



THE SHROPSHIRE GATEWAY EDUCATIONAL TRUST

Teacher appraisal and capability policy

**Reviewed alongside DFE model (which now separates two but
no substantive difference)**

Author	CEO
Review Cycle	Annually
Date Approved	July 2025
Approved By	Directors
Next Review Date	July 2026



Policy for appraising teacher performance and dealing with capability issues

Lacon Childe School, Cleobury Mortimer Primary, Clee Hill Community Academy and Stottesdon CofE Primary agreed this policy in July 2025 and it has been ratified by Shropshire Gateway Educational Trust Directors.

It will be reviewed for July 2026

Purpose

This policy sets out the framework for a clear and consistent assessment of the overall performance of teachers, including school leaders, and for supporting their development within the context of the school's plan for improving educational provision and performance, and the standards expected of teachers. It also sets out the arrangements that will apply when teachers fall below the levels of competence that are expected of them.

Application of the policy

The policy is in two separate sections.

Part A of the policy, which covers appraisal, applies to all leaders and to all teachers employed by the school, trust, except those on contracts of less than one term, those undergoing induction (i.e., NQTs) and those who are subject to Part B of the policy.

Part B of the policy, which sets out the formal capability procedure, applies only to teachers and leaders, about whose performance there are serious concerns that the appraisal process has been unable to address.

Both parts of the policy should always be applied in a way that is robust whilst minimising the impact on workload for teachers, line managers, headteachers and governance boards.



Part A – Appraisal

Appraisal in this school will be a supportive and developmental process designed to ensure that all teachers have or fully develop the skills and access to support they need to carry out their role effectively. It will help to ensure that teachers are able to continue to improve their professional practice and to develop as teachers.

The appraisal period

The appraisal period will run for twelve months from September to September

Teachers 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 period will be determined by the duration of their contract and an individual teacher's objectives should take account of the length of contract.

Appointing appraisers

The CEO will be appraised by the Directors, supported by a suitably skilled and/or experienced external adviser who has been appointed by the Directors for that purpose.

In each school the task of appraising the headteacher, including the setting of objectives, will be delegated to a sub-group consisting of two/three members of the local governing body supported by either a suitably skilled and/or experienced external adviser who has been appointed by the Trust for that purpose or the CEO.

The school leader will decide who will appraise other teachers.

Setting objectives

The CEO/headteacher's objectives will be set by the Directors/Local Governing Body after consultation with the external adviser. They have a duty to have regard to the work-life balance of staff and objectives will reflect this.

Objectives for each teacher will be set before, or as soon as practicable after, the start of each appraisal period. The school leader has a duty to have regard to the work-life balance of the teacher and objectives will reflect this. The objectives set for each teacher, will be Specific, Measurable, Achievable, Realistic and Time-bound and will be appropriate to the teacher's role and level of experience. Objectives and appraisal discussions will not be based on teacher generated data and predictions, or solely on the assessment data for a single group of pupils. Objectives can be set in relation to robust assessment data, however, these will not be used in isolation and other factors will also be considered when making decisions about pay progression. The appraiser and teacher will seek to agree the objectives but, if that is not possible, the appraiser will determine the objectives. Objectives should be revised if circumstances change such as but not limited to a teacher going on maternity leave, or undergoing surgery/medical treatment, to take account of the anticipated absence and to allow the teacher to meet reduced and attainable targets.

The objectives set for each teacher will, if achieved, contribute to the school's plans for improving the school's educational provision and performance and improving the education of pupils at that school. Objectives should also have a strong focus on effective professional development to ensure that teachers stay up to date with the latest methodologies, technologies, and educational research.



Teachers' performance is assessed against their objectives, and the Teachers' Standards (to a level that is consistent with what should reasonably be expected of a teacher in the relevant role and at the relevant stage of their career. School leaders and other appraisers should use their professional judgement for this). The appraiser will need to set out what they will take into account when making judgements as to whether teachers have met their objectives and the relevant standards. Evidence used in the performance management process must relate directly to objectives and should be agreed in advance and be readily available from day-to-day practice. Numerical targets should not be set if it is beyond the teacher's control to achieve them.

This might but does not have to include:

- improvements in specific elements of practice, such as behaviour management, development of pedagogy or providing feedback,
- impact on effectiveness of teachers or other staff,
- wider contribution to the work of the school.

Reviewing performance

This Trust believes that a range of different methods should be utilised, in a supportive fashion, to assess teachers' performance for example observation/monitoring, book looks, outcomes, pupil voice in order to identify any particular strengths and areas for development they may have, gaining useful information which can inform school improvement more generally and enabling teachers to learn from each other and collaborate. The school will set out what evidence they will take into account when the objectives are being set at the beginning of the appraisal process. It is important that methods of assessing teacher performance do not add to teacher workload.

Development and support

Appraisal is a supportive process which will be used to inform continuing professional development. The school wishes to encourage a culture in which all teachers take responsibility for improving their teaching through appropriate professional development. Professional development will be linked to school improvement priorities and to the ongoing professional development needs and priorities of individual teachers.

Feedback

Teachers will receive constructive feedback on their performance throughout the year and as soon as practicable after any reviewing of performance has taken place or other evidence has come to light. Feedback will highlight particular areas of strength as well as any areas that require further development.

Informal Support

Except in the most serious cases of persistent failures to meet job expectations and teaching standards, resulting in negative consequences on the pupils and organisation, teachers should not ordinarily be placed in capability procedures without first undergoing a period of informal support as part of the appraisal process. Where there are concerns about any aspects of the teacher's performance the appraiser will meet the teacher formally to:

- inform the teacher that they are going to be receiving informal support due to performance concerns;
- give clear feedback to the teacher about the nature and seriousness of the concerns;



- give the teacher the opportunity to comment and discuss the concerns;
- set clear objectives for required improvement;
- 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 (it may be appropriate to revise objectives, and it will be necessary to allow sufficient time for improvement. The amount of time is up to the school but should reflect the seriousness of the concerns)
- explain the implications and process if no, or insufficient, improvement is made – e.g. potential move to formal capability.

There should be a clear relationship between the issue, the objectives set, and the planned documented programme of support put in place. The line manager/appraiser should partner with the teacher in a collaborative manner to establish objectives and timelines, taking into account the teacher's circumstances. This may include any medical conditions, well-being support needs, or disabilities protected by equality legislation.

Informal support should be provided for a reasonable period to allow for performance improvement. Schools could decide this is a minimum of 6 weeks. However, the duration will be determined based on the specific circumstances, with appropriate support in place to facilitate improvement. The appraiser should meet with the teacher regularly to assess progress and ensure the agreed-upon support is being provided.

When progress is reviewed, if the appraiser is satisfied that the teacher 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.

Transition to capability

If a teacher demonstrates serious underperformance and has not responded to support provided within the informal support process, the teacher will be notified in writing that the appraisal system will no longer apply and that their performance will be managed under the capability procedure, and will be invited to a formal capability meeting. Advice should be sought as appropriate from a HR provider. The capability procedures will be conducted as in part B of this policy.

Disciplinary procedures will only be triggered by factors related to misconduct or breach of professional standards. Schools should be careful not to conflate these procedures but, if appropriate to the circumstances, they can run concurrently.

Annual assessment

Each teacher's performance will be formally assessed in respect of each appraisal period. In assessing the performance of the CEO, and headteachers, the Directors/Local Governing Bodies must consult the external adviser.

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.

The teacher will receive as soon as practicable following the end of each appraisal period – and have the opportunity to comment on – an appraisal report. Teachers will receive their appraisal reports by 31 October (31 December for the Executive Head, and headteachers). The appraisal report will include:



- details of the teacher's objectives for the appraisal period in question;
- an assessment of the teacher's performance of their role and responsibilities against their objectives and the relevant standards;
- an assessment of the teacher's professional development needs and identification of any action that should be taken to address them;
- details of a discussion on wellbeing and workload and career progression/aspirations;

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



Part B – Capability

Purpose

This policy sets out the arrangements that will apply in serious cases where there have been persistent failures to meet job expectations, resulting in negative consequences on pupils and the organisation. This procedure applies only to teachers and school leaders, where there is a capability issue that the appraisal process, including any informal support arrangements, have been unable to address.

Capability procedure

Notification of a formal capability meeting should never come as a surprise to the teacher concerned. Informal support and a performance improvement plan should mean that the teacher is fully aware of the concerns being raised and they should have had every opportunity to improve in a supportive environment. At least five working days' notice will be given of the formal capability meeting. The notification will contain sufficient information about the concerns about performance and their possible consequences to enable the teacher to prepare to answer the case at a formal capability meeting. It will also contain copies of any written evidence; the details of the time and place of the meeting; and will advise the teacher of their right to be accompanied by a companion who may be a colleague, a trade union official, or a trade union representative who has been certified by their union as being competent. Teachers are entitled to reasonably request an alternative date where they are unable to attend the original date proposed.

While a teacher or school leader is in capability procedures, pay progression should be withheld.

Formal capability meeting

This meeting is intended to establish the facts. It will be conducted by the Chair of Directors (for CEO), Chair of Governors (for headteacher capability meetings) or headteacher/other suitable senior member of staff (for other teachers). The meeting sets out the required standards which 4 Section 10 of Employment Relations Act 1999 (legislation.gov.uk) are believed to have been failed by the teacher. The meeting allows the teacher/head/executive head, accompanied by a companion if they wish, 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. During the meeting, evidence shall be presented, and witnesses shall be called where appropriate and necessary. The teacher shall be allowed to ask questions, present their own evidence and rely on their own witnesses where appropriate and necessary, and will be permitted to respond to the evidence and ask questions.

The person conducting the meeting 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. The person conducting the meeting may also adjourn the meeting for example if they decide 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. During the meeting, or any other meeting which could lead to a formal warning being issued, the person conducting the meeting will:

- identify the professional shortcomings, for example which of the standards expected of teachers are not being met;
- give clear guidance on the improved standard of performance needed to ensure that



the teacher can be removed from formal capability procedures (*this may include the setting of new objectives focused on the specific weaknesses that need to be addressed, any success criteria that might be appropriate and the evidence that will be used to assess whether or not the necessary improvement has been made*);

- explain any support that will be available to help the teacher improve their performance;
- set out the timetable for improvement (taking into account the teacher's personal circumstances. This may include any medical conditions, working pattern, wellbeing support needs, or disabilities protected by the Equality Act 2010) and explain how performance will be monitored and reviewed. . The timetable will depend on the circumstances of the individual case but in straightforward cases could be between four and ten weeks;
- Warn the teacher formally that failure to improve within the set period could lead to dismissal.

Notes will be taken of formal meetings and a copy sent to the member of staff. Where a warning is issued, the teacher will be informed in writing of the matters covered in the bullet points above and given information about the timing and handling of the review stage and the procedure and time limits for appealing against the warning.

Monitoring and review period following a formal capability meeting

A performance monitoring and review period will follow the formal capability meeting.

Formal monitoring, evaluation, guidance and support will continue during this period. The member of staff will be invited to a formal review meeting, unless they were issued with a final written warning, in which case they will be invited to a decision meeting (see below).

Formal review meeting

As with formal capability meetings, at least five working days' notice will be given and the notification will give details of the time and place of the meeting and will advise the teacher of their right to be accompanied by a companion who may be a colleague, a trade union official, or a trade union representative who has been certified by their union as being competent.

If the person conducting the meeting is satisfied that the teacher has made sufficient improvement, the capability procedure will cease and the appraisal process will re-start.

In other cases:

- If some progress has been made and there is confidence that more is likely, it may be appropriate to extend the monitoring and review period;
- If no, or insufficient improvement has been made during the monitoring and review period, the teacher will receive a final written warning which will set out the areas where performance standards have not been met, targets for improvement, any measures (training and supervision) which will be taken to improve performance, a period for the review and the consequences of not meeting expected performance standards

As before, notes will be taken of formal meetings and a copy sent to the member of staff. The final written warning will mirror any previous warnings that have been issued. Where a final warning is issued, the member of staff will be informed in writing that failure to achieve an acceptable standard of performance (within the set timescale), may



result in dismissal and given information about the handling of the further monitoring and review period and the procedure and time limits for appealing against the final warning. The teacher will be invited to a decision meeting.

Decision meeting

As with formal capability meetings and formal review meetings, at least five working days' notice will be given and the notification will give details of the time and place of the meeting and will advise the teacher of their right to be accompanied by a companion who may be a colleague, a trade union official, or a trade union representative who has been certified by their union as being competent.

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. If performance remains unsatisfactory, a decision (if in regard to a teacher), or recommendation to the governance board or an appropriate member of the Trust (if in regards to a headteacher), will be made that the final written warning should be extended (where possible or appropriate), or the teacher should be dismissed or required to cease working at the school.

Before the decision to dismiss is made, the school will discuss the matter with the Trust.

The teacher will be informed as soon as possible of the reasons for the dismissal, the date on which the employment contract will end, the appropriate period of notice and their right of appeal.

Decision to dismiss

The power to decide that members of staff should no longer work at a school has been delegated to the headteacher and governors acting with the CEO. The power to decide that a headteacher should no longer work at a school has been delegated to the CEO following recommendation from the directors, local governing bodies (and DHET for Church Schools). The power to decide that the CEO should no longer work at the Trust has been delegated to the directors.

Dismissal

Once the decision to dismiss has been taken, the headteacher, acting with the governance board will dismiss the teacher with notice.

Once the decision to dismiss a headteacher has been taken the CEO, acting with directors and the local governing bodies will dismiss the headteacher with notice.

Once the decision to dismiss an CEO has been taken, the directors will dismiss the CEO with notice.

Appeal

If a teacher feels that a decision to dismiss them, or other action taken against them, is wrong or unjust, they may appeal in writing against the decision within five working days of the decision, setting out at the same time the grounds for appeal. Appeals will be heard without unreasonable delay and, where possible, at an agreed time and place. The same arrangements for notification and right to be accompanied by a companion will apply as with formal capability and review meetings and, as with other formal meetings, notes will be taken and a copy sent to the teacher.



The appeal will be dealt with impartially and, wherever possible, by managers or governors who have not previously been involved in the case.

The teacher will be informed in writing of the results of the appeal hearing as soon as possible.

General Principles Underlying This policy

ACAS Code of Practice on Disciplinary and Grievance Procedures

Part B of the policy will be implemented in accordance with the provisions of the ACAS Code of Practice.

Confidentiality

The appraisal and capability processes will be treated with confidentiality. However, the desire for confidentiality does not override the need for the headteacher and governance board to quality-assure the operation and effectiveness of the appraisal system. The headteacher or appropriate colleague review all teachers' objectives and written appraisal records personally, in order to check consistency of approach and expectation between different appraisers.

Consistency of Treatment and Fairness

The governance board is committed to ensuring consistency of treatment and fairness. It will abide by all relevant equality legislation, including the duty to make reasonable adjustments for disabled teachers. The governance board is aware of the guidance on the Equality Act issued by the Department for Education. We have carefully considered and analysed the impact of this policy on equality and the possible implications for staff with protected characteristics, as part of our commitment to meet the Public Sector Equality Duty (PSED) requirement to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations.

References

If a teacher has been subject to formal capability procedures in the previous two years, as stated in The School Staffing (England) (Amendment) Regulations 2012 and the Staffing and employment advice for schools, this must be disclosed to new potential school employers when requested.

Staffing and employment advice for schools (publishing.service.gov.uk)

Definitions

Unless indicated otherwise, all references to "teacher" include the headteacher.

Delegation

Normal rules apply in respect of the delegation of functions by governance boards, headteachers and local authorities.

Grievances



Where a member of staff 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.

Sickness

If long term sickness absence appears to have been triggered by the commencement of monitoring performance at any stage of the procedure or a formal capability procedure, the case will be dealt with in accordance with the school's absence policy and will be referred immediately 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 or formal procedures. In some cases, it may be appropriate for monitoring and/or formal procedures to continue during a period of sickness absence.

Monitoring and Evaluation

The governance board and headteacher will monitor the operation and effectiveness of the school's appraisal arrangements. This will include ensuring that the arrangements minimise the impact on workload for all parties involved.

Retention

The governance board and headteacher will ensure that all written appraisal records are retained and stored in a secure place in line with their Retention and Disposal Policy



The Shropshire Gateway Educational Trust. TEACHER APPRAISAL STATEMENT 2025-26

Name/appraisee:	Post held: Post threshold:
Name and role of line manager/appraiser:	Additional responsibilities:
Date of target setting meeting:	Date of review meeting:

Start of cycle:	End of cycle review
Comments: 	Comments: Areas of particular strength? Areas for future development?
Appraisee's signature Date Appraiser's signature Date	Appraisee's signature Date Appraiser's signature Date



Objective	Success criteria And Evidence	Learning activities/actions	Resources (time, money, support, cpd, jpd..)*	Teacher standards met
1:				
Evaluation:				
2.				
Evaluation:				
3.				
Evaluation:				

*It is understood that costed aspects of the plan will be subject to availability of relevant resources.