom a capability matter can reasonably be delegated, the Headteacher may manage the matter. Any later decision meeting or appeal will be conducted by a different person or panel with appropriate delegated authority and no material previous involvement. Trustees should not be involved unnecessarily at an early stage where this could compromise their ability to hear a later appeal.
- 1.5. Where the appraisal or capability of a Headteacher is being considered, the relevant responsibilities will normally be undertaken by the CEO, with appropriate Trustee involvement and external or HR advice where required. Any formal decision or appeal will be made in accordance with the Trust’s Scheme of Delegation.
- 1.6. “Lack of capability” means that an employee is unable, despite appropriate support and a reasonable opportunity to improve, to perform one or more significant aspects of their role to the required standard. Capability should be distinguished from conduct: where an employee is capable of meeting the required standard but deliberately or negligently fails to do so, the matter may be dealt with under the Trust’s Disciplinary Policy.

2. Purpose

- 2.1. This policy sets out the framework for:
 - 2.1.1. A clear and consistent assessment of the overall performance of employees covered by the Appraisal Policy
 - 2.1.2. Supporting their development within the context of the School's plan for improving educational provision and performance
 - 2.1.3. The standards expected of employees in their respective roles
 - 2.1.4. The arrangements that will apply if employees fall below the levels of competence that are expected of them
- 2.2. This policy does not form part of any employee's contract of employment and may be amended following appropriate consultation. The Trust may vary procedural arrangements or time limits where this is reasonable, proportionate and fair in the circumstances, including to make a reasonable adjustment.

3. Application of the Policy

- 3.1. The policy is in two separate sections.
- 3.2. Part A of the policy, which covers appraisal, applies Trust-wide to teachers, including Headteachers, support staff, central staff and employees working across more than one academy. The normal exceptions are employees on contracts of less than one term, teachers undergoing statutory induction as Early Career Teachers, support staff subject to a formal probationary period and employees whose performance is being managed under Part B. The principles of this policy may still be applied where appropriate.
- 3.3. Part B, which sets out the formal capability procedure, applies to all employees covered by this policy, including Headteachers. Formal capability will normally be used only where serious or persistent concerns remain after appropriate support and a reasonable opportunity to improve, or where the seriousness of the concerns reasonably justifies formal action. Dismissal on capability grounds will be a last resort.

Part A - Appraisal

The Appraisal Policy in this School will be a supportive and developmental process designed to ensure that all employees identified by the policy have the skills and support they need to carry out their role effectively. It will help to ensure that all employees are able to continue to improve their professional/ employment practice and to develop in their respective roles.

1. The Appraisal Period

- 1.1. For Teachers and Leaders, the appraisal period will run for twelve months from 1 September to 31 August for each academic year. For Support staff, the appraisal period will run for twelve months from 1 April to 31 March each year.
- 1.2. Employees who are employed on a fixed term contract of less than one year will have their performance managed in accordance with the principles underpinning this policy. The length of the review period will be determined by the duration of their contract, and an individual teacher's objectives should take account of the length of contract.
- 1.3. Employees will not normally be dismissed for capability reasons without previous warnings and a reasonable opportunity to improve. Concerns involving deliberate or negligent conduct, including alleged gross negligence, will normally be considered under the Trust's Disciplinary Policy. Employees who have not completed probation will normally be managed under the Trust's probation arrangements.

There is flexibility to use a longer or shorter appraisal period where an employee begins or ends employment during the year, changes role, works on a fixed-term contract or where other individual circumstances make this appropriate.

2. Appointing Appraisers

- 2.1. The Headteacher will be appraised by the CEO, supported by a suitably skilled and/or experienced external adviser who has been appointed by the Trust Board for that purpose.
- 2.2. The task of appraising the Headteacher, including the setting of objectives, will be delegated to a sub-group consisting of a member of the Trust Board and the CEO of the Trust.
- 2.3. The Headteacher will decide who will appraise other employees covered by the policy. This will be notified to employees annually.

3. Setting Objectives

- 3.1. The Headteacher's objectives will be set by the CEO/Trust Board. The Trust has a duty to have regard to the work-life balance of the Headteacher and objectives will reflect this.
- 3.2. Objectives for each employee will be set before, or as soon as practicable after, the start of each appraisal period. They will be specific, measurable or capable of meaningful evaluation, achievable, relevant and time-bound where appropriate, and will reflect the employee's role and experience. Objectives will not be based solely on externally generated data, predictions or the assessment data for a single pupil or group. Pupil data may contribute to the evidence considered but will be used professionally, contextually and alongside other evidence. Objectives must be proportionate, achievable within the resources and working time

reasonably available and must not generate unnecessary workload. The appraiser and employee will seek to agree objectives; where agreement is not possible, the appraiser may determine reasonable objectives following discussion. Objectives may be revised where circumstances materially change.

- 3.3. The objectives set for each employee will, if achieved, contribute to the School's plans for improving the School's educational provision and performance and improving the educational opportunities of pupils at that School. This will be ensured by for example - quality assuring all objectives against the School improvement plan.

4. Overall Performance of Teachers

- 4.1. Before, or as soon as practicable after, the start of each appraisal period, a teacher will be informed of the standards against which that teacher's performance in that appraisal period will be assessed. Each teacher will be assessed against the set of standards contained in the document called "Teachers' Standards" published in July 2011 and any subsequent amendment thereof.
- 4.2. The Headteacher or CEO (as appropriate) will need to consider whether certain teachers should also be assessed against other sets of standards published by the Secretary of State that are relevant to them.

5. Reviewing Performance

- 5.1. Observation
- 5.1.1. This School believes that observation of classroom practice and other responsibilities for teachers, and support staff who support teachers in the classroom, is important to:
- Assess performance to identify any particular strengths and areas for development
 - Gain useful information which can inform School improvement more generally
 - Enable colleagues to learn from each other and collaborate.
- 5.1.2. All observation will be carried out supportively, proportionately and in a way that does not create unnecessary workload. Observation arrangements will follow a protocol determined by the Headteacher after appropriate consultation. No single observation or source of evidence will normally determine an overall assessment of performance.
- 5.1.3. Teachers' performance will be regularly observed, but the amount and type of classroom observation will depend on the individual circumstances of the employee and the overall needs of the School.
- 5.1.4. Classroom observation of teachers will be carried out by senior or middle managers with QTS.
- 5.1.5. Employees who have responsibilities outside the classroom should also expect to have their performance of those responsibilities observed and assessed.

5.2. Support Staff

- 5.2.1. Support staff appraisal period will run for twelve months from 1 April to 31 March for each year.
- 5.2.2. Support staff appraisal will focus on the job description of the employee and the expected standards of performance will be made clear by the appraiser.

6. Drop Ins

- 6.1. In addition to formal observation, the Headteacher or other leaders with responsibility for teaching standards may undertake brief “drop-ins” as part of normal leadership activity, quality assurance and school improvement. Routine drop-ins are not, in themselves, formal capability observations. Their length and frequency will vary according to the circumstances and the needs of the academy.
- 6.2. All “drop-ins” will be carried out in accordance with a protocol determined by the Headteacher following consultation with the staff to whom it applies.

7. Development and Support

- 7.1. Appraisal is a supportive process which will be used to inform continuing professional development. The school wishes to encourage a culture in which all employees take responsibility for improving their performance through appropriate development.
- 7.2. Teachers’ professional development will be linked to School improvement priorities and to the ongoing professional development needs and priorities of individual teachers. Where training or professional development is identified through appraisal, the school will make reasonable efforts to provide access to appropriate CPD and to follow up on its impact.

8. Feedback

- 8.1. Employees will receive constructive feedback on their performance throughout the year, and as soon as practicable after an observation has taken place, or other evidence has come to light. Feedback will highlight particular areas of strength as well as any areas that need attention.
- 8.2. Where there are concerns about any aspects of the employee’s performance, the appraiser will meet with the employee to:
 - Give clear feedback about the areas of concern
 - Give the employee the opportunity to comment and discuss the concerns, establish the likely causes of the performance difficulty and consider whether workload, resources, training, health, disability, changes in role or other circumstances may be contributing; identify any training, support or reasonable adjustments needed (for example coaching, mentoring, monitoring or structured observation)

- Clarify the required standards and agree any support (e.g. coaching, mentoring, structured observations), that will be provided to help address those specific concerns
 - Make clear how, and by when, the appraiser will review progress
 - If it is appropriate to revise objectives, it will be necessary to allow sufficient time for improvement
 - Explain the implications and process if no, or insufficient, improvement is made (e.g. that performance may be managed under the formal capability procedure and the impact on pay progression)
 - The amount of time will reflect the seriousness of the concerns; explain the implications and process if no, or insufficient, improvement is made.
- 8.3. When progress is reviewed, if the appraiser is satisfied that the employee has made, or is making, sufficient improvement, the appraisal process will continue as normal, with any remaining issues continuing to be addressed through that process.
- 8.4. The appraiser will keep a note of any concerns, the support given and the review judgement. A copy of this note will be given to the employee. (See 10.4 below). If required, this will inform any decision on transition to the capability procedure.

9. Transition to Capability

- 9.1. If, following appropriate support and review, the appraiser is not satisfied with progress, formal capability may be considered. Before commencing Part B, the relevant manager should normally seek HR advice. The employee will be notified in writing that their performance will be managed under the Capability Procedure and will be invited to a formal capability meeting.

10. Annual Assessment

- 10.1. The performance of each employee covered by the appraisal policy will be formally assessed in respect of each appraisal period.
- 10.2. In assessing the performance of the Headteacher, the Trust Board must consult the CEO.
- 10.3. This assessment is the end point to the annual appraisal process, but performance and development priorities will be reviewed and addressed on a regular basis throughout the year in interim meetings which will take place.
- 10.4. The employee will receive feedback as soon as practicable following the end of each appraisal period and have the opportunity to comment in writing on an appraisal report. (In practice, the report could be produced using an online performance management system, which can help to reduce workload.)
- 10.5. Teachers will receive their written appraisal reports by 31 October (31 December for the Headteacher) and support staff by 30 April.
- 10.6. The appraisal report will include:
- Details of the employee's objectives for the appraisal period in question

- An assessment of the employee's performance of their role and responsibilities against their objectives and, for teachers, against the relevant standards
- An assessment of the employee's training and development needs and identification of any action that should be taken to address them
The assessment of performance and of training and development needs will inform the planning process for the following appraisal period
- A recommendation on pay, where relevant
Pay recommendations will be made by 31 December for Headteachers, by 31 October for other teachers, and by 30 April for support staff

Part B – Capability Procedure

1. Formal Capability Meeting

1.1. This procedure applies only where there are serious or persistent concerns that have not been resolved through appraisal and appropriate support, or where the seriousness of the concerns reasonably justifies formal action. The authorised senior manager will invite the employee to a formal capability meeting to consider the identified performance concerns. The process will be fair, objective and without a predetermined outcome.

1.2. The senior manager will write to the employee at least 5 working days in advance to inform them about:

- The date, time and place of the meeting
- The basic details of the concerns about the employee's performance
- The employee's right to be accompanied by a representative of their trade union or a workplace colleague of their choice
- The titles of enclosed copies of any documents to be used at the meeting
- Names of any witnesses to be called
- Their right to call witnesses on their behalf
- The name and office of any adviser who will accompany the senior manager at the meeting

An extra copy, together with any enclosures, will be provided for their companion.

1.3. This meeting is intended to establish the facts. It will be conducted by a senior manager delegated by the Headteacher (or the CEO for the Headteacher). The meeting will allow the employee 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.

1.4. The senior manager may conclude that there are insufficient grounds for pursuing the capability issue and that it would be more appropriate to continue to address the remaining concerns through the appraisal process. In such cases, the capability procedure will come to an end.

1.5. The senior manager may also adjourn the meeting if it is decided that further investigation is needed, or that more time is needed, in which to consider any additional information. In other cases, the meeting will continue.

1.6. During the meeting, or any other meeting which could lead to a formal warning being issued, the senior manager will:

- In the case of a teacher, identify the poor performance, including which of the teacher standards is not being met
- Ensure the employee is given an opportunity to ask questions, present evidence, call witnesses, respond to evidence and make representations
- Establish the likely causes of poor performance including any reasons why any measures taken so far have not led to the required improvement

- 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 that are focused on the specific area/s of poor performance that need to be addressed. It will include any success criteria that are appropriate and the evidence that will be used to assess whether or not the necessary improvement has been made
 - Identify whether there are further measures which may improve performance and explain any support that will be considered and planned to help the employee, e.g. in-service training, visits to other Schools, discussion with appropriate colleagues or professionals
 - Set out the timetable for improvement and explain how performance will be monitored and reviewed
 - The timetable will be reasonable and proportionate to the individual case and will provide a genuine opportunity for improvement. A period of approximately four to ten working weeks may be appropriate in many cases, but this is indicative rather than mandatory. A shorter or longer period may be appropriate depending on the nature and seriousness of the concerns, the employee's role, the support or training required and the time needed to demonstrate sustainable improvement. Timescales must not be shortened simply to accelerate a process towards dismissal.
 - Warn the employee formally that failure to improve within the set period could lead to a final written warning which could then lead to their dismissal
 - For teachers, warn the employee that failure to improve within the set period could have implications on pay progression
 - Inform the employee of the right of appeal
 - Agree with the employee and any companion the date of the formal review meeting
- 1.7. Notes will be taken of formal meetings and a copy sent to the employee and any companion. Where a first warning is issued, the employee will be informed in writing of the matters discussed in 1.6 above. They will also be informed in writing that failure to achieve an acceptable standard of performance (within the set timescale), may result in a final written warning, which could lead to dismissal if wholly satisfactory performance is not achieved, together with the time limit for appealing against the first written warning.
- 1.8. If the concerns pose a significant risk to the health, safety or wellbeing of children or others, or are likely to cause serious and immediate damage to pupils' education, an expedited process or final written warning may exceptionally be appropriate. Such action must be reasonable and proportionate. HR advice should normally be obtained before an expedited process or final written warning is used. The employee will retain the right to understand and respond to the concerns, be accompanied and appeal any warning.

2. Sickness Absence and the use of this Procedure

- 2.1. Sickness absence will be managed sensitively and on the facts of the individual case. Capability proceedings will not automatically continue, pause or end solely because an employee is absent through sickness. The Trust will consider the nature and likely duration of the absence, whether health or disability is connected to the concerns, reasonable adjustments, the employee's fitness to participate and whether continuing, adapting or temporarily pausing the process is fair. Occupational Health or other medical advice will be sought where appropriate.
- 2.2. Consideration will be given throughout the process to whether performance concerns may be related to disability or another health condition and, if so, what reasonable adjustments may be required. These may include changes to duties, working arrangements, equipment, objectives, evidence, support, meetings, monitoring or timescales. Where the issue is primarily one of health rather than capability, the Trust may determine that the Sickness Absence or Ill-health Capability Procedure is more appropriate.
- 2.3. If an employee's medical condition is not serious enough to warrant a consideration of termination of employment on the grounds of ill health, the Occupational Health Adviser will normally be asked to assess whether an employee absent through sickness is fit enough to attend a meeting under this procedure. In the event that the employee is deemed not fit to attend a formal capability meeting they may present a written submission for consideration and/or be represented by a companion in their absence.

3. Performance Monitoring and Review Period Following a Formal Capability Meeting

- 3.1. A performance monitoring and review period will follow the formal capability meeting. Formal monitoring, evaluation, guidance and support will continue during this period. Following this monitoring and review period, the employee will be invited to a formal review meeting (see paragraph 4 below), unless they had been issued with a final written warning, in which case they will be invited to a decision meeting (see paragraph 6 below).

4. Formal Review Meeting

- 4.1. At least 5 working days before the date for the formal review meeting a written reminder will be given to the employee together with details of the meeting as set out in paragraph 1.2 above.
- 4.2. The formal review meeting will follow a similar procedure to that identified for the formal capability meeting as set out in paragraph 1.6 above.
- 4.3. If the senior manager (CEO for the Headteacher) is satisfied that the employee has made sufficient improvement, the formal capability procedure will cease and the appraisal process will re-start where the employee is subject to Part A above.
- 4.4. In cases:
 - Where some progress has been made and there is confidence that more is likely, it may be appropriate to extend the monitoring and review period;
 - Where no, or insufficient improvement has been made during the monitoring and review period, the employee will receive a final written warning.

- 4.5. Notes will be taken at the formal review meeting and a copy will be sent to the employee and any companion.
- 4.6. Where a final 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 will be given information about the further monitoring and review period and the procedure and time limits for appealing against the final written warning. The date of the decision meeting will be agreed with the employee and any companion.
- 4.7. Before a decision to dismiss is made, the Trust will consider whether any reasonable alternative could resolve the situation. This may include further support or training, reasonable adjustments, changed duties, an agreed change in responsibilities or redeployment to a suitable available vacancy. The Trust is not required to create a role where no suitable vacancy exists. Where an employee voluntarily accepts a lower-graded role, the terms and salary applicable to that role will normally apply unless otherwise agreed.

5. Right of Appeal against a Formal Written Warning

- 5.1. If an employee feels that a decision to issue a first and/or final written warning, is wrong or unjust, they may appeal in writing against the decision.
- 5.2. Appeals against a written warning shall be restricted to considering the reasonableness of the decision made by the senior manager, any relevant new evidence not previously available to the senior manager or any procedural irregularities. A statement giving the reasons for the appeal should be submitted to the Trusts Clerk within 5 working days of the formal written warning having been received.
- 5.3. All appeal hearings will be held as soon as possible after receipt of the appeal at an agreed time and place.
- 5.4. The appeal will be heard by an appropriately authorised person or panel with no material previous involvement in the decision being appealed, in accordance with the Trust's Scheme of Delegation. The appeal may uphold the decision, reduce or revoke the warning, or require further consideration of the matter. The panel may be advised by an HR or other professional adviser. The outcome will be confirmed in writing as soon as reasonably practicable.
- 5.5. The same arrangements for notification and the right to be accompanied by a companion will apply for an appeal hearing as for the formal capability and review meetings and, as with those meetings, notes will be taken and a copy sent to the employee and any companion.
- 5.6. Pending any appeal the employee will be expected to continue to work in accordance with targets set for the next stage of the procedure and their progress towards the achievement of these targets may be monitored during this period.

6. Decision Meeting

- 6.1. At least five working days before the decision meeting, the employee will receive written notice and the information set out for a formal capability meeting. The meeting will be conducted by the person or panel authorised to make the relevant decision under the Trust's

current Scheme of Delegation, with appropriate separation from earlier stages where reasonably practicable.

- 6.2. 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 re-start where the employee is subject to Part A above.
- 6.3. If progress has been made and there is confidence that wholly satisfactory performance will be achieved by a short extension, it may be appropriate to extend the monitoring and review period rather than to dismiss. The final warning will be extended for a short specified assessment period.
- 6.4. If performance remains below the required standard, the decision-maker will consider all evidence, support provided, reasonable adjustments, the employee's representations, whether further improvement is reasonably likely and whether alternatives to dismissal exist. Dismissal on capability grounds will be a last resort and may only be decided by a person or panel with delegated authority. The employee will be informed in writing of the reasons, termination date, notice arrangements and right of appeal.

7. Right of Appeal against a Decision to Dismiss

- 7.1. The employee has a right of appeal to the Appeals Committee of the Trust against a decision to dismiss.
- 7.2. The appeal will be heard by an impartial person or panel authorised under the Trust's Scheme of Delegation, none of whom will have had material previous involvement in the case.
- 7.3. The employee's notice of appeal should be sent to the Clerk within 5 working days of receipt of the written decision to dismiss, setting out the grounds of appeal.
- 7.4. Appeal hearings should be held as soon as possible after receipt of the appeal and will be conducted in the same way as appeals referred to in paragraph 5 above.

8. Notice of Dismissal

- 8.1. Following a decision to dismiss, the Trust Board will notify in writing that the employee is to be dismissed, whether with notice or with pay in lieu of notice in accordance with the decision.
- 8.2. In the event that the Appeal Committee of the Trust decides not to uphold the decision to dismiss, the employee shall be informed immediately and the notice of dismissal shall be immediately withdrawn.

9. Grievances Arising During the Process

- 9.1. Where an employee raises a grievance during a capability process, this will not automatically suspend the procedure. The Trust will decide whether the matter can be considered alongside the capability process or appeal, requires a separate investigation, or makes a temporary pause necessary for fairness. Where the grievance concerns the conduct of the

manager leading the process, consideration will be given to appointing another appropriate manager.

10. Trade Union Officials

- 10.1. Although normal performance standards must apply to an employee who is a lay trade union official, no formal action will be taken until the circumstances of the case have been discussed with the relevant professional trade union officer.

11. Confidentiality

- 11.1. Our aim is to deal with performance matters sensitively and with due respect for the privacy of those involved. Information will be shared only with those who reasonably need it for management of the process, professional advice, governance oversight or another legitimate purpose. Nothing in this provision prevents an employee from seeking trade union, legal or professional advice, exercising a statutory right, making a protected disclosure or cooperating with a lawful investigation.
- 11.2. Meetings under this procedure will not normally be electronically recorded. Recording may exceptionally be agreed where all relevant parties consent, where the Trust considers it appropriate or where it is a reasonable adjustment for a disabled employee. Written notes will normally be taken at formal meetings. Records will be processed in accordance with UK GDPR, the Data Protection Act 2018 and the Trust's records-retention arrangements.