



Southerly Point Co-operative Multi-Academy Trust

CAPABILITY POLICY

Equality Impact Assessment

The EIA has not identified any potential for discrimination or adverse impact and all opportunities to promote equality have been taken.*	
The EIA has not identified any conflict with the College's co-operative values.	
Adjust the policy to remove barriers identified by the EIA or better promote equality.	

*Inclusive of protected characteristics

Provenance	Date
Working Party	Nov 2016
HR checks	June 2017
Union Consultation	Aug 2017
Trustees	Sept 2017
Implementation	Oct 2017

Review Date
October 2020

To be read in conjunction with:	Teachers Appraisal Policy Support Staff Appraisal Policy Disciplinary Policy
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Capability Procedure

1. 1st Formal Capability Meeting
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6. Trustees' / Governors' Decision meeting
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- Procedure for Appeal Hearings App 7
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Introduction:

The policy sets out the formal capability procedure and reflects the ACAS Code of Practice on disciplinary and grievance procedures. Consequently this section should only be used in limited and specific circumstances. Briefly, reference to moving a person into the Capability process should happen only after the Appraisal scheme has been exhausted, including having explored the supportive measures agreed with the employee during the course of the Appraisal process, and where performance concerns remain after this process.

Capability procedures only apply where there are serious concerns in respect of a member of staff's performance that the Appraisal process has been unable to address.

This procedure applies to **all** members of staff where there are serious concerns regarding their performance that the Appraisal process has been unable to address.

Where performance is unsatisfactory and has not improved through the normal Appraisal process (including a period of intense support under the Appraisal process), the individual will be informed in writing at the final Appraisal Review meeting that their performance is unsatisfactory and will be managed under the Formal Capability process. A formal capability meeting will be convened to review the identified ongoing performance concerns and determine what action should be taken. The employee will be informed of the possible outcomes of this meeting, which may include the issuing of a formal warning in respect of the employee's future capability.

Purpose

This procedure sets out the framework for a clear and consistent capability performance of all members of staff and for supporting their development within the context of the school's plan for improving educational provision and performance, and the standards expected of all staff. It sets out the arrangements that will apply to staff that fall below the levels of competence that are expected of them.

Application of the procedure

The Capability Procedure must be applied to the Headteacher and to all members of staff employed by the Trust, except those on contracts of less than one term.

1. Stage One – First Formal Capability meeting

At least five working days' notice will be given of the formal capability meeting (see draft template letter App 1). The notification will contain sufficient information regarding the concerns about performance and the possible consequences or outcomes of the meeting. This will ensure the employee is able to prepare their response to 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 member of staff of their right to be accompanied by a companion who may be a workplace colleague or a trade union official. It is recommended that the manager arranges for an HR officer to accompany them at the meeting. Arrangements should also be made for a note taker to attend to record the meeting.

Formal capability meeting

This meeting is intended to establish the facts and determine what action needs to be taken. It will be conducted by:

- the Chair of Trustees or nominee in respect of CEO
- CEO/Hub Leader in respect of Headteacher capability meetings
- the Headteacher in respect of other teachers
- the appropriate senior teacher/line manager for department based teachers and support staff.

The meeting allows the employee to attend the meeting accompanied by a work companion or Trade Union representative if they wish. At the meeting, the employee will be given the opportunity to respond to the concerns held about their performance and to make any relevant representations. This may provide new information or a different context to the information/evidence of unsatisfactory performance, as may be relevant to their case.

Having carefully considered all the information presented at the meeting, the person conducting the meeting may determine one of the following conclusions:

- that there are insufficient grounds to substantiate unsatisfactory performance;
- that there are sufficient grounds to substantiate the concerns of unsatisfactory performance.

Where it is concluded that there are insufficient grounds for pursuing the capability issue, it may be determined 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.

Where there is insufficient evidence to form a conclusion, the person conducting the meeting may adjourn the meeting 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 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 member of staff 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 person improve their performance; examples of support include the appointment of a mentor, observing best practice in school or at an alternative school, additional training courses etc. Support should be tailored to meet the needs of the individual.
- If appropriate, set out what lesson observations will be undertaken and by whom, for instance whether a 3rd party will be called upon to provide an external advisor's view of the person. The number, purpose and timings of the observations should also be discussed
- set out the timetable for improvement and explain how performance will be monitored and reviewed. The timetable will depend on the circumstances of the individual case but in most cases should be **between four and ten weeks**. It is for the school to determine the set period. It should be reasonable and proportionate to the degree of the unsatisfactory performance, but not excessively long whilst providing sufficient opportunity for an improvement to take place (an example template for a capability action plan is provided in Appendix 8); and
- warn the person that failure to improve within the set period could lead to dismissal. A **formal Written warning** will be issued detailing the issues, support measures, actions to be arranged (e.g. lesson observations) and timescales. In very serious cases, this warning could be a final written warning. (See draft template letters App 2 & 3).

Notes will be taken of formal meetings and a copy sent to the member of staff. Where a warning is issued, the person will be informed in writing of the matters covered in the bullet points above, information on the timing and handling of the review stage, confirmation of the employee's right of appeal against the warning and the procedure and time limits for appealing. It is recommended that a review date be agreed at this stage in order to ensure that all parties are aware of the proposed timescales.

In exceptional cases where the Headteacher has identified a clear link between the individual's performance and serious detrimental effects upon students' performance, the Headteacher may issue a **Final Written Warning** and move immediately to a final review period.

Ofsted Subsidiary Guidance.

Lesson observations made by Ofsted inspectors **must not** be used by the school to make judgements about performance of an individual teacher. Performance should be judged fairly over a period of time, whilst a single Ofsted observation is a snapshot in time and therefore it is not realistic to base judgements on such limited assessments, without taking into account the employee's performance in general over a reasonable period.

2. Monitoring and Review Period following a Formal Capability Meeting

A performance monitoring and review period of up to ten weeks will follow the formal capability meeting. Formal monitoring, evaluation, guidance and support will continue during this period. All monitoring, evaluation, guidance and support should be agreed and recorded in the Capability Action Plan. (See Appendix 8)

At the end of the review period, in most cases the member of staff will be required to a formal review meeting (the date of which may have been agreed at the 1st Formal Capability meeting). However, in exceptional cases where the employee received a final written warning at Stage One, they will be required to a decision meeting (see below).

Prior to the formal review meeting, the manager conducting the meeting will need to consider the employee's progress during the course of the review period. If there is a concern for continued unsatisfactory progress, this should be made clear to the employee in advance of the meeting, including the likelihood of any further sanction that may be issued.

3. Formal Capability Review meeting

As with the first formal capability meeting, at least five working days' notice in writing will be given. The written notification will give details of the time and place of the meeting and will advise the person of their right to be accompanied at the meeting by a companion who may be a workplace colleague, or a trade union rep (See App 1). Additionally, the letter will inform the employee of the possible outcome in respect of any further sanction that may be issued.

As with the first formal capability meeting, it is recommended that the manager arranges for an HR Officer to accompany them at the meeting. Arrangements should also be made for a note taker to attend to record the meeting.

At the meeting, the employee will have the opportunity to respond to the ongoing 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, as may be relevant to their case.

Having carefully considered all the information presented at the meeting, the person conducting the meeting may determine one of the following conclusions:

- that there are insufficient grounds to substantiate unsatisfactory improvement or continued unsatisfactory performance;
- that there are sufficient grounds to substantiate the concerns that there has been unsatisfactory improvement and the performance continues to be of a concern.

If the person conducting the meeting is satisfied that the member of staff has made sufficient improvement, the Capability Procedure will cease and the appraisal process will re-start.

If some progress has been made and the person conducting the hearing is satisfied that there is capacity to continue to improve, it may be appropriate to extend the monitoring and review period at Stage One.

If it is concluded that there has been insufficient or no improvement and the employee's performance continues to be a concern, the employee will be issued with a final written warning and Stage 2 of the Capability Procedure will be invoked (see draft template App 9).

As before, a copy of the notes of the formal review meeting will be provided to the member of staff.

4. Stage Two

Stage 2 of the Procedure is invoked where there has been insufficient improvement following the completion of the Capability Action Plan and review period undertaken at Stage 1 of the Procedure.

In such circumstances, the employee would have been issued with a final written warning at the formal capability review meeting at the conclusion of Stage 1. 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, **normally between four & six weeks**), may result in dismissal.

The final written warning will acknowledge any previous warnings that have been issued and will also confirm the areas of insufficient improvement in respect of the Action Plan agreed at Stage 1. The letter will also confirm arrangements for the further monitoring and review period, the employee's right of appeal and the procedure and time limits for appealing against the final warning.

As before, an updated action plan should be put in place including a support package, continued monitoring and assessment arrangements including any lesson observations if appropriate and a review date should be scheduled.

5. Monitoring and Review Period following Stage 2 Being Invoked

The employee's performance against the agreed standards and objectives as set out in the Stage 2 updated Capability Action Plan should be monitored during the review period and then formally reviewed on the date previously agreed. This review meeting should be minuted.

The review meeting can, as previously, reach a number of conclusions. If it is determined that sufficient progress has been made, it may be appropriate to agree to end the capability process. If it is determined that some, but insufficient, progress has been made, it may be appropriate to extend the review period. However, if no or insufficient progress has been made, the matter should be referred to the Trustees in respect of Headteachers and to Governors for all other staff to consider the question of the employee's continued employment at a Trustees/Governors' Decision Meeting.

6. Trustees' / Governors' Decision meeting

The Decision meeting will consider the case of the continued unsatisfactory performance where there is insufficient or no progress in improvement and serious concerns for the employee's capacity to improve in the future.

At least ten working days' written notice will be given of the meeting. The written notification of the meeting will give details of the time and place of the meeting and will advise the employee of their right to be accompanied by a companion who may be a workplace colleague or trade union rep (see App1). The letter will include all documents to be referred to in respect of the case and a copy of the Capability Procedure. Additionally, the letter will inform the employee of the possible outcome, which may include dismissal.

The Trustees or Governing Body (with Headteacher if appropriate), as appropriate, will convene a Decision Meeting with a Panel of three Trustees/Governors. The Senior Manager (as appropriate) will be required to attend the meeting to present the background to the case, including all the relevant information relating to the management of the capability process.

- the Chair of Trustees or nominee in respect of CEO
- CEO in respect of Hub Leaders
- Hub Leader in respect of Headteacher capability meetings
- the Headteacher in respect of other teachers
- the appropriate senior teacher/line manager for department based teachers and support staff

The meeting should be formally minuted by the Clerk to Trustees or Clerk to Governors.

As with the previous formal meetings convened under this Procedure, it is recommended that the manager arranges for an HR Officer to accompany them at the meeting and also arranges for the Panel to be advised by an HR Officer who has no prior involvement in the case.

At the meeting, the employee will have the opportunity to respond to the ongoing concerns about their performance. This may provide new information or a different context to the information/evidence already collected, as may be relevant to their case. The employee will have the right to question the information and make representations as to why they should not be dismissed, including any mitigating circumstances. The member of staff has the right to be accompanied by either a workplace colleague or a trade union official.

Both parties will then be given an opportunity to sum up their case. No new information can be introduced during the summing up stage.

Trustees/Governors will then adjourn to reach a decision.

Wherever possible the Panel will re-convene the meeting to announce the decision to all parties after the adjournment. If the Panel's deliberations are likely to take a considerable period of time, as an alternative it may be sensible for the parties to be allowed to leave and the decision confirmed in writing. The decision will be confirmed in writing within 5 working days.

7. Dismissal

Once the decision to dismiss has been taken, the Trustees/Governing Body as appropriate will dismiss the person with notice.

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.

In cases of dismissal for capability, the dismissal will be with notice. Where the dismissed employee is a teacher, the notice issued will be in accordance with the notice terms of the Burgundy Book. Where the dismissed employee is not a teacher, the notice issued will be in accordance with the notice terms of their contract of employment.

8. Appeal

If the member of staff 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 ten days of receipt of the decision in writing. The written appeal letter should also confirm 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 member of staff.

The appeal will be dealt with impartially by Governors from the Hub Council who have not previously been involved in the case.

The member of staff will be informed in writing of the outcome of the appeal hearing as soon as possible. The decision of the appeals' panel is final.

General Principles Underlying these policies

ACAS Code of Practice on Disciplinary and Grievance Procedures

The Capability procedure 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 head teacher and governing body to quality-assure the operation and effectiveness of the appraisal system.

Consistency of Treatment and Fairness

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

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 or a formal capability procedure, the case will be dealt with in accordance with the school's absence procedure and will be *(e.g. 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, and after seeking advice from OH, it may be appropriate for formal procedures to continue during a period of sickness absence, however performance monitoring can only be undertaken when the employee is fit to return to work.

Monitoring and Evaluation

The Trustees will monitor the operation and effectiveness of the appraisal arrangements; Hub Leaders will monitor the operation and effectiveness of their schools' appraisal arrangements.

Retention

The Headteacher will ensure that all written Appraisal records for their staff are retained in a secure place for six years and then destroyed. The CEO will ensure that all written Appraisal records for other Trust staff are retained in a secure place for six years and then destroyed.

FORMAL INTERVIEW

Mr A Anybody
Any Street
Any Town

Your ref:
My ref:
Ext:
Date:

STRICTLY PERSONAL AND CONFIDENTIAL

Dear Mr Anybody

Formal Interview

I write to request your attendance at a formal interview to be held on (insert date) at (insert time) at (insert venue).

The purpose of the meeting is to consider the following performance issues:-

(insert details)

During the interview the attached statements from (insert names of people who provided statements [if relevant]) or other evidence will be referred to (insert titles of documents). In addition, (insert names of persons who may be providing supporting evidence) will be called to present supporting evidence.

You have the right to be accompanied at the interview by a workplace colleague or your trade union representative. You and/or your representative have the right to make a written submission prior to the interview and/or to make statements at the interview. You also have the right to nominate persons to provide your own supporting evidence and to question other parties called by management. Could you please let me have the names of any persons you propose to call in order that arrangements can be made for them to be released from their duties.

Please be advised that this letter constitutes notification that the Trust's Capability Procedure is being formally invoked.

A copy of the procedure to be followed at the interview is enclosed.

Yours sincerely

Headteacher

Enc

FORMAL WRITTEN WARNING

Mr A Anybody
Any Street
Any Town

Your ref:
My ref:
Ext:
Date:

STRICTLY PERSONAL AND CONFIDENTIAL

Dear Mr Anybody

Formal Written Warning

I refer to the formal interview which took place on (insert date of capability interview) in accordance with the Trust's Capability Procedure. At that interview (insert names of people in attendance) were in attendance.

At the interview it was established that (Insert details - including professional shortcomings of employee and the targets/performance standards that will need to be met to end the capability procedure).

The following support programme has been arranged for you (insert details)

The assessment period will be (insert details – including timescales (4-10 weeks) and identify monitoring arrangements)

An interim review meeting will be held on (date) .

I confirm that you were issued with a formal written warning as to your future performance. This formal written warning will remain 'active' for a period of twelve months from the date of the meeting after which it will be disregarded. Failure to improve may lead to further capability action, which may in turn lead to your dismissal.

I enclose a copy of (insert name of school/academy) Capability Procedure, and draw your attention to your right of appeal. If you wish to appeal against this formal written warning you must do so, in writing to (insert name of Headteacher (Deputy) or nominee, as appropriate), within 10 working days of receipt of this letter.

Yours sincerely

Headteacher

Copy to: HR & workplace colleague/Trade Union Representative (if applicable)

Please complete the tear off slip below and return to me (name of Headteacher.

.....

I acknowledge receipt of a formal written warning letter dated (insert date) from (insert name of Headteacher).

Signed.....

Date.....

EVALUATION MEETING

Mr A Anybody
Any Street
Any Town

Your ref:
My ref:
Ext:
Date:

STRICTLY PERSONAL AND CONFIDENTIAL

Dear Mr Anybody

Evaluation Meeting/Final Evaluation Meeting (please delete as appropriate)

I write to request your attendance at an evaluation meeting to be held on (insert date) at (insert time) at (insert venue) (At least 5 working days or 7 consecutive days out of term time must be given). This marks the end of the First/Second Assessment Stage of the Trust's Capability Procedure.

The purpose of the meeting is to consider whether you have met the performance targets identified in the letter of (date). For your convenience these are reproduced below.

(insert details)

During the meeting the attached statements from (insert names of people who provided statements [if relevant]) will be referred to. In addition, (insert names of persons who may be providing supporting evidence) will be called to present supporting evidence.

You have the right to be accompanied at the interview by a workplace colleague or your trade union representative. You and/or your representative have the right to make a written submission prior to the interview and/or to make statements at the interview. You also have the right to nominate persons to provide your own supporting evidence and to question other parties called by management. Could you please let me have the names of any persons you propose to call in order that arrangements can be made for them to be released from their duties.

A copy of the procedure to be followed at the interview is enclosed.

Yours sincerely

Headteacher

Enc

FINAL WRITTEN WARNING

Mr A Anybody
Any Street
Any Town

Your ref:
My ref:
Ext:
Date:

STRICTLY PERSONAL AND CONFIDENTIAL

Dear Mr Anybody

Final Written Warning

I refer to the formal interview/evaluation meeting (delete as appropriate) which took place on (insert date of capability interview) in accordance with Trust's Capability Procedure. At that interview (insert names of people in attendance) were in attendance.

At the interview it was established that (Insert details - including professional shortcomings of employee and the targets/performance standards that will need to be met to end the capability procedure; reminder of any previous warnings).

The following support programme has been arranged for you (insert details)

The assessment period will be (insert details – including timescales (no longer than 4 weeks) and identify monitoring arrangements)

A review meeting will be held on (date) .

This letter constitutes a final written warning as to your future performance. This final written warning will remain 'active' for a period of twelve months from the date of the meeting after which it will be disregarded. Failure to improve may lead to your dismissal.

I enclose a copy of the Trust's Capability Procedure, and draw your attention to your right of appeal. If you wish to appeal against this final written warning you must do so, in writing, within 10 working days of receipt of this letter.

Yours sincerely

Headteacher

Copy to: HR & workplace colleague/trade union representative

Please complete the tear off slip below and return to me. (name of Headteacher)

.....

I acknowledge receipt of a final written warning letter dated (insert date) from (insert name of Headteacher).

Signed.....

Date.....

STAFF DISCIPLINARY COMMITTEE MEETING - POTENTIAL DISMISSAL

RECORDED DELIVERY

Mr A Anybody
Any Street
Any Town

Your ref:
My ref:
Ext:
Date:

STRICTLY PERSONAL AND CONFIDENTIAL

Dear Mr Anybody

I write to call you to a meeting with Staff Disciplinary Committee of the Governing Body, to be held on (insert date) at (insert time) at (insert venue).

This meeting has been arranged following the Final Evaluation meeting on (date) when it was identified that your performance is unsatisfactory in relation to the following performance targets; (insert details).

During the meeting the attached statements from (insert name of people who provided statements [if relevant]) will be referred to. In addition, (insert names of persons providing supporting evidence) will be called to provide supporting evidence.

You have the right to be accompanied at the meeting by a workplace colleague or your trade union representative. You or your representative have the right to make a written submission prior to the meeting and/or to make statements at the meeting. You also have the right to nominate persons to provide your own supporting evidence and to question persons providing supporting evidence and called by management. Could you please let me have the names of any nominees you propose to call in order that arrangements can be made for them to be released from their duties.

At this stage, I am also writing to inform you that your future employment is at risk and you may be dismissed as a result of this meeting.

A copy of the procedure to be followed at the meeting is enclosed.

Yours sincerely

Headteacher
Title

Enc

DISMISSAL

RECORDED DELIVERY

Mr A Anybody
Any Street
Any Town

Your ref:
My ref:
Ext:
Date:

STRICTLY PERSONAL AND CONFIDENTIAL

Dear Mr Anybody

I refer to the meeting which took place on (insert date of interview) in accordance with the Trust's Capability Procedure. At that meeting (insert names of people in attendance) were in attendance.

At the meeting it was established that (insert details).

On behalf of the Panel, I have to inform you that having given careful consideration to this matter, they have taken the decision that you be dismissed, subject to appeal, from the service of Southerly Point Co-operative Multi-Academy Trust for (insert reason).

I enclose a copy of the Capability Procedure and draw your attention to your right of appeal against dismissal to the Appeals Committee.

If you wish to appeal against this dismissal you must do so, in writing, within 10 school days of receipt of this letter.

Yours sincerely

Headteacher

Copy to: Trade Union Representative

Please complete the tear off slip below and return to me (Headteacher)

.....

I acknowledge receipt of a letter of dismissal dated (insert date) from (insert name of Headteacher)

Signed

Date.....

Procedure for Appeal Hearing Against Written Warnings and Dismissal

The appeal is not a rehearing of the case. The basis for appeal is either: a) New evidence has emerged after the first hearing or b) the sanction is too severe. The basis of the appeal should have been received in writing at least 1 working week in advance of the appeal.

1. The Headteacher /Chair of Decision Panel will outline details of the case and why the decision was reached in the presence of the appellant (his/her representative and may call appropriate persons to provide supporting evidence.) and refer to documentary evidence from the first hearing including the notes of the first meeting.
2. The appellant (or his/her representative) will be given the opportunity to ask questions of the Headteacher/Chair of Decision Panel and the persons called by the Headteacher/Chair of Decision Panel to provide supporting evidence.
3. The Appeal Committee may ask questions of the Headteacher/Chair of Decision Panel and the persons called by him/her to provide supporting evidence.
4. The appellant (or his/her representative) will put forward their case in the presence of the Headteacher/Chair of Decision Panel and may call appropriate persons to provide supporting evidence.
5. The Headteacher/Chair of Decision Panel will have the opportunity to ask questions of the appellant (or his/her representative) on the evidence given by him/her and any persons called by the appellant to provide supporting evidence.
6. The Appeals Committee may ask questions of the appellant (or his/her representative) on the evidence given by him/her and any persons called by the appellant to provide supporting evidence.
7. The Headteacher/Chair of Decision Panel will be given the opportunity to sum up the case, if desired. No new evidence may be introduced at this stage.
8. The appellant (or his/her representative) will be given the opportunity to sum up the case, if desired. No new evidence may be introduced at this stage.

The Headteacher/ Chair of Decision Panel and the appellant and his/her representative will now withdraw

9. The Appeal Committee will deliberate in private, only recalling the Headteacher)/Chair of Decision Panel and the appellant to clear points of uncertainty on evidence already given. If recall is necessary both parties are to return, notwithstanding that only one is concerned with the point giving rise to doubt.
10. The Appeal Committee will announce the decision to the parties.

Example: Capability Action Plan – XXXXXXXXXXXXXXXX
Area for development – Unsatisfactory teaching leading to lack of pupil progress

Underpinning areas for Development	Specific Actions for improvement	Support	Review Timescale
Precision of teaching	To derive appropriate learning intentions based on assessment of prior learning. To improve quality of questioning e.g. using probing and prompting questions To differentiate questioning to match the learning needs of pupils. Through marking and feedback to pupils to identify next steps in learning. Through regular focussed teaching of groups to be responsive to pupils' learning needs at the point of learning. To direct the Teaching Assistant to be responsive to learning in regular focussed teaching groups. To ensure chosen tasks meet the different learning needs of pupils. To ensure adequate opportunities for pupils to develop their skills independently and confidently. To ensure teaching language is simplified and based on learning need. To enable all pupils to make progress within each lesson. To enable pupils collectively to make average progress in core subjects (3 points progress)	Weekly supported planning session with Assistant Head Weekly supported observation of own or colleagues teaching Weekly discussion of observed teaching with Assistant Head Weekly release time (in addition to PPA) to reflect on observations and own practise and feed development into own lessons.	Mid term review Week 29 19 th – 23 rd May
Timing of lessons V Pace of learning	Through marking and assessing whilst teaching to know what comes next and whether pupils are ready to move on in their learning. To maintain a balance of teacher direction and application of learning by pupils enabling them to be autonomous and confident To maintain the excitement and tension of the lesson. To ensure adequate opportunities for pupil talk to enhance speed of learning. To allow adequate time for plenary enabling use of assessment so that teacher can identify next steps for learning.	Weekly release time to complete lesson planning	
Differentiation	To know the expectations for learning for Year 4 pupils. To provide appropriate learning opportunities to take pupils' learning forward in each lesson. To provide appropriately matched learning opportunities through a variety of approaches e.g. by resource, support, outcome, content etc. To provide focussed group teaching to all ability groups within each week. To provide guidance for the Teaching Assistant to support group teaching.	Mentoring from a chosen colleague	

The objective is that all lessons observed should be at least satisfactory if the three areas for development are put in place.

Example: Capability Procedures Outline Protocol

CSIT Capability Procedures Outline Protocol
Tim Osborne, Senior Manager School Improvement
Cornwall School Improvement Team
January 2010 ver1.2

Introduction

- This protocol should be read in tandem with “Categorisation of Cornish Primary Schools”
- The protocol outlines the approach used by CSIT in support of schools when capability procedures have been deemed necessary

Aims

- To provide advice and support to schools and individual staff involved in capability with the intention of securing sustained improvement in the quality of provision where a school has identified areas of concern
- To ensure that the capability process is open, fair and transparent and that it follows, at all times, due process as defined within Education Personnel agreed policies and procedures
- To ensure that individuals concerned are given the required support to make improvements, via an action plan which has been agreed at the start of the process
- To validate the accuracy of the judgements of schools when an individual is placed on capability

Procedures

- Responsibility for CSIT involvement has been delegated to an individual Senior Manager, School Improvement (SMSI). Other CSIT officers may be asked to become involved in monitoring of teaching dependent upon circumstance
- Advice and support is given to a school when requested to ensure that due process is followed, particularly in the drafting of an action plan which must clearly outline:-
 - **Timescales** (e.g. When an individual will be given support; the frequency of monitoring; how long an action plan will last)
 - **Measurable success criteria** (i.e. what individuals are being asked to make improvements in and how they will be measured)
 - **Roles and responsibilities** (e.g. – Who will monitor; who will act as a mentor)
 - **Support, further training and guidance** (i.e. clearly defining what support an individual will receive to enable them to make the necessary improvements)
- **Action Plans** are drafted on the basis of a notional “3:2:1” ratio – whereby, over an agreed period of time, an individual can expect a balance of :-
 - 3 inputs of support or training provided by the school, or commissioned by the school from an outside provider, together with on-going mentoring provide by the school, or, where that is not possible, by a professional association
 - 2 sessions of monitoring carried out by the school

- 1 monitoring visit by CSIT toward the end of the action plan period. This monitoring has a dual purpose:-
 - Firstly to ensure that the individual concerned has had the support and guidance as agreed within the action plan.
 - Secondly to ensure that the judgements made by the school are accurate, have followed the agreed procedures and provide a fair measure of the progress (or otherwise) of the individual concerned
- The action plan must be agreed by all parties at the commencement of the process
- CSIT monitoring follows a set format in four distinct stages:-
 - **A full lesson observation**, or an agreed period of time which may cover two part lessons, which concentrates on the extent to which key areas for improvement as outlined in the action plan have been met. Planning and children's work will also be scrutinised during this process.
 - **A full, verbal feedback** to the individual concerned in the presence of the headteacher or acting headteacher. Sometimes, with the agreement of all parties, the appointed mentor and/or a representative from a professional association will also be present at this stage. This arrangement is designed to ensure that all parties hear the key points of the feedback which will note strengths, improvements and action that is required, so that further support can be provided as appropriate
 - **A written report** which summarises the key points of the discussion held with the individual concerned will be sent within 10 working days. A copy of the written report is also provided for the headteacher.
 - **Scrutiny of the evidence**, collated by the school, of the work that it has carried out to deliver the action plan, particularly the support and monitoring, to ensure that the individual concerned has been treated fairly and equitably will also take place.

Whenever necessary, dialogue is maintained with professional associations.

Examples of the pro forma used are attached for information

- The first example is used to record salient features of the lesson observation. This is used to aid the process of verbal feedback to the individual concerned and is also used to record any relevant points that might emerge from the verbal feedback.
- The second example is a copy of the final written feedback which is sent to the individual concerned and the headteacher.