



### Mission Statement

*"A Caring Christian Family Where We Grow Together"*

## CAPABILITY POLICY (including Appraisal)

**Effective Date:** 01/09/2019

**Review Date:** Sept 2024 Annual

Review Date	Signed Head Teacher	Signed Director RCSAT
09/10/2019	<i>J. L. J. J.</i>	<i>P. B. B.</i>
25/10/2020	<i>J. M. Badger</i>	<i>P. B. B.</i>
14/10/21	<i>J. M. Badger</i>	<i>P. B. B.</i>
30/09/2022	<i>J. M. Badger</i>	<i>P. B. B.</i>
30/09/2023	<i>J. M. Badger</i>	<i>P. B. B.</i>

Persons Responsible for Policy:	Executive Headteacher RCSAT
Approval Date	10/10/2019
Signed:	Director RCSAT
Signed:	Executive Headteacher RCSAT



## 1. Introduction

- 1.1 The aim of this policy is to establish the principles that The Rural Church Schools Academy Trust (hereafter referred to as 'RCSAT') will follow in managing employees about whose performance there are serious concerns that the appraisal process has been unable to resolve.
- 1.2 Capability issues are not part of the Disciplinary Procedure. However, if after careful investigation, poor performance is identified as an issue of misconduct, it may become necessary to use the Disciplinary Procedure.

## 2. Policy

- 2.1 The Executive Headteacher (EHT)/Principal, Board of Directors (BOD) & Local Governing Committee (LGC) will support employees of the school to reach the required level of performance.
- 2.2 The Capability Procedure should be followed by the EHT Principal and BOD & LGC to assist in the identification and investigation of a possible cause of incapability and where necessary in the drawing up of an action plan. The employee should fully understand the process and that if there is no improvement further action will be taken.
- 2.3 A consistent approach will be applied across the school, promoting fairness and equity throughout.
- 2.4 A decision to dismiss someone will be taken only after a full and proper process has been followed with proper safeguards to the individual.
- 2.5 Capability issues (non-health related) must normally be resolved within two terms.
- 2.6 It is the EHT/Principal/BOD/LGC responsibility to set appropriate performance standards for all employees. National standards for teachers and Principals and other standards set by the school or other relevant professional organisations will form part of the standards for these groups of staff.
- 2.7 It is the EHT/Principal and BOD & LGC responsibility to ensure that employees are aware of their required performance level.

**Please note:** Where the EHT/Principal and BOD & LGC have concerns about an employee's performance they must not wait until the appraisal discussion to initially raise their concerns. Performance issues should always be discussed at the earliest possible opportunity.

## 3. Principles

- 3.1 The RCSAT recognises that when an employee cannot perform the duties required to an acceptable standard it does not necessarily constitute misconduct.
- 3.2 The Capability Procedure should be followed where an employee is not able to perform his or her duties because they do not have the skills, knowledge, experience physical ability or aptitude they need to fully carry out their job. Mental health may also be an issue.

### 3.3 There are six main principles underlying the operation of the capability procedure:

- 3.3.1 Employees must know what is expected of them, have concerns raised as they occur and be given help, advice and the opportunity and time to improve their performance.
- 3.3.2 To enable, wherever possible, the employee with a capability problem to perform in the contractual job. The contractual job will be that which has been agreed between the school and the employee.
- 3.3.3 To confirm that the responsibility for resolving capability situations rests with the EHT/ Principal and BOD & LGC who may wish to take HR and/or Occupational Health advice.
- 3.3.4 To ensure that capability difficulties are dealt with efficiently, within agreed time periods and with clear outcomes resulting at all stages.
- 3.3.5 To recognise that whilst every effort will be made to help an individual with a capability problem, the school cannot guarantee to maintain employment.
- 3.3.6 The procedures should be applied irrespective of the age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation of the person concerned. If the person has a health issue or a disability this will be taken into consideration, before formal capability procedures are started and at each subsequent stage.

## 4 Staff Performance Appraisal

- 4.1 Principals will set appropriate performance targets for all employees annually. These will form the basis of each employees performance management. All staff will be expected to work to the National standards for teachers and Principals or other standards set by the school or other relevant professional organisations. All staff will be appraised against their standards and targets. If concerns are raised regarding capability then help, advice and the opportunity to improve performance will be provided.
- 4.2 There is a clear framework for a consistent assessment of the overall performance of all staff, teachers, Principals and the EHT and for supporting their development needs within the context of the school's improvement plan and their own professional needs.
- 4.3 Where teachers are eligible for pay progression, the assessment of performance throughout the cycle will be the basis on which the recommendation is made by the appraiser.
- 4.4 The Governing Body expect that objectives set for all teachers including the principal, if achieved, will improve the education of pupils at our school and contribute to the implementation and achievement of the School Development Plan and any other plans adopted from time to time to improve the school's education provision and performance.
- 4.5 Staff performance appraisal will be completed for all staff on the Blue Sky platform.

## 5 Scope/Application

- 5.1 This Policy and the associated Capability including Appraisal Procedure RCSAT-PR-001-01 applies to all teaching staff of RCSAT who have completed their ECT Induction.
- 5.2 The Teachers' Pay Policy RCSAT-P-007 is revised annually and issued in the Autumn term.
- 5.3 This Policy and associated Pay Procedure RCSAT-PR-007-01 applies to all support staff of RCSAT, whether Teaching Assistants, Administration or other supporting roles.



## 6 Definitions

6.1 Capability is in relation to aptitude and the inability or limited ability of someone to perform their full job description to the required standard of performance. It may be due to poor standards of work, even with training and close supervision, or low output of work – where the person can produce work to the right standard but not in the right quantity.

## 7 Equality

7.1 The governing body should ensure that, when implementing the Capability policy, no employee will be disadvantaged on the basis of their gender, transgender, marital status or civil partnership, racial group, religion or belief, sexual orientation, age, disability, pregnancy or maternity, social or economic status or caring responsibility.

7.2 This means that the policy may need to be adjusted to cater for the specific needs of an individual including the provision of information in alternative formats where necessary.

## 8 Monitoring

8.1 Data relating to capability cases will be collated and monitored regularly to ensure that the policy is operating fairly, consistently and effectively. Issues that are identified from the data will be dealt with appropriately.

8.2 In formulating this policy account has been taken of other relevant legislation and policies including the Human Rights Act, the Equality Act 2010.

