






HR Handbook Key Policies & Procedures October 2022

HR Handbook

Key Policies and Procedures

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I. Introduction

I.1. Introduction

The Diocese of Chichester Academy Trust (DCAT) is committed to creating a workplace where everyone is encouraged to grow and contribute to an environment of equality and development that allows all staff and children to reach their god given potential whilst embracing our Trust values of Wisdom, Respect and Aspiration.

The handbook is applicable to all staff employed either at the DCAT Centre or at one of its academies. For all staff this handbook should be read alongside the [DCAT Employee Handbook](#); for those employed by DCAT centrally it should also be read alongside the [DCAT Employee Handbook for Central Staff](#).

This handbook contains the following policies:

- a. Attendance Management Policy
- b. Capability Policy
- c. Disciplinary Policy
- d. Grievance Policy
- e. Pay Policy
- f. Performance Management Review (Appraisal Policy)

All of these policies have been developed taking into account the requirements of both education and employment legislation and recognises ACAS guidance.

Guidance on managing processes contained within this handbook is available from the Trust Central HR Team who **must** be consulted before commencing certain stages of the different procedures as directed within this handbook.

All employees must:

- maintain high standards of honesty and integrity in their work, this includes the handling and claiming of money, following correct procedures in all financial matters and the use of Trust property and facilities (Please refer to the [DCAT Finance Policy](#))
- complete any documentation and forms honestly, without damage, alteration or falsification. Employees should never conceal any matter that should be reported
- ensure that money, property and other funds belonging to either the School/Trust or to others are properly used and protected from misappropriation
- report to their Line Manager or the Chief Operating Officer, if they suspect any financial irregularities have occurred and to co-operate fully with any subsequent investigations
- ensure that they conduct themselves in a manner in accordance with the Trust Code of Conduct ([DCAT Employee Handbook](#)) which does not discredit them or the Trust or which might compromise the mutual trust and confidence that exists between the two
- ensure that they do not use their official position or information acquired in the course of their duties to further their private interests or those of others
- serve the Trust faithfully in the performance of their duties and not act unreasonably against the interests of the Trust
- ensure that all communications from the media regarding School/Trust business is directed to the Headteacher/CEO

2. Vision, Aims and Values

2.1. Trust Vision

Our **vision** for our Trust is we exist to:

Help every child achieve their God-given potential

I have come that they may have life, and have it to the full
(John 10 vs 10)

2.2. Trust aims and values

Our **aims** are clear. We aim to be a Trust in which:

Developing the whole child means pupils achieve and maximise their potential

Continued development of staff is valued and improves education for young people

All schools are improving and perform above national expectations

The distinct Christian identity of each School develops and is celebrated

Our work as a Trust is underpinned by shared **values**. They are taken from the Church of England's vision for Education and guide the work of Trust Centre team. They are:

Aspiration

I can do all things through Christ who strengthens me
(Philippians 4 vs 13)

Wisdom

Listen to advice and accept discipline, and at the end you will be counted among the wise
(Proverbs 19 vs 20)

Respect

So in everything do to others what you would have them do to you
(Matthew 7 vs 12)

3. Shared Responsibilities

3.1. Safeguarding

At DCAT we regard our safeguarding responsibilities as being of paramount importance. All employees of the trust are expected to do their part to create a healthy safeguarding culture in our Schools/Trust.

The [DCAT Safer Recruitment policy](#) must be followed when recruiting any staff, volunteers, governors or Trustees and annual safeguarding refresher training must be completed by all as allocated on individual Handsam accounts as well as two yearly face to face Safeguarding Training.

All colleagues must be familiar with School/Trust Safeguarding and Child Protection policies, have read at least Part 1 of Keeping Children Safe in Education and be confident of their responsibilities in the event of a disclosure; whether made by a pupil, or by a colleague. If you are worried about a child or young person, you must speak to a member of the safeguarding team in school. If you are worried about the conduct of a member of staff you must speak to the Headteacher. If you are worried about the conduct of a Headteacher or Trust Central staff, you must speak to the Trust DSL, Mark Talbot. Designated members of the safeguarding teams are identified in all school receptions and on posters throughout our schools and in DCAT Centre Offices.

The DCAT safeguarding team are:

Sara Jaber, DCAT Safeguarding Lead – sjaber@dcac.academy

Mark Talbot, CEO

DCAT Designated Safeguarding Lead – mtalbot@dcac.academy

Stephen Barrett, COO

DCAT Deputy Designated Safeguarding Lead – sbarrett@dcac.academy

Nick Taunt, Safeguarding Link Trustee – ntaunt@dcac.academy

3.2. Health and Safety

Health and Safety is a shared responsibility. Health and Safety training will be offered as part of induction and additional training will be offered annually to ensure all are familiar with the relevant sections of the Health and Safety at Work Act 1974. Colleagues are asked to familiarise themselves with their work area, including any temporary work area, and are expected to exercise due care and attention to minimise risk to themselves or others.

4. Attendance Management Policy

4.1. Introduction

This policy sets out the procedures for the management of sickness absence in a fair and consistent way.

The aims of this policy are:

- a) Attendance to be recorded and managed;
- b) Employees to be interviewed about absences, when appropriate;
- c) Problems to be identified at an early stage with agreed support and action;
- d) Employees to be supported and encouraged to attend work regularly; and
- e) The cost and disruption of absence to pupils to be kept to a minimum.

The Trust will be supportive in working with employees to enable them to return to work if they have taken sickness absence. Sickness absence can vary from short intermittent periods of ill-health for related or unrelated reasons to a continuous period of long-term absence and have a number of different causes (for example, injuries, recurring conditions, or a serious illness requiring lengthy treatment).

We seek to ensure that the reasons for sickness absence are understood in each case and investigated where necessary. In addition, where needed and reasonably practicable, measures will be taken to assist those who have been absent by reason of sickness in their return to work.

The procedures set out in this policy may be varied, including any time limits, as appropriate in any case.

Guidance on managing attendance is available from your Trust Central HR Contact who must be consulted before commencing certain stages as stated within these procedures.

Not every eventuality is covered within this policy and for circumstances that are not clear, Headteachers must consult with the Trust Central HR Team before taking any action.

In rare circumstances, the Trust may need to dismiss an employee whose attendance does not meet an acceptable standard either because of a long-term absence or because of a series of short-term absences. Such dismissals do not depend on any wrongdoing on the employee's part and do not mean that the Trust does not accept that their absences are genuinely due to illness or injury. Rather, dismissal is recognition that unfortunately the employee is no longer able to perform their role or attend work on a sufficiently regular basis to make their continued employment a viable option.

During the first six months of employment and during the employee's probationary period (including any extension), the Trust reserves the right not to follow this procedure in full. Line managers are encouraged to seek advice and support from the Central HR Team should there be concerns about an employee's attendance during their probationary period as part of the [Probationary Review procedure, section 9.10](#).

In applying this policy, the table below determines who has delegated responsibility for managing the attendance and continued employment of colleagues, in consultation with the Trust HR team:

Role	Attendance process managed by
CEO	Chair of Trustees; or their appointed representative up to, but not including Stage 3 which must be managed by the Chair only
Trust Centre Staff	CEO; or their appointed representative up to, but not including Stage 3 which must be managed by the CEO only
Headteachers	Linked SEL; or their appointed representative up to, but not including Stage 3 which must be managed by the Linked SEL only
Teachers and Education Support Professionals	Headteacher; or their appointed representative up to, but not including Stage 3 which must be managed by the Headteacher only

4.2. Employee Responsibilities

DCAT expects that its employees will:

- Comply with the sickness absence reporting procedures in section 4.5;
- Take all reasonable steps to safeguard their health and safety at work;
- Not attend work when unfit to do so;
- Attend work when fit to do so;
- Seek medical advice as soon as possible;
- Keep the School/Trust informed of any relevant developments during their absence; and
- Take all reasonable steps to improve unacceptable levels of sickness absence.

4.3. Long Term and Short-Term Intermittent Absences

Long Term Absence

The Long Term Absence procedure will apply when an employee has or is likely to have 28 calendar days or more of continuous absence. Please then follow the [Long Term procedure guidance in Appendix B on page 23](#).

Short Term Absence

Short Term Intermittent Absence triggers that cause concern are defined as:

- Repeated short-term sickness of 3 occasions in a rolling 6-month period;
- 8 working days' absence or more in a rolling 12-month period;
- The frequency or pattern of absence that causes concern for the manager.

For any of these triggers please follow the [Short Term procedure guidance in Appendix A on page 22](#).

Should sickness absences be pregnancy or disability related these will be recorded as such. Further action will not be taken where this would be discriminatory.

4.4. Disabilities

Sickness absence may result from a disability and will be recorded separately for monitoring purposes. At each stage of the policy, particular consideration will be given to whether there are reasonable adjustments that could be made to the requirements of a job or other aspects of working arrangements that will provide support at work and/or assist a return to work.

Employees who consider that they are affected by a disability or any medical condition which affects their ability to undertake their work, should inform the Headteacher and their line manager.

4.5. Sickness absence reporting procedure

Regular and reliable attendance at work is an important commitment that the Trust asks all employees to make. Unjustified or excessive absence can put pressure on colleagues and pupils, and seriously damage the Trust's operations, to everybody's detriment.

Nevertheless, the Trust will always be supportive when an employee is genuinely too ill to attend work.

Reporting Sickness Absence

If you are too ill to come into work you should follow the procedure for reporting your sickness absence which was explained to you as part of your induction (you must report your absence at least 2 hours before your start time). Staff should make contact in person unless you have been hospitalised or there is an emergency. Your manager may contact you during the day to discuss your absence with you if you are fit to talk.

It is important that you keep in touch with your manager about the likely length of your absence so that appropriate arrangements can be made for cover and you should phone in sick on every day of your absence unless either you have previously informed your manager that you will be off sick for a particular period of time or your absence is certified by a GP 'Fit Note' (Form Med 3).

Hangovers are not regarded as legitimate reasons to take sickness absence. Absence by reason of hangovers will be regarded as a disciplinary offence. You should also be aware of the rules governing the consumption of alcohol set out in the Alcohol and Drugs Policy within the DCAT Employee Handbook.

The Trust requires any absence of more than a week to be certified by a 'Fit Note' (Forms Med 3 or Med 10). Uncertified absence may be treated as misconduct and may not be paid.

Where any period of sickness absence occurs immediately before or immediately after a period of annual leave then the Trust may require such absence to be certified. If so, any expenses incurred to do so will be reimbursed.

Where you are absent for an extended period of time (three weeks or more) the Trust may refer you to an occupational health professional or seek a medical report from your GP. The purpose of this will be to ascertain when you are likely to be able to return to work and to identify any measures that can be taken to help you return as soon as possible.

Employees who are off sick should not undertake any activities likely to be detrimental to their recovery and should cooperate with the appropriate medical professionals in taking steps to ensure that their recovery is as swift as possible.

The Trust will maintain regular contact with employees who are off sick for an extended period, frequency of contact should be discussed and agreed.

Reporting Headteacher absence

For Headteachers, it is expected that their own sickness absence should be reported to their linked SEL via phone or email, alongside informing their own school in accordance with their usual absence reporting for staff, the school will record the absence on Arbor/SIMS/Edupeople and inform the Centre HR Team via email HR@dcacat.academy.

Should Headteachers be absent for any other reason (CPD training days, childcare, working from home, etc), provided it is less than 2 consecutive days or not part of regular pattern, there is no requirement to inform the Trust. Should the absence be for more than 2 consecutive days, or as part of a regular pattern (e.g. finishing early every 2nd Thursday), the linked SEL should be informed, who will inform the Centre HR Team.

4.6. Evidence of incapacity

Where there is concern about the reason for absence or the level of frequent short-term absence, a fit note for each absence regardless of duration may be required. In such circumstances, the School (or Trust for central staff) will cover any costs incurred in obtaining such medical certificates, for absences of a week or less, on production of a doctor's invoice.

4.7. Unauthorised absence

Absence that has not been notified according to the sickness absence reporting procedure will be treated as unauthorised absence. Schools will try to contact the employee by telephone and, if necessary, in writing. Continued unauthorised absence may result in all or any part of the employees' pay being withheld. Cases of unauthorised absence will be dealt with under the Disciplinary Policy and may result in dismissal.

4.8. Sick pay

Sick pay for teachers will be paid in line with their terms and conditions of employment (Burgundy Book) and for support staff in line with the provisions of the NJC (Green Book).

Burgundy Book		Green book: (months means calendar months)	
1 st year of teaching	Full pay for 25 working days and, after four calendar months, you are entitled to 50 working days on half pay.	1 st year of service – following probationary period	1 months' full pay and (after completing four months' service) 2 months' half pay
2 nd year of teaching	Full pay for 50 working days and half pay for 50 working days.	2 nd year of service	2 months' full pay and 2 months' half pay
3 rd year of teaching	Full pay for 75 working days and half pay for 75 working days.	3 rd year of service	4 months' full pay and 4 months' half pay
4 th year + of teaching	Full pay for 100 working days and half pay for 100 working days.	4 th year of service	5 months' full pay and 5 months' half pay
		5 th year + of service	6 months' full pay and 6 months' half pay

Burgundy book notes:

- The sick leave entitlement runs from 1 April until 31 March. Sickness entitlement is renewed every April unless a teacher is absent during this time.
- When calculating teacher absence, count Mondays to Fridays inclusive but **do not include** the school holidays.

Green book notes:

- a) Sickness entitlement is calculated on a rolling year. This means any sickness an employee has taken in the year before the start date of their new sickness absence will be deducted from their entitlement.
- b) Years of service relates to years of continuous service, rather than service at any one particular school.
- c) When calculating absence for support staff, count Mondays to Fridays inclusive **and include** the school holidays.

For employees not on the Burgundy or Green Book provisions, sick pay is as set out in your contract of employment. For the avoidance of doubt sick pay entitlement for teachers is based on accrual of service in maintained schools and sixth form colleges.

When previous sickness is not counted

It may not always be the case that previous sickness over the rolling year is included in the calculation for an employee's absences. These are as follows:

- a. Industrial injuries
- b. An accident in respect of which the cost of salary is recovered from a third party
- c. An exclusion from work on public health grounds
- d. Medical appointments where the employee does not receive treatment.

Trust sick pay is inclusive of any SSP (Statutory Sick Pay) to which you may be entitled, and receipt entirely depends on full adherence with this Sickness Policy.

Once your entitlement to Trust sick pay has expired, you may continue to receive any SSP entitlement. For the purpose of SSP, your qualifying days shall be your normal working days. SSP is not payable for the first three days of absence.

At the sole discretion of the Trust you may receive additional sick pay of such amount as the Trust, in its absolute discretion, considers reasonable. Such payment is not contractual and can be withdrawn, withheld, or varied by the Trust at any time. Any such sick pay will also be deemed inclusive of SSP.

Recoupment of Sick Pay

In the event that you are incapable of attending work by reason of illness or injuries sustained wholly or partly as a result of actionable negligence, nuisance or breach of any statutory duty on the part of any third party, all payments made to you by the Trust whether of salary or Trust sick pay are paid by way of a loan refundable to the Trust and must be recovered from that third party in any claim made by you against them.

The refund to the Trust will be limited to the amount of damages successfully recovered in respect of Trust sick pay.

Injury at work

Teachers who absent from work due to an injury suffered in the course of their employment are entitled to additional pay as laid out in the Burgundy Book subject to medical proof.

4.9. Keeping in contact during sickness absence

During any period of sickness absence (typically only during long term absence, or where the absence is cause for concern) employees will be contacted from time to time by a named contact in school, such as their line manager, in order to discuss their wellbeing, expected length of continued absence from work and any work that requires attention. For long term absences, agreed

contact arrangements should be made in the initial Attendance Review Meeting. This may include a welfare meeting/visit by the line manager or another senior member of staff as appropriate. Such contact is intended to provide reassurance and help support a return to work.

If it is not appropriate for the employee to be contacted directly, we may liaise with a chosen agreed representative; a member of their employee's family or trade union representative providing the employee consents to this.

It is expected that the school will be able to communicate in some way with the employee, or their representative.

Any concerns the employee has while absent from work for sickness reasons, whether about the reason for their absence or their ability to return to work, or otherwise should be discussed with the Headteacher, their line manager or other appropriate senior manager.

4.10. Medical examinations

We may, at any time in operating this policy, refer the employee to an Occupational Health expert and/or a doctor nominated by the Trust and at the school's expense. Appropriate employee consent will be obtained prior to the referral or at referral stage by the OH Service and any report produced in connection with the examination will be disclosed to the School/ Trust. The involvement of the school's occupational health ('OH') provider in individual cases can be crucial to understanding the impact of a medical condition upon an individual's ability to perform their normal duties and to support an employee's return to work; it is in the best interests of both the school and the employee. Referrals to OH will be made at the line manager's discretion, involving the individual and informed by the following criteria:

- Where the absence appears to be related to stress, anxiety or depression;
- Where the absence has lasted (or is likely to last) for at least four weeks;
- Where an employee has been absent on a frequent, short-term basis (a useful indicator would be when the trigger point, defined in section 8 below, has been reached);
- Where discussions with the employee indicate that the employee's health may be having an impact on his/her ability to carry out the job;
- Where ill health follows an accident that has either caused, or is likely to cause, a significant absence from work or otherwise impact on work or attendance;
- Where the individual may be suffering from an industrial or occupational disease or condition, or where there has been an injury at work, physical or non-physical;
- Where it is suspected that the employee has a notifiable disease;
- When the absence appears to have been triggered by the instigation of other procedures (such as the disciplinary and capability procedure).

In considering the referral, OH may wish to obtain a report from the employee's own doctor(s) but will obtain the employee's written consent before doing so.

The report will be shared with the School/Trust after three days of being shared with the employee unless the employee raises any queries with the OH Service. The finalised report should be shared with the School/Trust within a reasonable timeframe and by no later than two weeks of receipt. A return within this timeframe is needed in order to be able to support the employee and consider whether any adjustments are needed.

The contents of the report may be discussed with the Headteacher, their appointed representative, and other relevant advisors nominated by the Trust. After a report has been obtained the Headteacher / their appointed representative or the Central HR will meet with the employee to discuss its contents and appropriate next steps.

In the event of a refusal, decisions about the employee's future employment will be made on the basis of the information available at the time.

4.11. Return-to-work meetings

Employees who have been absent due to ill health will be required to have a [return-to-work meeting \(Appendix D Return-to-Work Form\)](#) with their line manager or other appropriate senior manager, within 1 week of having returned to work. A return-to-work meeting enables us to confirm the details of the absence. It also gives the employee the opportunity to raise any concerns or questions they may have, and to bring any relevant matters to our attention.

Where the employee has met the triggers, as detailed above, the employee's line manager or other appropriate manager will discuss the need to improve the employee's attendance with them and where appropriate inform the employee that should their attendance not improve they will be invited to a Attendance Review Meeting with the Headteacher/Line Manager or their appointed representative; in consultation with the Trust HR Team. This meeting will be held in line with the Attendance Management Procedure set out below and is the informal stage of the policy (section 4.16).

Where a doctor has provided a certificate stating the employee "may be fit for work" we will usually hold a return to-work meeting to discuss any additional measures that may be needed to facilitate the return to work, taking account of the doctor's advice. The Trust is committed to helping employees return to work from long-term sickness absence or improve inappropriate levels of short-term intermittent absences. As part of our procedure, where appropriate and possible, supported by:

- a) Obtaining medical advice;
- b) Making reasonable adjustments to the workplace, working practices and working hours;
- c) Considering redeployment; and/or
- d) Agreeing a return-to-work programme with everyone affected (phased return)

Where an employee has a fit note which says that the employee 'is not fit for work', but they still want to come back, the Headteacher/Line Manager should ideally encourage the employee to return to their GP for a new fit note which identifies certain considerations for a return. The current format of the fit note allows for a GP to confirm the employee "may be fit" for work if, for example, they work lesser hours for a period of time. Alternatively, you could discuss with the employee what reasonable adjustments could be made to accommodate them returning to work or seek OH advice before their fit note expires whilst considering the health and safety of them and others.

If a new fit note is provided which suggests some changes, you should then discuss with the employee whether the suggestions can be accommodated. There is no obligation to accept the GP's suggestions. However, they should be considered carefully in conjunction with the employee to see if an agreement can be reached.

If there is still doubt that the employee is ready to return to work even after this extra discussion has taken place, an occupational health assessment may be appropriate to provide you with more specific advice on what adaptations could be made to the role.

Ultimately, the Trust have a duty of care to the employee. Any legitimate concerns about the employee's health and safety as well as that of their colleagues and pupils may well defeat an employee's desire to return to work early.

4.12. Phased return and other reasonable adjustments

A 'phased return to work' is when someone who's been absent might need to come back to work on:

- a) reduced hours
- b) lighter duties
- c) different duties

The Headteacher and the employee must agree on a plan for how long this will be for (i.e. a maximum of 4 weeks – any longer than this must be in consultation with your Central HR contact).

For example, they could agree to review how things are going after a few weeks and then decide to increase the working hours or duties, or they might decide they need to stay reduced for longer.

The Headteacher should continue to regularly review the employee's health and wellbeing in the workplace and make new adjustments if necessary.

If the employee returns to their normal duties but on reduced hours or is doing full hours but reduced duties, they should get their normal rate of pay for those hours they work.

Phased returns to work should be considered temporary, and designed to enable the employee to return back to their full hours and duties within a manageable timeframe. However, if the employee is in agreement, this can be made permanent at the discretion of the Headteacher (or Trust for central staff).

A 'reasonable adjustment' is a change that must be made to remove or reduce a disadvantage related to an employee's disability when doing their job; but can also be used to help an employee return to work after a period of absence (typically after a long term absence). The adjustments are designed to help get people back in to work quicker and to prevent future problems.

A reasonable adjustment could involve making changes to:

- a) Making physical adjustments to the workplace;
- b) Allocating some duties to another employee;
- c) Moving the disabled employee to a different but suitable job;
- d) Altering the hours of work;
- e) Moving the employee to another location;
- f) Allowing time off during work hours for treatment or rehabilitation;
- g) Arranging training for the employee;
- h) Acquiring or modifying equipment or changing the method of doing the job;
- i) Altering instructions or reference materials;
- j) Altering procedures for testing or assessment;
- k) Providing a reader or interpreter;
- l) Providing supervision.

A temporary reduction in hours is also considered a reasonable adjustment. Any temporary arrangement must be reviewed within an agreed timeframe as a way of enabling a member of staff to return to their normal contractual working arrangement.

Advice on what reasonable adjustments should be considered should be taken from employee themselves, the employees' doctor and Occupational Health.

Disability and Reasonable Adjustments

The Trust is committed to making reasonable adjustments to an employee's duties or working arrangements where they would otherwise suffer a disadvantage arising from any disability.

In order to make appropriate adjustments the Trust needs to know about any disability the employee may have. Employees who feel that they may require an adjustment should discuss their situation with their line manager. If desired an employee may ask to be accompanied to such a meeting by their union representative or a workplace colleague. This would not in itself infer that the meeting was 'formal' or statutory. Any such discussions will be in the strictest confidence although when an adjustment is made it may be necessary to inform other employees of the reason for this. The extent to which details of any disability will be discussed with other employees will be agreed as part of the process of making the adjustment itself.

The purpose of any adjustment will be to ensure that the employee can work effectively in an appropriate role and on appropriate terms and conditions. The Trust is not obliged to maintain an employee's level of pay if hours are reduced or the employee is moved to a less senior role as a result of any adjustment, but all options may be considered depending on the circumstances. Nor will the Trust agree to an adjustment which will not result in a commercially practicable working arrangement provided such a refusal is lawful.

[Further guidance on reasonable adjustments can be found on the ACAS website.](#)

4.13. Suspension

If there are concerns about an employee's health, safety and welfare or that of the pupils or their colleagues, the decision may be taken to suspend the employee on medical grounds from work on full pay. Before taking such a decision the Headteacher/ CEO for central staff should discuss this with the Trust HR team to decide if the action is necessary and complete a [Suspension Risk Assessment \(Appendix C\)](#).

Any suspension on medical grounds would be on full pay and does not imply that formal action will be taken. Suspension on medical grounds will be confirmed in writing and should only be undertaken for the shortest possible period – it cannot be indefinite. If the employee is subsequently signed off as not fit for work by their GP the suspension must be lifted, and the employee advised in writing they will move onto sickness absence.

Employees will not be allowed to return to work until the Headteacher and Trust HR Team are satisfied of their fitness to work. This may be after a OH / other medical report has been obtained.

Maternity Suspension (Health and Safety Reasons)

Depending on the nature of your job, there may be circumstances in which it is unsafe for you to continue working while you are pregnant. In some circumstances the law requires a pregnant employee to be suspended on full pay or transferred to alternative duties. Jobs which may come under this category are identified in the risk assessments that the Trust has carried out under its health and safety policy. If you are affected by any health and safety issues connected with your pregnancy, then the Trust will discuss any detailed arrangements that need to be made until it is safe for you to return to your original duties.

Annual Leave and Sickness Absence

Employees may request annual leave during any period of sickness absence in the normal way. If you intend to spend any time away from home during your sickness absence, this does not constitute annual leave, but you should inform your Headteacher/Line Manager of this fact in advance and provide contact details so the Trust may maintain contact if required in order to discharge its duty of care.

If an employee is absent due to sickness, they still accrue annual leave in line with statutory regulations. This does not apply to TTO employees.

4.14. Formal Meetings under this policy

Employees will be given 5 working days' notice of the date, time and place of a formal meeting. The written notification will include the level of sickness absence, the concerns and the basis for those concerns, details of any support already put in place and details of any impact the absence is having on the School/Team. This will allow the employee a reasonable opportunity to consider this information before a meeting and provide a written response should they wish, which should be submitted 3 days before the meeting.

Employees must take all reasonable steps to attend a meeting. A meeting may be adjourned if the School is awaiting receipt of information, needs to gather any further information or give consideration to matters discussed at a previous meeting. The employee will be given a reasonable opportunity to consider any new information obtained before the meeting is reconvened.

Notes of the meeting, including any agreed actions, will be taken and a copy given to the employee, usually within 10 working days of the meeting.

Confirmation of any decision made at a meeting including the appropriate sanction, the reasons for it, and of the right of appeal will be given in writing usually within 3 working days of an attendance review meeting, unless this time scale is not practicable, in which case it will be provided as soon as is practicable (but no later than 10 working days)

If the employee is unable to attend the Stage 3 attendance management meeting or any other sickness absence meeting under this policy due to ill health, the meeting will continue in their absence and they may send a representative in their place, or alternatively provide a written statement.

If, at any time, the Headteacher considers that sickness absence is being taken when the employee is not unwell, the matters may be dealt with under the DCAT Disciplinary Policy.

4.15. Right to be accompanied at meetings

Employees may bring a companion who may be a colleague or trade union representative to any formal meeting or appeal meeting under this policy. Their identity must be confirmed before the meeting takes place. Some companions may not be allowed: for example, anyone who may have a conflict of interest, or whose presence may prejudice a meeting.

If the employee or their companion are unable to attend a formal meeting/appeal meeting at the time specified, we will seek to agree an alternative time however this may not always be possible. Employees are allowed reasonable time off with pay to act as a companion. They must speak to their line manager first, and if it is not a convenient time for them to be able to attend a meeting/appeal due to their own work commitments, efforts will be made to arrange an alternative mutually convenient date to allow them to attend. They are not obliged to act as a companion and may decline a request if they so wish.

The School/ Trust may at its discretion, permit a companion who is not an employee or union representative, for example, a family member, where this may help overcome particular difficulties caused by a disability, or difficulty understanding English.

A companion may make representations, ask questions, and sum up the employee's position, but will not be allowed to answer questions on their behalf. An adjournment will be allowed for the employee to confer privately with their companion at any time during a meeting.

4.16. Informal (Welfare and Return to Work Meetings)

Before the procedure set out below is followed, the Headteacher or their appointed representative will offer to meet with the employee informally to discuss their absences, within 1 week of returning to work from the latest absence and they will investigate the reasons for these. At this meeting it will be made clear to the employee that their level of absence is unsatisfactory and if there is no improvement that the formal attendance management procedure set out below will be followed.

Where an employee declines an informal meeting, we reserve the right to move straight to the formal stages of the policy.

4.17. Stage 1: First attendance management meeting

If there has been no or insufficient improvement in attendance following the informal stage meeting(s) or refusal of an informal meeting Stage 1 of the procedure will be followed.

The meeting will be conducted by the Headteacher or their appointed representative.

The purposes of a first sickness absence meeting may include:

- a) Discussing the reasons for absence;
- b) Where on long-term sickness absence, determining how long the absence is likely to last;
- c) Where short term absences on a number of occasions, determine the likelihood of further absences;
- d) Considering whether medical advice is required;
- e) Considering what, if any, measures might improve the employees' health and/or attendance;
- f) Discuss the impact the absences are having on the school;
- g) Explaining consequences of continuing poor attendance;
- h) Agreeing a way forward, action that will be taken and for short term absence procedure agree targets for improvement and set a time-scale for the review period (usually between 4 and 6 weeks unless circumstances warrant a longer or shorter review period and/or a further meeting under the attendance management policy);
- i) Ensure the employee is aware and understands the consequences of a failure to improve attendance.

The employee will be informed of the outcome of the meeting in writing in accordance with this policy.

The possible outcomes of a Stage 1 meeting are:

- a) Return to work following improvement of attendance.
- b) Long term absence - Continued monitoring under sickness absence process, and a review meeting (Stage 2) date and time agreed.
- c) Short term absence - First Warning Improvement Notice issued, with revised absence triggers set and a review meeting (Stage 2) date and time agreed.
- d) Further OH referral
- e) Further reasonable adjustments

- f) Redeployment

4.18. Stage 2: Further attendance management meeting(s)

Depending on the matters discussed at Stage 1, a further meeting or meetings may be necessary where there has been no or insufficient improvement in attendance.

In short term absence cases, if the employee has more absences within the review period, hitting the revised trigger set, Stage 2 can be brought forward to before the end of the review period set at Stage 1; provided sufficient notice is given as per the guidance in this policy.

The meeting will be conducted by the Headteacher or their appointed representative.

The purposes of further meeting(s) may include:

- a) Discussing the reasons for and impact of the on-going absence(s);
- b) Where on long-term sickness absence, discussing how long the absence is likely to last;
- c) Where short term absences on a number of occasions, determine the likelihood of further absences;
- d) If it has not been obtained, considering whether medical advice is required. If it has been obtained, considering the advice that has been given and whether further advice is required;
- e) Considering the employee's ability to return to/remain in their job in view of both of the employee's capabilities and the School/team's operational needs and any adjustments that can reasonably be made to the employee's job to enable them to do so;
- f) Considering possible redeployment opportunities and whether any adjustments can reasonably be made to assist in redeployment;
- g) Where they are able to return from long-term sick leave, whether to their substantive role or a redeployed job, agreeing a return-to-work programme;
- h) If it is considered that the employee is unlikely to be able to return to work from long-term absence, whether there are any benefits they should be considered for, for example ill health retirement;
- i) Explaining consequences of continuing poor attendance;
- j) Agreeing a way forward, action that will be taken and setting a time-scale for the review period and/or a further meeting(s). This may, depending on steps already taken, include warning the employee that they are at risk of dismissal.

After consideration of all of the facts and any representations made by the employee at this meeting, the person conducting the meeting will decide on any appropriate action which will be confirmed in writing in accordance with this policy.

The possible outcomes of a Stage 2 meeting are:

- a) Return to work following improved attendance.
- b) Continued monitoring under sick absence process - Final Warning Improvement Notice issued, with revised absence triggers set and a clear indication of possible outcomes from a Stage 3 meeting.
- c) Further OH referral
- d) Further reasonable adjustments
- e) Redeployment options to be explored

4.19. Stage 3: Final attendance management meeting

Before moving to a Stage 3 meeting, schools **must** consult with the Trust HR Team.

Where the employee has been warned that they are at risk of dismissal (under Stage 2), and there has been no or insufficient improvement in attendance they will be invited to a meeting under Stage 3 of the Attendance Management policy. Five working days' notice of this meeting will be given and it will be conducted by a member of staff with [delegated responsibility](#) who has not had previous involvement in the case.

A case report must be presented at the stage 3 meeting by the person who has managed Stage 1 and 2 of the absence procedure. The case report will be given to the employee before the meeting and will include reference to:

- a) The absence record and reasons for absence;
- b) Medical statements received from Occupational Health, GP or from other sources; c) Information received from the employee about their absences and expected return to work/improvement in short term absences;
- c) Proposals to support a return to work including reasonable adjustments, or redeployment alternatives; and e) Implications for pupils, colleagues and the School/Trust resulting from the absence.

The purposes of the meeting will be:

- a) To review the meetings that have taken place and matters discussed with the employee;
- b) Where the employee remains on long-term sickness absence to consider whether there have been any changes since the last meeting under stage two of the procedure; either as regards to a possible return to work or opportunities for return or redeployment;
- c) To consider any further matters that the employee wishes to raise;
- d) To consider whether there is a reasonable likelihood of a return to work or achieving the desired level of attendance in a reasonable time;
- e) To consider any adjustments which could be made to assist a return to work or an improvement in attendance level;
- f) To consider the possible termination of the employee contract of employment;

In deciding the appropriate action, the person hearing the case must consider all the circumstances including:

- a) The medical information;
- b) The employee's ability to do the job in light of their attendance levels/ability to do the job due to ill health;
- c) The likelihood of a change in attendance/ability;
- d) The possibility of modifying the job or a temporary transfer of responsibilities;
- e) Whether medical evidence indicates that redeployment, if possible, will improve attendance;
- f) The effect the past and future absence is having or might have on pupils' education and attainment, on other employees, or the School;
- g) How the employees' health and attendance affects their performance; and
- h) Any evidence or mitigating circumstances the employee chooses to submit, which must be provided to the person hearing the case not less than 2 days before the meeting. The employee will be advised of how to do this in their invitation to the Stage 3 meeting.

The possible outcomes of a stage 3 meeting are:

- a) Return to work
- b) Reasonable adjustments

- c) Ill-health retirement
- d) Medical redeployment
- e) Dismissal

If the decision is made to terminate the contract of employment on the grounds of capability due to ill health, it will normally be with full notice or payment in lieu of notice in line with the employee's contract of employment.

4.20. Review Periods

In each of the review periods agreed throughout Stages 1, 2 and 3 (set out above) the Headteacher or their appointed representative will keep the employees' attendance under review and meet with the employee to discuss their attendance and/or any further absences and ascertain the reasons for these. This will help identify if new medical information has come to light and/or if further medical evidence is required.

4.21. Long Term Absences

Absences of more than 28 calendar days will be considered as long-term absences and a welfare meeting will be arranged within week 5 of the absence. A referral to Occupational Health will be considered and where this is deemed appropriate a referral will be made.

The contents of the report may be discussed with the Headteacher, their appointed representative, and other relevant advisors nominated by the Trust.

In cases where the employee is absent for more than three months and medical evidence indicates that they are unfit to return to work which is likely to continue for at least 2 months or more, the School reserves the right to move straight to Stage 3 of the policy set out above, even where procedures set out for Stage 1 and Stage 2 above have not already been commenced or completed.

If the employee is unable to attend the Stage 3 attendance management meeting or any other sickness absence meeting under this policy due to ill health, the meeting will continue in their absence and they may send a representative in their place, or alternatively provide a written statement.

4.22. Returning to work after a period of long-term absence

After a period of long-term absence, the school must take the following steps prior to that employee returning to work:

- a) Received a 'fit to work' note from the employees GP/ Doctor (if appropriate)
- b) Make an Occupational Health referral (consent from the employee is required before a referral can be made)
- c) Conduct a return-to-work meeting ([Appendix D](#)) (depending on the circumstances, this may be once the OH report has been returned)
- d) Agree a phased return to work plan (if appropriate) and any other reasonable adjustments (**see section 4.12**)

Once the employee has returned to work the absence should be closed and regular review meetings should be held over the phased return period (if a plan is in place) to ensure that the work is manageable and any reasonable adjustments are still necessary/appropriate and the return to work is a success.

4.23. Appeals

Employees may make an appeal against the outcome of the outcome of Stage 3, in the event of dismissal only, in writing within 5 working days of the date of the written confirmation of the outcome, stating fully the grounds of their appeal.

In the event of an appeal any recruitment replacing the dismissed employee must be paused until the outcome of the appeal is known.

Appeals may be heard by:

Person appealing	Appeal heard by
CEO	DCAT Members
Trust Centre Staff	DCAT Trustees
Headteachers	CEO or DCEO
Teachers and Education Support Professionals	Linked SEL or DCEO

Appeals heard will be arranged within 15 working days of the appeal being received, at an agreed time and place. The same arrangements for notification and right to be accompanied by a companion apply as with other formal meetings. Notes will be taken, and a copy provided to the employee.

The date that any dismissal takes effect will not be delayed pending the outcome of an appeal. However, if the appeal is successful, the decision to dismiss will be revoked with no loss of continuity of employment or pay.

The employee will be informed in writing of the results of the appeal within 5 working days. There is no further right of appeal under this or other Trust policy.

Consideration will be given to the above timescales and the school holidays.

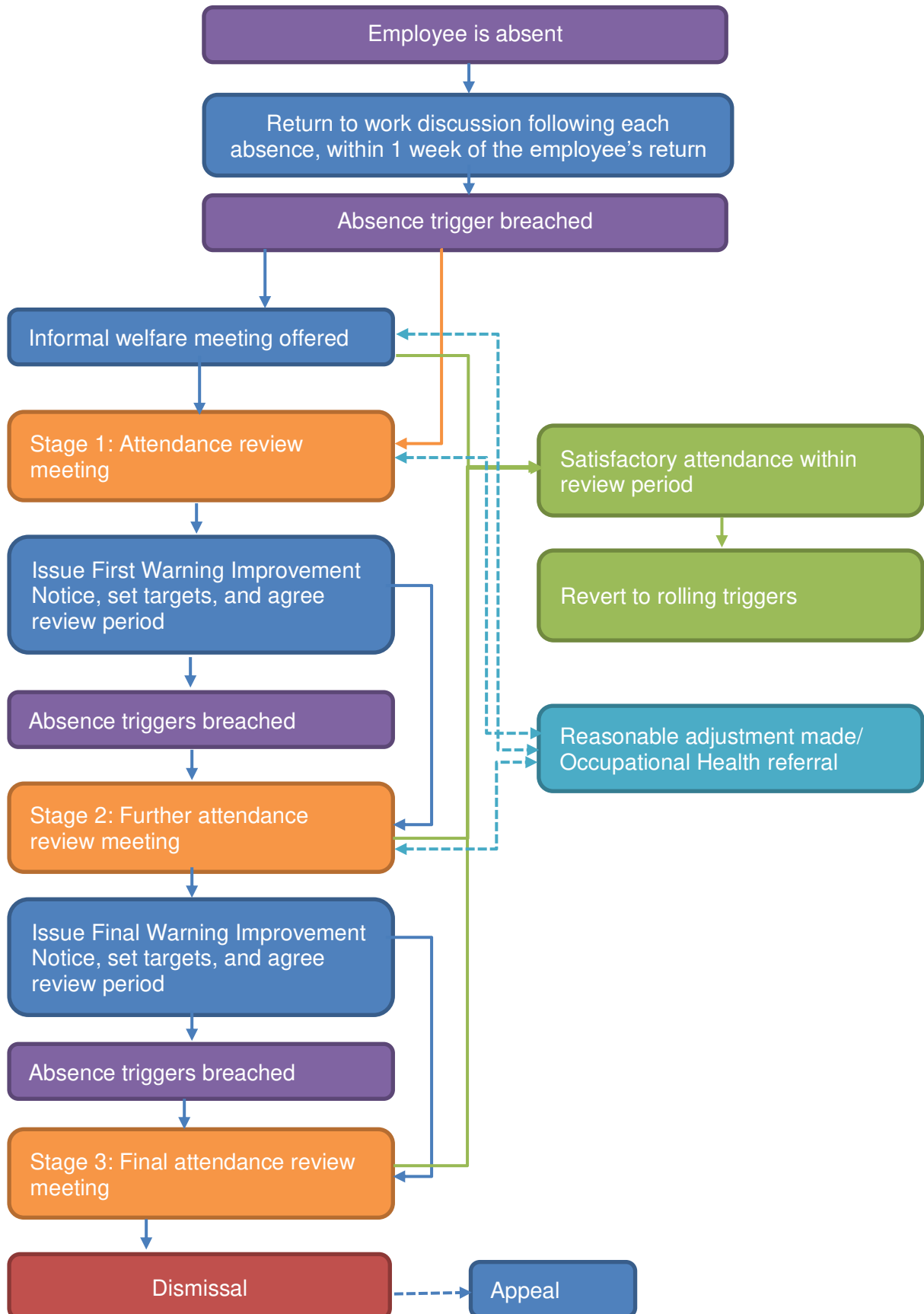
4.24. Grievance raised during sickness absence proceeding

Where a grievance is raised during the procedure, and that grievance has relevance to the procedure, the process may be temporarily suspended, if appropriate, until the grievance has been resolved or answered.

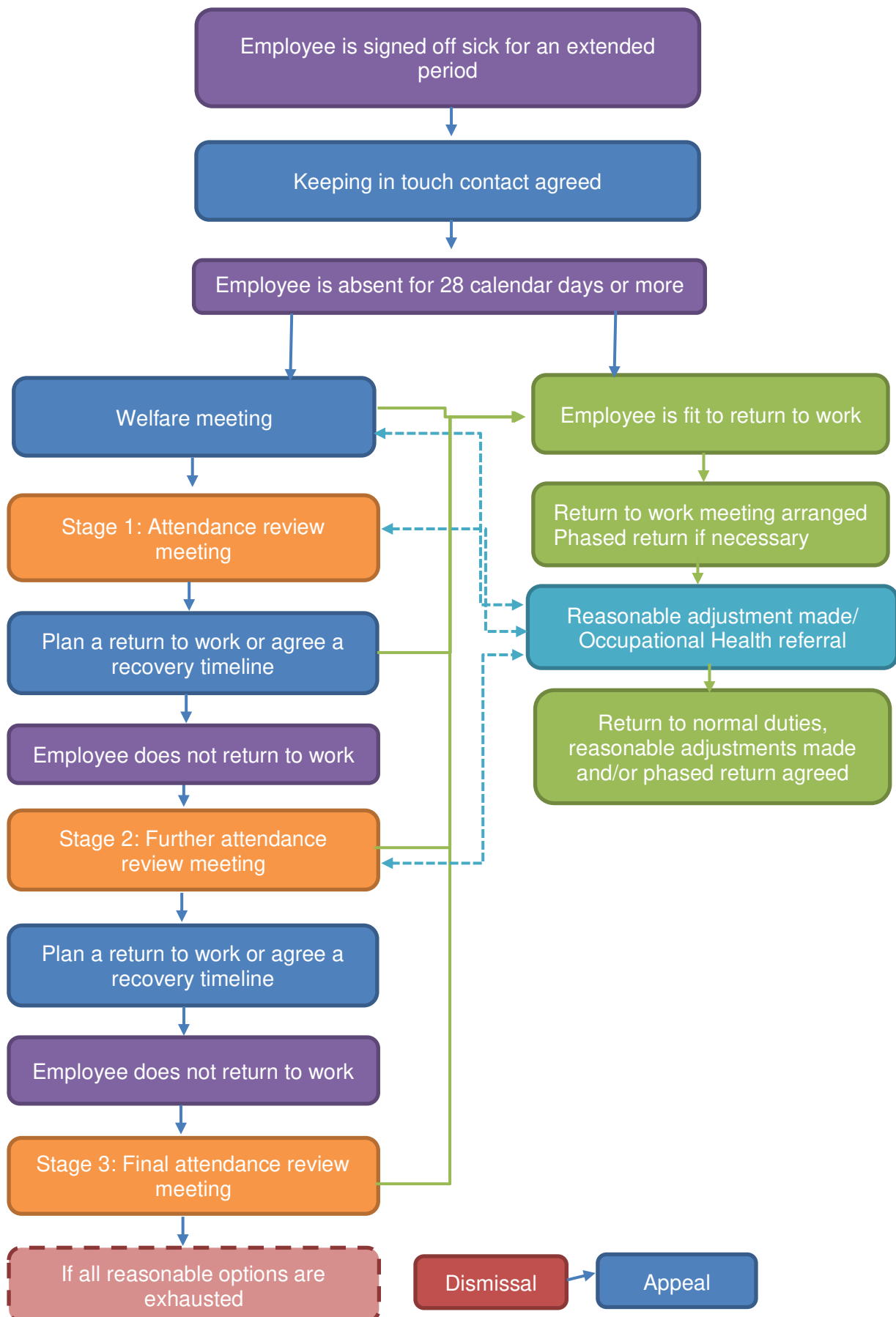
In the situation where there is more than one grievance from the same person these will typically be heard together. If a grievance restates a complaint they have already raised and had heard or dealt with in the past, they will be asked to explain how the new grievance differs, what new incident has occurred and/or what new evidence has come to light. Where it is clear that there is nothing new being raised the grievance can be rejected without a formal grievance meeting.

4.25. Appendices

Appendix A: Flowchart for short term absence



Appendix B: Flowchart for long term absence



Appendix C: [Suspension Risk Assessment](#)

This form can be used to assist the consideration of suspension and alternatives to suspension. In cases involving allegations of abuse made against staff, the designated officer of the local authority (often still referred to as the LADO) should be consulted about suspension. The designated officer may provide their own risk assessment form for completion in such circumstances.

Name of employee		Role			
Name of assessor		Date			
Outline nature of allegation(s) against employee being assessed for suspension:					
If substantiated, are the offence(s) of a nature to warrant consideration of summary dismissal?		Yes	No		
Assessment of Risk					
Potential hazard	Likelihood (tick one)				
	Very low	Low	Mod-erate	High	Very high
Is there a risk to the safety or welfare of others?					
Detail:					
Is there a risk to the individual's safety or welfare?					
Detail:					
Is there a risk to premises or property?					
Detail:					
Is there a risk to the investigation (e.g. potential for interference)?					
Detail:					
Is there a risk to reputation and/or service delivery if the individual is allowed to work?					
Detail:					
Other identified risk(s):					
Detail:					

Alternatives to Suspension			
Are there alternatives to suspension which would lessen the risk?	Yes		No
<u>Examples to consider might include:</u> Transfer to other duties Restriction of duties Transfer to another area of work/department	Change to working hours Homeworking		
If yes, please outline the possible alternative(s) below. If no, please explain why.			
Overall Assessment			
Please provide any relevant comments below:			
Decision of manager/assessor: (please tick)	Suspend		Do Not Suspend
If decision is not to suspend please outline any recommend control measures/alternatives to suspension below: (if employee does not accept these, he/she must be suspended)			
Date on which suspension/ alternative arrangements confirmed to employee:		Date written confirmation letter sent:	
Date of review of suspension/ alternative arrangements:	(usually after 4 weeks if not resolved by then)		
Signature of assessor:		Date:	

Appendix D: [Self-Certificate & Return to Work Discussion Form](#)

Part A: To be completed by employee upon their return to work following sickness absence			
Full Name			
Date you first became unfit for work (including weekends or non-working days)		Date of first absence from work	
Date you returned to work		Total number of working days' absence from work	
Reason for absence			
<i>Support Staff: please indicate the number of hours normally worked for each day you were absent</i>	Mon	Tues	
	Wed	Thurs	
	Fri		
I have consulted my GP	YES	NO	
I have visited a hospital/clinic	YES	NO	
I have sought other medical advice (e.g. NHS 111, pharmacist)	YES	NO	
Is this absence linked to a previous period of absence?	YES	NO	
Was your absence due to work-related causes, including an accident or injury at work? If yes, please provide details below.	YES	NO	
Any other comments:			
I confirm that the information I have provided is complete and accurate to the best of my knowledge and belief. I understand that deliberately providing false information may result in disciplinary action being taken against me.			
Signed		Date	

Part B: To be completed by manager following discussion with employee			
Manager's Name			
Please confirm that the details provided by the employee in Part A are correct, to the best of your knowledge		YES	NO
Did the employee properly notify his/her absence (and submit medical certificates if relevant)?		YES	NO
Has a 'fit note' been submitted making recommendations as to a phased return or changes to hours or duties?		YES	NO
Has the employee indicated that factors at work may have caused or contributed to the absence?		YES	NO
Does this period of absence cause the absence trigger point to be exceeded? Repeated short-term sickness of 3 occasions in a rolling 6-month period 8 working days' absence or more in a rolling 12-month period The frequency or pattern of absence that causes concern for the manager.		YES	NO
Should a referral to occupational health be made at this stage?		YES	NO
In view of the above, and your discussion with the employee, please detail below any further action to be taken.			
Any other comments:			
I confirm that I have shown the contents of the above to the employee and offered them a copy. A copy will be placed on the employee's personnel file.			
Signed		Date	

5. Capability Policy

5.1. Introduction

The responsibility to consider employees' performance and warn them with regard to serious concerns regarding performance or dismiss them has been delegated to the Headteacher.

The Headteacher or their appointed representative will be responsible for managing the procedures and will appoint appropriate managers to undertake the monitoring and support roles.

The Policy has been developed in line with the Education (School Teachers' Appraisal) (England) Regulations 2012 (the Appraisal Regulations) in force at the date of adoption of the Policy. Except where otherwise stated, DCAT adheres to the Appraisal Regulations, with the intention of remaining compliant with all relevant legislation.

The Policy sets out the formal capability procedures and must be read in conjunction with the [Professional Performance Review \(Appraisal\) Policy](#).

Guidance on managing the procedures is available from the Senior Education Leaders and the Trust HR Team. The latter must be consulted before commencing these procedures.

The capability procedure usually applies where serious concerns have been identified that the professional performance review process, including a package of support, has been unable to remediate. However, the capability process may be started at any point where serious concerns around performance are identified.

Under the capability process, any concerns should initially be addressed informally or via the employee's performance management reviews. Formal capability should only be undertaken if informal support is unsuccessful in helping the employee achieve the expected standards.

When moving to formal capability, the employee will be notified in writing that their performance will be managed under the capability procedure. They will be invited to a formal capability meeting.

The Headteacher will ensure that an appropriately experienced person undertakes monitoring activity, whose ability to make sound and objective judgments has been established. The criteria against which an employee's practice is to be judged should be transparent and linked to their improvement targets. Monitoring activity should be designed to capture typical practice. It is up to the Headteacher to determine the balance of announced and unannounced monitoring activity; however, some elements of the monitoring must be unannounced. The Headteacher will also ensure that an appropriate person is appointed to support the employee during the procedures.

At least five working days' notice will be given of any meeting related to the formal capability process. The letter of notice will advise the employee of their right to be accompanied by a companion who may be a colleague or a trade union representative.

In applying this policy, the table below determines who has delegated responsibility for managing the capability process and continued employment of colleagues, in consultation with the Trust HR team:

Role	Capability process managed by
CEO	Chair of Trustees; or their appointed representative up to, but not including Stage 2 which must be managed by the Chair only
Trust Centre Staff	CEO; or their appointed representative up to, but not including Stage 2 which must be managed by the CEO only
Headteachers	Linked SEL; or their appointed representative up to, but not including Stage 2 which must be managed by the Linked SEL only
Teachers and Education Support Professionals	Headteacher; or their appointed representative up to, but not including Stage 2 which must be managed by the Headteacher only

5.2. Informal capability

Before entering into the formal capability process, efforts to address any performance concerns should be done informally in the first instance.

Employees will be invited to an informal capability meeting, where the concerns will be discussed, and an informal Performance Support Plan (PSP) review period agreed. Reviewer to complete [Performance Support Plan template, Appendix A](#) and share with Employee.

Informal capability must last for a period greater than three weeks but no longer than six weeks.

At the end of the informal capability review period, the employee will be invited to a further meeting where a decision will be made to either:

- End the capability process as sufficient progress has been made
- Extend the informal PSP process for an additional 3-6 weeks (this should only be done once, unless other mitigating circumstance apply)
- Move to Stage 1: Formal Capability.

Template meeting invite letters are available from the Trust Centre HR Team.

5.3. Formal Meetings under this policy

Employees will be given five working days' notice of the date, time and place of a formal meeting. The written notification will include sufficient information about the concerns identified, the shortfall in performance, include details of any informal support already offered and the possible consequences of any continued failure to improve. The letter of notice will include copies of any written evidence; the 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 colleague or a trade union representative.

This will allow the employee a reasonable opportunity to consider this information before a meeting and provide a written response should they wish, which should be submitted three days before the meeting.

Employees must take all reasonable steps to attend a meeting. A meeting may be adjourned if the School is awaiting receipt of information, needs to gather any further information or give

consideration to matters discussed at a previous meeting. The employee will be given a reasonable opportunity to consider any new information obtained before the meeting is reconvened.

Notes of the meeting, including any agreed actions, will be taken and a copy given to the employee, usually within five working days of the meeting.

Confirmation of any decision made at a meeting including the appropriate sanction, the reasons for it, and of the right of appeal will be given in writing usually within three working days of an attendance management meeting, unless this time scale is not practicable, in which case it will be provided as soon as is practicable (but no later than 10 working days)

5.4. Stage I: Formal meeting to consider entry into the capability process

Formal capability should only be undertaken if informal support is unsuccessful in helping the employee achieve the expected standards, or if informal support is deemed not appropriate (for example, concerns having arisen as part of the annual appraisal review).

The purpose of the formal capability meeting is to allow the employee to respond to concerns; to make representations, and to provide any further information for consideration. School capability processes will be conducted by the Headteacher or their delegated representative. The person conducting the meeting may conclude that there are insufficient grounds to enter the formal capability process, and therefore should continue to support informally. Equally, they may decide that the meeting should be adjourned if further investigation is needed, or extra time required in order to consider additional information.

The meeting needs to explore:

- The performance concerns which have led to this meeting
- The support which has already been provided to remedy concerns and the impact this has had
- Any extenuating circumstances

Possible outcomes of the Stage I meeting:

- Continue with informal support, where appropriate
- First written warning
- Final written warning
 - The Trust HR Central team **must** be consulted before issuing a final written warning at Stage I.

If the decision is to place the employee into a formal capability process, the person conducting the meeting will:

- summarise the shortcomings, including against any relevant professional standards or framework,
- 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 setting additional 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,
- set out additional support that may be made available to help the employee improve their performance,
- set out the timetable for improvement and explain how performance will be monitored and reviewed including any direct observations of practice. In ordinary circumstances, the review period could be between four and ten weeks. It will typically be six weeks and no longer than ten weeks,

- warn the employee in writing that failure to improve within the set period could lead to dismissal. In very serious cases, this warning may constitute a final written warning.
 - Where a final warning is issued, the employee will be informed in writing that failure to achieve an acceptable standard of performance within a disclosed period may result in dismissal. The process for appeal against final warning will be shared.
- Notes will be taken of formal capability meetings and a copy provided to the employee. The employee will be informed in writing of the outcome of any determination made under the headings above, and the procedure and time limits for appealing against any written warning.

5.5. Capability monitoring and review

A performance monitoring and review period will follow the formal capability meeting, with agreed formal monitoring, evaluation, guidance and support provided during this time.

Throughout this period there will be agreed regular meetings to assess progress, adjusting the PSP (to be agreed with the employee) if required and evaluate if sufficient improvement has been made towards the end of the review period.

In the event that sufficient improvement has been made, an outcome letter will be issued confirming that the formal support process has been concluded and standard professional performance review process reinitiated.

In the event that insufficient improvement has been made, the employee will be invited a Stage 2: Review and Decision meeting.

Notes will be taken of review meetings and a copy provided to the employee within five working days of the meeting.

5.6. Stage 2: Review and Decision meeting

Where insufficient improvement has been made the employee will be invited to a Stage 2 Review and Decision meeting.

At least five working days' notice of the decision meeting will be given. The letter of notice will advise the employee of their right to be accompanied by a companion who may be a colleague or a trade union representative.

The purpose of the meeting is to consider the employee's performance taking into account the PSP targets.

- If no, or insufficient improvement has been made during the monitoring and review period, the employee will receive a final written warning and the monitoring and review period extended
- If a final warning has already been issued, and performance has not improved sufficiently then the employee will be dismissed.

This decision will be communicated in writing.

5.7. Dismissal

The employee will be informed in writing and as soon as is practical of the reasons for dismissal; the date on which the contract of employment will be terminated; any appropriate period of notice and their right of appeal.

5.8. Appeals

Employees may make an appeal in writing within five working days of the date of the written confirmation of the written warning, final written warning or dismissal, stating the grounds of their appeal in full. Appeals may be heard by:

In the event of an appeal of a dismissal outcome any recruitment replacing the dismissed employee must be paused until the outcome of the appeal is known.

Appeals may be heard by:

Person appealing	Appeal heard by
CEO	DCAT Members
Trust Centre Staff	DCAT Trustees
Headteachers	CEO or DCEO
Teachers and Education Support Professionals	Linked SEL or DCEO

Appeals heard will be arranged within 15 working days of the appeal being received, at an agreed time and place. The same arrangements for notification and right to be accompanied by a companion apply as with other formal meetings. Notes will be taken, and a copy provided to the employee within five working days of the hearing.

The date that any dismissal takes effect will not be delayed pending the outcome of an appeal. However, if the appeal is successful, the decision to dismiss will be revoked with no loss of continuity of employment or pay.

The employee will be informed in writing of the results of the appeal within five working days. There is no further right of appeal under this or other Trust policy.

Consideration will be given to the above timescales and the school holidays.

5.9. Grievances raised during these proceedings

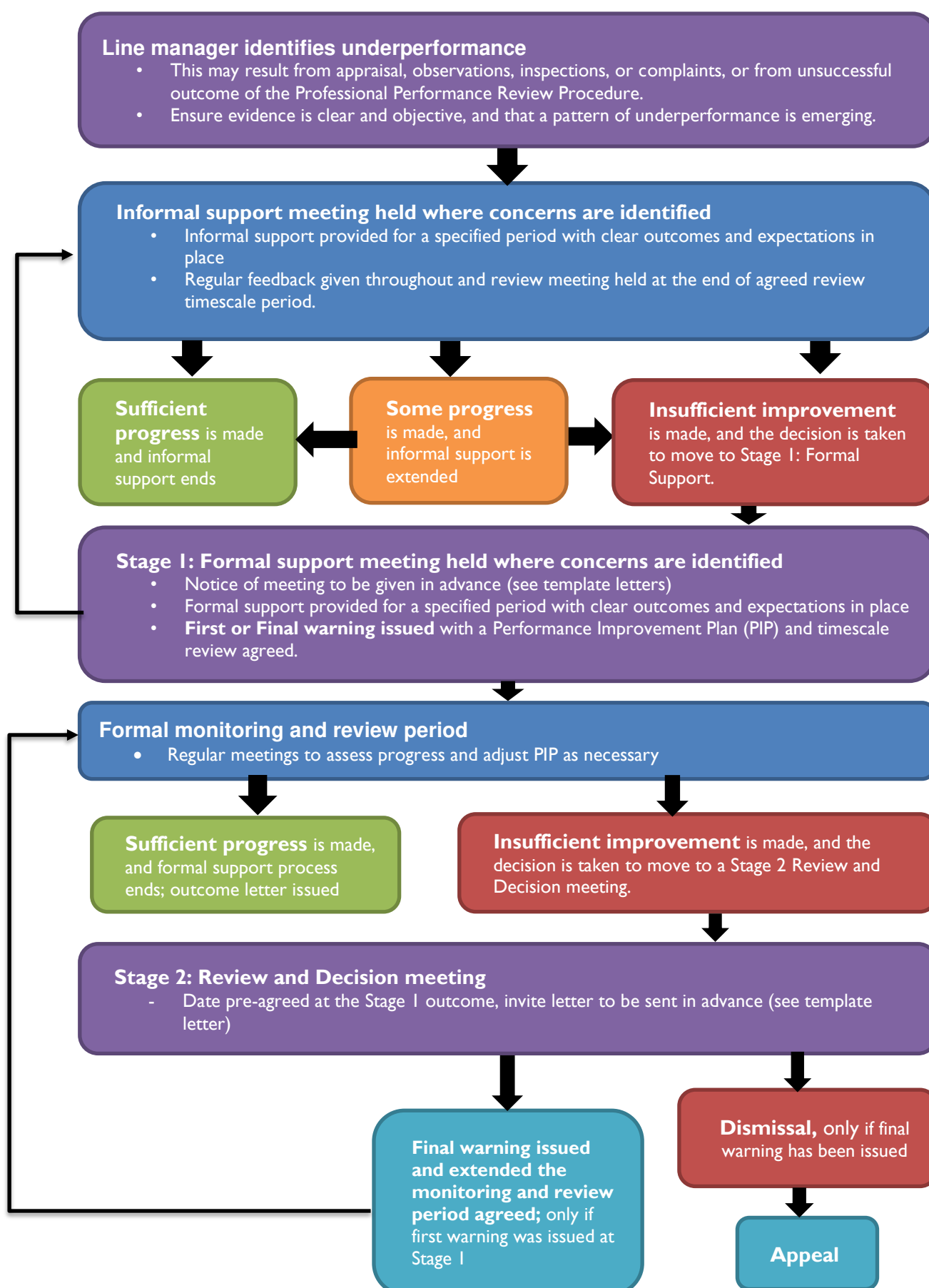
Where a grievance is raised during the procedure set out in this Policy, and that grievance has relevance to the procedure, the process may be temporarily suspended, if appropriate, until the grievance has been resolved or answered. In the situation where there is more than one grievance from the same person these will be heard together.

If a grievance restates a complaint the employee has already raised and had heard or dealt with in the past, s/he will be asked to explain how the new grievance differs, what new incident has occurred and/or what new evidence has come to light. Where it is clear to the investigating officer that there is nothing new being raised, the grievance can be rejected by the investigating officer without a formal grievance meeting.

5.10. Sickness and absence during these proceedings

If long term sickness absence appears to have been triggered by the commencement of the procedure, the Trust may delay the capability procedure until the DCAT Attendance Management procedure has been completed, including if appropriate, a referral to the occupational health service to assess the employee's health and fitness for continued employment and the appropriateness or otherwise of continuing with formal capability procedures.

5.11. Capability Process Flowchart



Appendix A: [Performance Support Plan Template](#)

Employee:	
Job Title:	
Reviewer:	
Job Title:	
Date plan starts:	
Mid-way review date:	
Final review date:	
Initial Planning Meeting for Support Plan	
Area for discussion	Key points discussed
Give clear feedback to the employee about the nature and seriousness of the concerns.	
Give the employee the opportunity to comment and discuss the concerns.	
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, you will review progress (it may be appropriate to revise objectives, and it will be necessary	Date of Midway review meeting

to allow sufficient time for improvement, which will not usually be less than 6 weeks, although this period may be shorter if there are serious concerns;							
Explain the implications and process if no, or insufficient improvement is made.							
No	Area for Development	Relevant Head/Teacher /Support staff Standard(s)	Target (max of 4) (The Practice that Needs to be Demonstrated)	Evidence that will Demonstrate the Target has been Met (What does Success Look Like?)	Methods for Assessing the Target	Timescale for Target	Support Agreed and Period this will be in Place
1			1. 2. 3. 4.				
Midway review: Rag Rating Criteria for reviewing targets at midway review - RAG each target							
Insufficient progress is being made. Not on track to meet the target			Sufficient progress is being made to meet the target		Target met in full Good progress is being made.		
1. 2. 3. 4.							
Overall commentary linked to the “what does success look like” column							

Final review:

Rag Rating Criteria for reviewing targets at midway review - RAG each target

Target not met
Insufficient progress is being made.

Target partially met
Sufficient progress is being made.

Target met in full
Good progress is being made.

- 1.
- 2.
- 3.
- 4.

Overall commentary linked to the “what does success look like” column

Final Outcome of the Support Plan (delete as appropriate)

Reviewer Signature

Reviewer's Line Manager's
Signature

Date

Progress is good and targets met in full. No further support is needed.

Sufficient progress has been made towards meeting targets. A further period of support will be provided under the Appraisal Policy.

Insufficient progress made towards meeting targets. Appraisal process will no longer apply and performance will be managed under the Capability Procedure.

6. Disciplinary Policy

6.1. Introduction

DCAT expects all employees to recognise their obligations to the Trust, their School, the public, pupils and other employees and to conduct themselves properly at all times and in accordance with the DCAT code of conduct (Section 2, DCAT Employee Handbook) and all other policies and procedures both on and away from Trust premises. The disciplinary policy is not just a means of imposing sanctions but is a means of encouraging improvements in employees whose standard of conduct is unsatisfactory.

During the first six months of employment and during the employee's probationary period (including any extension), the Trust reserves the right not to follow this procedure in full. Line managers are encouraged to seek advice and support from the Central HR Team should there be concerns about an employee's conduct during their probationary period.

The policy provides a fair method of dealing with alleged failures to observe standards of conduct within the Trust.

This policy is in two sections. Part A covers conduct of employees and Part B sets out the formal arrangements for dealing with allegation of child abuse against employees. This policy also covers the procedures for dealing with 'low-level concerns' as set out in Keeping Children Safe in Education (KCSIE). Where appropriate, this policy should be read in conjunction with the DCAT Safeguarding Policy and guidance for Child Protection, Safeguarding, and Promoting the Welfare of Children.

Guidance on managing disciplinary procedures is available from the Trust Central HR Team who **must** be consulted before commencing these procedures.

In applying this policy, the table below determines who has delegated responsibility for managing the disciplinary process and continued employment of colleagues, in consultation with the Trust HR team:

Role	Disciplinary process manager
CEO	Chair of Trustees; or their appointed representative up to, but not including Stage 2 which must be managed by the Chair only
Trust Centre Staff	CEO; or their appointed representative up to, but not including Stage 2 which must be managed by the CEO only
Headteachers	Linked SEL; or their appointed representative up to, but not including Stage 2 which must be managed by the Linked SEL only
Teachers and Education Support Professionals	Headteacher; or their appointed representative up to, but not including Stage 2 which must be managed by the Headteacher only

6.2. Part A: Conduct

6.3. Preliminary considerations

Before instigating disciplinary proceedings, consideration will first be given about whether or not formal action is in fact required. It may be more appropriate to resolve the matter through informal discussions with the employee concerned. If in doubt, seek guidance from the Trust HR Team.

6.4. Addressing Initial Concerns

The Trust recognises that, in many cases involving minor or early-stage concerns about work performance or conduct, the matter is best addressed and resolved discreetly through discussion between the manager and the employee concerned. Such concerns might include, for example, minor inaccuracies in work undertaken, instances of poor timekeeping or an unexplained deterioration in standard of work. These initial discussions, aimed at understanding any underlying causes for the concerns about performance or behaviour and what corrective action might resolve the issue, will take place within the context of performance management and are therefore outside the scope of this procedure. Managers have both a right and a responsibility to bring such concerns to an employee's attention to allow him/her the opportunity to respond and to rectify the situation with the appropriate provision of guidance, support and any relevant training.

6.5. 'Low Level' Concerns

Low level concerns are where safeguarding concerns have been made against an employee which do not meet the threshold of harm ([KCSIE, 2022](#)). A low-level concern may be where an employee has acted in a way that:

- i. is inconsistent with the DCAT code of conduct ([section 2, DCAT Employee Handbook](#)), including inappropriate conduct outside of work, and
- ii. does not meet the allegations threshold or is otherwise, following a LADO consultation, not considered serious enough to refer to the LADO.

Examples of 'low-level' concerns could include, but are not limited to:

- a) being over friendly with children;
- b) having favourites;
- c) taking photographs of children on their mobile phone;
- d) engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or,
- e) using inappropriate sexualised (including innuendo/banter), intimidating or offensive language.

Low level concerns must be reported following academy procedure to the Headteacher and LADO as appropriate and will be investigated under the Disciplinary Policy.

6.6. Suspension

At any stage prior to, during, or following the investigation, the employee may be suspended. Before the decision is made to suspend an employee, the Headteacher must complete a [Suspension Risk Assessment](#). The suspension should only occur if one or more of the following applies but is not limited to:

- a) where the safety and wellbeing of pupils may be compromised
- b) in cases of serious misconduct or where criminal proceedings may affect continued employment
- c) where the employee's continued presence in the workplace may render an investigation impossible for example; the employee may tamper with evidence, try to influence witnesses or sway the investigation
- d) where working relations have broken down and there is no other way of avoiding conflict while the matter is resolved
- e) where an employee's health, safety and welfare or that of their colleagues is a concern, the decision may be taken to suspend the employee on medical grounds – [see section 4.13](#)

It will be explained to the employee that suspension in itself is not a disciplinary sanction and does not indicate or presume the outcome of any disciplinary hearing. Suspension will be with full pay. The suspension will be confirmed in writing as soon as possible, normally the next working day. The confirmation will include a named contact in the School and the reason for the suspension together with the name of the person to be contacted if welfare support is required, this will normally be a senior leader in the School. Since suspension is not a disciplinary sanction, there is no right of appeal against the decision. Suspension will be reviewed to ensure it is not unnecessarily protracted.

Only the Headteacher or CEO for central staff can make a decision to suspend an employee. In the event of suspending a Headteacher, this is a CEO decision.

In the event of suspension:

- a) The decision **must** be made in consultation with the Senior members of the Trust HR Team, who will then inform the CEO or DCEO in the CEO's absence and following the completion of a [Suspension Risk Assessment](#).
- b) The linked SEL, Chair of the LGB and the employee's line manager, where appropriate, must be informed.
- c) The decision must be considered a last resort, with other options having been ruled out. For example, being moved to different or restricted duties or different location or working from home.
- d) Confirmed in writing to the employee as soon as possible, but within 3 days (template letter to be provided by the Trust HR Team)
- e) Should be for shortest reasonably practicable period. Where suspension lasts longer than 4 weeks it will be reviewed thereafter at regular intervals and the employee kept informed about progress. Where an investigation can find no case to answer, the suspension will be lifted and the employee supported to reintegrate into work as soon as possible.
- f) In the event of a medical suspension, a referral to Occupational Health (with the consent of the employee) must be actioned within 1 day of the suspension and the employee signed posted to their own GP.

6.7. Investigation

When allegations of misconduct are made, an appropriate investigating officer will be appointed by a Commissioning Officer to investigate the allegations. Wherever possible the Headteacher (this may not be possible in a small school) should not conduct the investigation themselves as they will act as the Commissioning Officer. The Headteacher/ Commissioning Officer should appoint the investigating officer, who will present the case at any subsequent disciplinary hearing.

An investigating officer should be a suitably senior member of staff, who has had the appropriate training; or will have support from the Trust HR Team in how to conduct an investigation. An investigating officer does not need to be a colleague from the same school, and may be a senior member of staff from a different school or a someone from the Trust centre team.

Before a full investigation is conducted, the investigating officer should carry out an initial fact-finding exercise to determine if the allegation warrants a full investigation. The decision to conduct a full investigation is at the discretion of the Commissioning Officer.

Any allegation of misconduct will be dealt with as a matter of urgency with the investigation concluded as quickly as is reasonably practicable. The employee will be advised, as soon as practicable, of the allegations/complaints made against them and may be asked to make a written statement. No disciplinary action will be taken until the case has been fully investigated. The employee should bring to the attention of the investigating officer any witnesses or evidence they wish to be considered as

part of the investigation. Employees whom the allegations are against, will not be allowed to interview witnesses as part of the investigation process.

The investigating officer should interview any witnesses, identified by both parties, and take statements from them. A copy of the statement should be furnished to the witness and should be signed and dated by the witnesses as a true reflection of the interview. Witnesses should be advised that they may be asked, by either the investigating officer or the employee, to support their statements orally at any subsequent disciplinary hearing. Student witnesses will not normally be required to attend disciplinary hearings. There is no compulsion on witnesses to attend the hearing.

The following definitions should be used when determining the outcome of allegation investigations:

- a) **Substantiated** – there is sufficient evidence to prove the allegation
- b) **Malicious** – there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive
- c) **False** – there is sufficient evidence to disprove the allegation
- d) **Unsubstantiated** – there is insufficient evidence to either prove or disprove the allegation. The term therefore does not imply guilt or innocence
- e) **Unfounded** – to reflect cases where there is no evidence or proper basis which supports the allegation being made

The investigating officers report must only recommend if there is a case to answer or not and must not contain recommendations of any disciplinary outcomes.

6.8. Anonymous statements

Anonymous statements can be provided, although the investigating officer must explore the reasons a witness may wish to remain anonymous and ensure the employee's right to a fair disciplinary procedure, along with their right to challenge properly the evidence.

If anonymous evidence is used, it should be allowed that an employee can provide written questions, that can be put to the anonymous witness via the Commissioning Officer, during the disciplinary or grievance procedure. This will enable the witness' answers to be tested during the process.

Once an Investigating Officer has explored the witness's reasons for wishing to remain anonymous, they should decide whether or not the evidence should be disregarded, or take into account that it is likely to hold less weight than statements from identifiable witnesses.

Ultimately, the Investigating Officer should make witnesses aware that their anonymity cannot be guaranteed if, for example, matters result in legal proceedings, and witnesses need to be informed that they may be required to attend at the tribunal to provide evidence in the proceedings.

6.9. Investigatory Meeting

It is not always necessary to hold an investigatory meeting, for example, where the employee has admitted the allegation and there is no dispute about the allegation(s). If a meeting is held, notice will be given to allow time to prepare (minimum of five days' notice). The notification will contain sufficient information about the alleged misconduct and the possible consequences. It will also contain the details of the time and place of the meeting; and will advise the employee that they may be accompanied by a companion who may be a colleague or a trade union representative.

The employee is expected to make every effort to attend meetings at the required time. The school will, where reasonably practicable, seek to liaise with the employee regarding the availability of his/her

chosen work colleague or trade union representative to ensure that postponements are not necessary. If the employee's work colleague or trade union representative is unable to attend, an alternative date may be suggested by the employee. This will not be unreasonably declined provided it can be accommodated by those conducting the hearing and does not result in an unacceptable delay. As a general rule, a delay of up to 5 working days will be acceptable but the school will consider each request on its own merits. Any subsequent postponements, or a failure of the employee to turn up to a scheduled meeting without good reason, is likely to result in the formal meeting proceeding as planned and being decided on the basis of other available evidence.

The employee will be given the opportunity to provide their response to the allegation(s) and may asked to provide and/or sign a full written statement. At the meeting, the investigating officer will ask questions of the employee and expect answers from them. The investigating officer will confirm during the meeting exactly what is being alleged and that the matter may result in a formal disciplinary hearing at which they would have a right to be accompanied. Notes of the meeting will be taken, and a copy given to the employee.

After establishing the facts, it may be considered that there is no need to proceed with a formal disciplinary hearing and that it is sufficient to talk the matter over with the employee concerned. There will be clarity about the difference between a management instruction of this kind and a verbal warning issued as a part of the formal procedure. The employee will be left in no doubt about which sort of action has been taken. Management instructions will be documented on the employee's personal file.

The employee will be informed of the outcome of the investigation in writing or in person as appropriate, as soon as practicable following the completion of the investigation.

6.10. Hearing

Following the investigation, if there are sufficient grounds on which to proceed formally, the Commissioning Officer will convene a hearing.

At least five working days' notice will be given of the hearing. The notification will contain sufficient information about the alleged misconduct and the possible consequences. It will also contain the 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 colleague or a trade union representative and also remind the employee of the need for confidentiality. The investigating officer will also provide copies of any documentary evidence they are intending to present. Notes of the hearing will be taken, and a copy sent to the employee.

The employee will be given the opportunity to send a written submission or evidence to the hearing; this should be received at least three days before the hearing and must also be made available to the investigating officer for consideration prior to the hearing. If no submission is received, the employee will not be able to introduce one at the hearing.

A member of the Trust HR team will be present at any hearing; to provide guidance on the hearing protocol and advise the Commissioning Officer.

If the employee fails to attend the hearing, the case will be heard in their absence, unless acceptable reasons have been presented in advance and it is therefore agreed to postpone the hearing to a later date. All mobile phones and recording devices must be switched off at all times within the hearing and investigatory meetings. No recording will be allowed without the prior agreement of all parties.

6.11. Hearing Protocol

- 1.1 The Commissioning Officer will chair the hearing
- 1.2 The investigating officer will present the documentary evidence to the Commissioning Officer and in the presence of the employee and companion.
- 1.3 Witnesses may be called individually, by the investigating officer, to support the case.
- 1.4 The Employee and/or their companion may ask questions of the investigating officer and any witnesses on the evidence presented.
- 1.5 The witnesses may then be asked further questions by the investigating officer.
- 1.6 The Commissioning Officer may ask questions of the investigating officer and witnesses on the evidence submitted or to clarify responses to questions asked in the hearing.
 - i. *After completion of the above stages the witnesses will be instructed not to discuss the case in any way, asked to retire and unless otherwise determined the witnesses may be subject to recall*
- 1.7 The employee or companion will state their case and answer any allegations made in the presence of the investigating officer.
- 1.8 Witnesses may be called by the employee individually, to support the employee's case.
- 1.9 The employee and any witnesses called may then be asked questions by the investigating officer.
- 1.10 The witnesses may then be asked further questions by the employee or companion on the evidence presented.
- 1.11 The Commissioning Officer may ask questions of the employee and their representative and any witnesses called.
 - i. *After completion of the above stages the witnesses will be instructed not to discuss the case in any way, asked to retire and unless otherwise determined the witnesses may be subject to recall*
- 1.12 The investigating officer will sum up the case against the employee.
- 1.13 The employee or their companion will sum up their case and offer the Commissioning Officer details of any mitigating circumstances they consider should be taken into account.
- 1.14 The Commissioning Officer will confirm the adjournment, giving an indication of the likely timescale for the decision. The adjournment may be to the following day or longer should further investigation be required. The employee, companion and investigating officer shall then withdraw.
- 1.15 The Commissioning Officer and their Central Team HR adviser will then deliberate in private, only recalling the parties to clear points of uncertainty on evidence already given. If recall is necessary, both parties will return, notwithstanding that only one of them is concerned with the point giving rise to doubt.
 - i. Deliberating doesn't have to be concluded on the day of the hearing but a decision must be reached with five days of the hearing.
 - ii. In exceptional circumstance this may be extended, if further investigation is required. Any extension beyond five days must be communicated to all parties, in writing explaining why and when they hope to make a decision by.
- 1.16 After deliberating, the Commissioning Officer will give the decision to the employee, companion and investigating officer. The right of appeal against the decision will also be explained.
- 1.17 The decision and appeal rights will be confirmed in writing within five working days of the decision.

6.12. Disciplinary response

In terms of a disciplinary response to the conduct of the employee, the following options are open to the Commissioning Officer:

- a) Management advice letter (informal warning)
- b) first written warning
- c) final written warning
- d) dismissal (with notice)
- e) dismissal (without notice) in cases of gross misconduct only

The outcome of the disciplinary hearing will be confirmed to the employee in writing within five working days of the decision.

Details of any disciplinary action retained on the employee's personal file will be reviewed in accordance with the table below to determine whether the warning is 'spent'; and should therefore be removed from their file.

Response	Review period
Management advice letter	12 months
First written warning	12 - 18 months
Final written warning	18 - 24 months

Where a formal review isn't undertaken the disciplinary response will automatically be considered 'spent' in accordance with the minimum time above.

6.13. Appeals

Employees may make an appeal in writing within five working days of the date of the written confirmation of the written warning, final written warning or dismissal, stating the grounds of their appeal in full.

In the event of an appeal of a dismissal outcome any recruitment replacing the dismissed employee must be paused until the outcome of the appeal is known.

Appeals may be heard by:

Person appealing	Appeal heard by
CEO	DCAT Members
Trust Centre Staff	DCAT Trustees
Headteachers	CEO or DCEO
Teachers and Education Support Professionals	Linked SEL or DCEO

Appeals heard will be arranged within 15 working days of the appeal being received, at an agreed time and place. The same arrangements for notification and right to be accompanied by a companion apply as with other formal meetings. Notes will be taken, and a copy provided to the employee.

The date that any dismissal takes effect will not be delayed pending the outcome of an appeal. However, if the appeal is successful, the decision to dismiss will be revoked with no loss of continuity of employment or pay.

The employee will be informed in writing of the results of the appeal within five working days. There is no further right of appeal under this or other Trust policy.

6.14. Misconduct referrals

If an employee is dismissed (via a different process – attendance management, for example) or resigns before a disciplinary process is completed, it is the employer's statutory duty to decide whether a **teacher's** misconduct is sufficiently serious, i.e. in cases of serious professional misconduct or child

protection, to be referred to the DfE Teaching Regulation Agency and for **all employees** whether a referral should be made to the Disclosure and Barring Service (DBS).

6.15. Investigation of fraud, theft and/or financial irregularity

In the case of investigation of fraud, theft and/or financial irregularity within academies, the financial handbook governs how the situation must be addressed. The Education and Skills Funding Agency (ESFA) must be notified of any fraud, theft or irregularity which singly or cumulatively exceeds £5,000. Any unusual or systemic fraud must be reported regardless of value. The ESFA may decide to conduct their own investigation which may take precedence over the schools, and this should be checked at an early stage.

In the case of investigation of fraud, theft and/or financial irregularity the Trust's Chief Operating Office must be informed without delay.

6.16. Other Exceptional Circumstances

In certain exceptional circumstances it may be argued that a contract of employment has been frustrated when an event occurs which makes it impossible for the contract of employment to be performed. For example, cases related to criminal offences against children might be considered to be a frustrating event where bail conditions restrict access to children or a remand in custody has taken place. Such an event would prevent an employee from fulfilling their contract of employment where access to children is a prerequisite.

6.17. Grievances raised during these proceedings

Where a grievance is raised during the procedure set out in this policy, and that grievance has relevance to the procedure, the process may be temporarily suspended, if appropriate, until the grievance has been resolved or answered. In the situation where there is more than one grievance from the same person these may be heard together. If a grievance restates a complaint they have already raised and had heard or dealt with in the past, they will be asked to explain how the new grievance differs, what new incident has occurred and/or what new evidence has come to light. Where it is clear to the investigating officer that there is nothing new being raised the grievance can be rejected by the investigating officer without a formal grievance meeting.

6.18. Sickness and absence during these proceedings

The ill-health absence of an employee during the procedure will not result in any delay to convening meetings or hearings beyond what is reasonable in the circumstances. One attempt to reschedule a meeting will be made where ill-health absence intervenes and it should be explained to the employee that if he/she is still unable to attend on the rescheduled date the meeting will proceed in his/her absence. The employee will be offered the alternative options of making a written submission and/or asking his/her companion to attend the rescheduled meeting to make oral submissions and to question witnesses on his/her behalf before a final decision is reached.

Absence which appears to have been triggered by the instigation of the procedure or which occurs during an assessment and monitoring period will usually be referred immediately to the school's occupational health provider to obtain advice. If the absence becomes long term then this will be dealt with in accordance with the school's Attendance Management Policy.

6.19. Formal Action Against Trade Union Representatives

Where a formal investigation or formal meeting is being arranged in accordance with this procedure in relation to a trade union representative employed by the school, the case must first be discussed with a full-time official from the appropriate union after obtaining the employee's agreement.

6.20. Data Protection

The Trust processes personal data collected during the investigation stage and any subsequent stages of disciplinary action in accordance with its data protection policy. In particular, data collected as part of the investigation stage and any subsequent stages of disciplinary action is held securely and accessed by, and disclosed to, individuals only for the purposes of completing the disciplinary procedure. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under this disciplinary procedure.

6.21. PART B: Allegations of Child Abuse against Employees

6.22. Introduction

Whilst the power to discipline employees in line with Part A of this policy remains unchanged, allegations of child abuse against employees require us to act in accordance with the local authority agreed Child Protection procedures (i.e reporting to the LADO) and statutory guidance from the DfE.

This part of the policy is about managing cases of allegations that might indicate a person would pose a risk of harm if they continue to work in regular or close contact with children, under 18 years of age, in their present position, or in any capacity. It should be used in respect of all cases in which it is alleged that an employee (including volunteers and supply agency staff) has:

- a) behaved in a way that has harmed a child, or may have harmed a child;
- b) possibly committed a criminal offence against or related to a child; or
- c) behaved towards a child or children in a way that indicates he or she would pose a risk of harm if they work regularly or closely with children; or
- d) behaved or may have behaved in a way that indicates that they may not be suitable to work with children

The Trust will operate within statutory guidance when handling cases of child protection and will comply with the local authority safeguarding procedures as appropriate.

Because of their daily contact with children in a variety of situations, employees are vulnerable to accusations of abuse. Their relationships with pupils may lead to allegation being made against them by pupils or parents. Such allegations may be false, malicious or misplaced and may be either deliberate or innocent of such intent. The allegation may also be true. It is essential; therefore, that everyone involved maintains an open mind in dealing with such allegations.

6.23. Reporting allegations

Any significant or low-level allegations made against an employee (volunteer or agency staff) which involve child protection issues must be reported to the Headteacher in accordance with the School Safeguarding Policy. The Headteacher must immediately report it to the Head of HR who will inform the CEO and Trust DSL. The Headteacher must then consult with the Local Authority Designated Person (LADO). The Headteacher will also inform the Chair of Governors and the CEO will also inform the Trustees, if appropriate.

In the case of agency staff not directly employed by the School the Headteacher/DSL must take the lead in collecting the facts when an allegation has been made and liaising with the Agency to ensure the Agency understand the process for managing allegations.

6.24. Suspension

Suspension will be considered in line with Part A of this policy and will also take into account guidance in the reference documents and the advice of the LADO. A [Suspension Risk Assessment](#) must be completed and any suspension will be with full pay pending the outcome of the Local Authority Child Protection procedures.

The Trust recognises its duty of care to its employees, will provide effective support for anyone facing an allegation and provide the employee with a named contact if they are suspended. It is essential that any allegation of abuse made against an employee or volunteer is dealt with appropriately, in a fair and

consistent way that provides effective protection for the child and at the same time supports the person who is the subject of the allegation.

Although there is an obvious need to act speedily and decisively, it is important not to make hasty judgements or take precipitous action.

6.25. First Response

The allegations must be recorded by the Headteacher who should:

- a) obtain details of the allegation in writing, signed and dated by the person who receives the allegation and countersigned by the Headteacher
- b) contact the Head of HR who will inform CEO/Trust DSL
- c) record any information about times, dates, locations and names of potential witnesses.

Following initial responses, contact the LADO. This discussion may instigate joint agency strategy discussions.

6.26. Initial Assessment

In consultation with the LADO a decision will be taken regarding the appropriate course of action. The possible outcomes are:

1. Immediate referral to children's social care under the local child protection procedures. If this is the case, there may also be a police investigation.

If Child Protection Procedures are invoked, the Trust Disciplinary Policy will be suspended and the LADO will discuss the next steps and any action to be taken by the Trust with the Headteacher/Designated Person. Procedures under Part A of this policy will only commence if and when the matter has been referred back to the Trust. Whether external agencies do or do not take action should not be taken as an indication of the employee's innocence or guilt.

2. LADO decision that the allegation does not meet the threshold for referral but the allegation may require investigation as inappropriate behaviour or bad practice by the employee. This will cover low-level concerns as defined by Keeping Children Safe in Education.

If the relevant child protection agencies decide not to pursue action against the employee, the matter will be referred back to the Trust for consideration under Part A of this policy or other appropriate procedure.

3. Other appropriate action where the allegation is agreed to be without foundation or malicious.

In such cases appropriate support will be given to the employee and the child making the allegation. In the case of malicious allegations consideration will be given to appropriate procedures.

6.27. Formal investigations

There are three possible types of investigation which may arise from such allegations:

- a) **Enquiry conducted by Children's Social Care.** These investigations are conducted by appropriate social care and health professional.
- b) **Police investigations** into possible criminal offences

- c) **Internal investigations** (Trust disciplinary policy). This will only happen when the above investigations have concluded and should be conducted in line with Part A of this policy.

6.28. Outcome of Investigation

The following definitions should be used when determining the outcome of allegation investigations:

- a) **Substantiated** – there is sufficient evidence to prove the allegation
- b) **Malicious** – there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive
- c) **False** – there is sufficient evidence to disprove the allegation
- d) **Unsubstantiated** – there is insufficient evidence to either prove or disprove the allegation. The term therefore does not imply guilt or innocence
- e) **Unfounded** – to reflect cases where there is no evidence or proper basis which supports the allegation being made

6.29. Student records

Where a pupil has made an allegation, a copy of the statement or the record made of it must be kept in a confidential file which is not open to disclosure and separate to their main file, together with a written record of the outcome of the investigation. The child's school file should be clearly marked to indicate that there is separate confidential information stored elsewhere. If criminal or civil proceedings arise, records may be subject to disclosure. No assurances can therefore be given of confidentiality in this respect.

The Trust uses the MyConcern/CPOMS for recording and monitoring child protection and other safeguarding issues. Reference will be made on MyConcern/CPOMS if an allegation is made and indicate that there is a closed file held separately.

6.30. Review

Following such a distressing and difficult incident, consideration will be given as to whether any matters arose which could warrant a review of the Trust's policy and procedures. Specific training needs of employees should be considered along with implications for pupils and their parents. The publication of any such information to governors, employees or other interested parties should preserve confidentiality about the employee and the children involved in the investigation.

A review may take the form of an internal review from the Trust, or one externally commissioned.

6.31. Reference documents

- [Schools, colleges and children's services : Safeguarding children - detailed information - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/schools-colleges-and-childrens-services-safeguarding-children-detailed-information)
- DCAT Trust Safeguarding Statement of Intent
- All DCAT Academy/School Safeguarding Policies

6.32. Appendices

Appendix A - Guide to what counts of Gross Misconduct

Gross misconduct is behaviour which is fundamentally at odds with the employee's duty to the School/Trust, their colleagues or the pupils. In accordance with the disciplinary procedure, gross misconduct will usually result in dismissal without notice, or payment in lieu of notice, even in cases of a first offence.

It is not possible to list every example of gross misconduct which may arise, but the following provides an illustration of the sort of conduct that will fall into this category – some of which are then explained in more detail below:

- Serious breach of our Safeguarding procedures, Code of Conduct or any other serious breach of our policies and procedures;
- Bringing the School or Trust into disrepute either while at work or outside of work hours;
- Theft;
- Deliberate acts of discrimination or harassment;
- Refusal to carry out reasonable instructions of significance deemed to be serious enough to consider Gross Misconduct;
- Violent or intimidating behaviour;
- Wilful damage to property;
- Reckless behaviour deemed to be posing a serious risk to health and safety;
- Any illegal act during working time or on Trust premises;
- Failure to disclose, if reasonably asked, any criminal conviction/caution not exempt under the terms of the Rehabilitation of Offenders Act 1975 and Amendments 2013;
- Failure to immediately notify the Trust of any allegation/charge or conviction of any criminal offence brought against you during your employment and/or failure to make any disclosures required under your contract of employment;
- Conviction for a criminal offence that in our opinion may affect the Trust's reputation or its relationships with its staff, pupils, parents or the general public, or otherwise affects your suitability to continue to work for the Trust;
- Refusal to disclose any of the information required by your employment
- Inciting violence or radicalisation;
- Offering alcohol, drugs or any other illegal substances to pupils;
- Serious breach or failure to provide safe working environment for children and young people;
- Serious breach of 'personal and professional conduct' of the Teachers' Standards;
- Any act described as gross misconduct elsewhere in this handbook.

Dishonesty

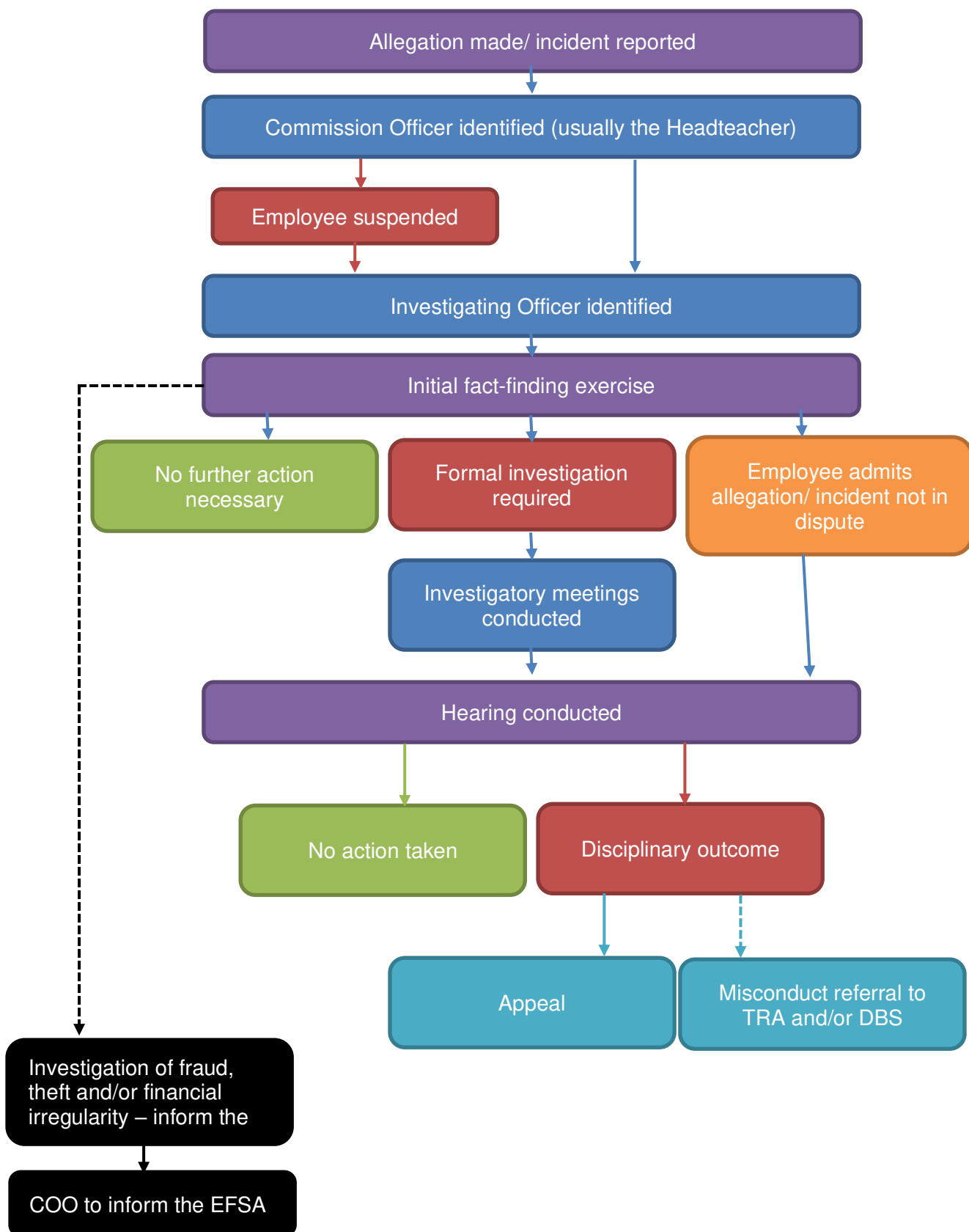
It is important to stress that any form of dishonesty may be regarded as gross misconduct. This includes theft of property, whether belonging to the Trust, colleagues, pupils or any third party. However, it also includes an employee seeking to gain any advantage through deception - such as making a false claim for expenses or overtime, falsely claiming to be sick or falsely claiming to have completed a particular task.

Refusal to carry out reasonable instructions

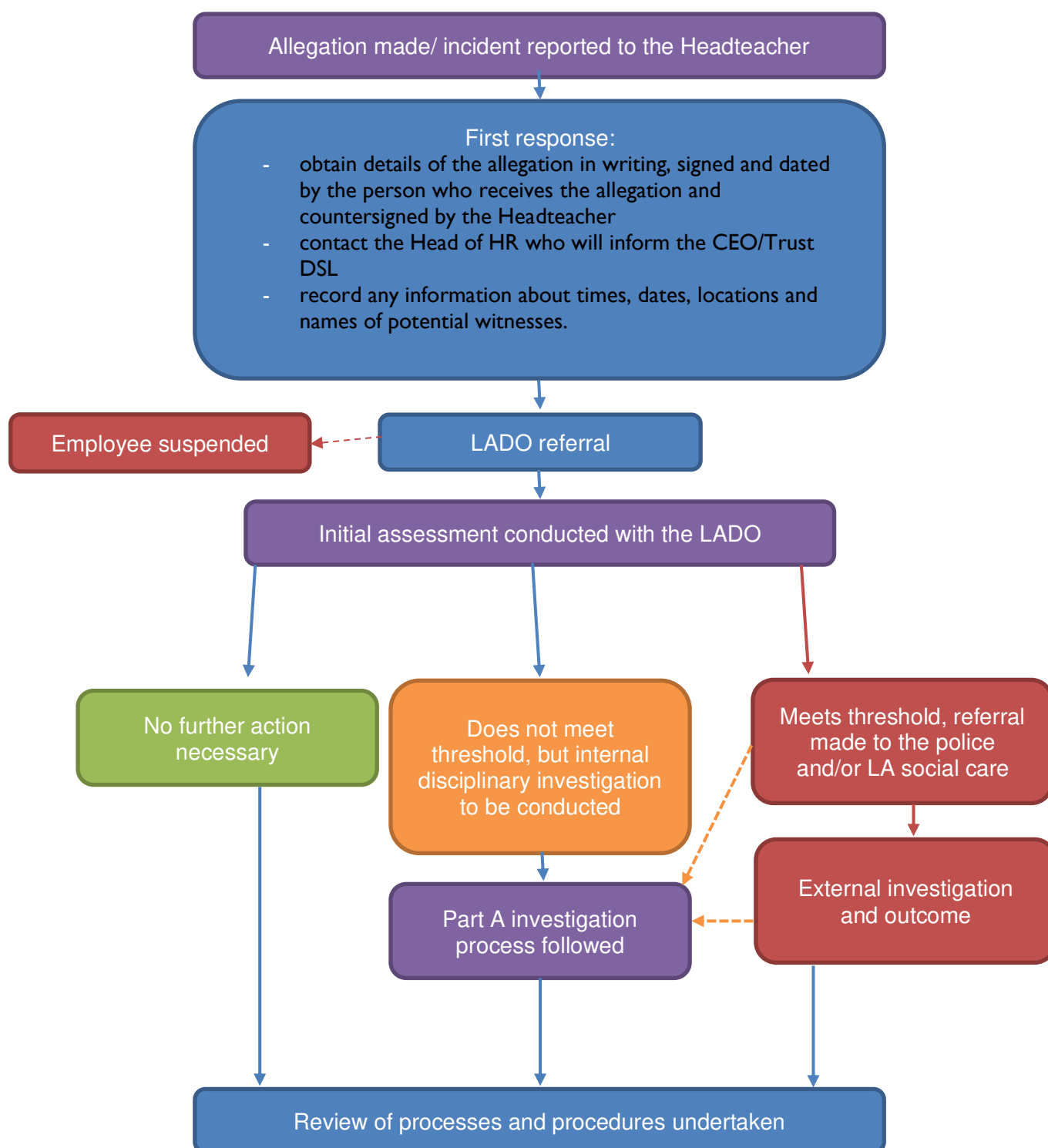
The Trust expects employees to work in a spirit of cooperation with their colleagues and managers for the good of the business as a whole. Employees are required to engage with and carry out their managers' reasonable and lawful instructions and a deliberate and wilful refusal to do so is likely to amount to gross misconduct.

If a colleague believes that they have been instructed to do something that does not fall within their duties or which is in some other way unreasonable or unsafe then the appropriate way of dealing with this is to raise this with a more senior manager as soon as possible, speak to their trade union or use the grievance procedure. However, doing so may not prevent a refusal to carry out an instruction from amounting to gross misconduct if it is found to have been a reasonable one in all the circumstances.

Appendix B – Flowchart (for non-safeguarding allegation/ incident)



Appendix C – Flowchart (for safeguarding allegation/ incident)



Appendix D: [Suspension Risk Assessment](#)

This form can be used to assist the consideration of suspension and alternatives to suspension. In cases involving allegations of abuse made against staff, the designated officer of the local authority (often still referred to as the LADO) should be consulted about suspension. The designated officer may provide their own risk assessment form for completion in such circumstances.

Name of employee		Role			
Name of assessor		Date			
Outline nature of allegation(s) against employee being assessed for suspension:					
If substantiated, are the offence(s) of a nature to warrant consideration of summary dismissal?		Yes	No		
Assessment of Risk					
Potential hazard	Likelihood (tick one)				
	Very low	Low	Mod- erate	High	Very high
Is there a risk to the safety or welfare of others?					
Detail:					
Is there a risk to the individual's safety or welfare?					
Detail:					
Is there a risk to premises or property?					
Detail:					
Is there a risk to the investigation (e.g. potential for interference)?					
Detail:					
Is there a risk to reputation and/or service delivery if the individual is allowed to work?					
Detail:					
Other identified risk(s):					
Detail:					

Alternatives to Suspension			
Are there alternatives to suspension which would lessen the risk?	Yes		No
<u>Examples to consider might include:</u> Transfer to other duties Restriction of duties Transfer to another area of work/department	Change to working hours Homeworking		
If yes, please outline the possible alternative(s) below. If no, please explain why.			
Overall Assessment			
Please provide any relevant comments below:			
Decision of manager/assessor: (please tick)	Suspend		Do Not Suspend
If decision is not to suspend please outline any recommend control measures/alternatives to suspension below: (if employee does not accept these, he/she must be suspended)			
Date on which suspension/ alternative arrangements confirmed to employee:		Date written confirmation letter sent:	
Date of review of suspension/ alternative arrangements:	(usually after 4 weeks if not resolved by then)		
Signature of assessor:		Date:	

7. Grievance Policy

7.1. Introduction

Employees having a grievance related to their employment must follow this policy and grievance raised outside of this policy will not be considered. We aim to resolve grievances as close to the source of the grievance as possible however some cases may take time to investigate given their complexity. Where this is envisaged, the time limits given below may be extended. Unless there are exceptional circumstances a grievance cannot be raised if the event or issues complained of occurred more than 3 months ago. Employees considering accessing the grievance policy should consider whether this is the correct pathway for resolution of their concerns.

The purpose of the Grievance Policy is to provide a mechanism for resolution of an action by management which may constitute unreasonable or unfair practice, including within the work environment.

No grievance will be considered solely on the grounds that other formal action is being taken against an employee, nor can this policy be used to frustrate action already being taken under other Trust policies, for example discipline, capability or attendance. It is an expectation that employees should work positively to resolve a grievance registered within the workplace, including complying with offers of informal resolution, mediation and using their best endeavours to restore good working relationships once a grievance has been resolved.

Guidance on managing grievance procedures is available from the Trust Central HR Team who must be consulted before commencing these procedures.

In applying this policy, use the below table as a guide as to who should manage the grievance process of different colleagues:

Grievance regarding	Grievance process manager
CEO	Chair of Trustees; or their appointed representative
Trust Centre Staff	CEO; or their appointed representative
Headteachers	Linked SEL; or their appointed representative
Teachers and Education Support Professionals	Headteacher; or their appointed representative

7.2. Issues that should not be received under the Grievance Policy

The Trust recognises that a small proportion of reported grievances will be constituted in such a way as to make use of the Grievance Policy inappropriate. This includes:

- Complaints that are 'trivial': for example, 'They never say good morning to me.'
- Complaints that are vexatious: for example, a member of staff raising a grievance every few weeks; using the Grievance Policy to raise issues which have been addressed or where it is unreasonable to expect DCAT to be able to resolve a registered concern. (For a longer list of grounds that may be considered as vexatious when considering reported concerns, see also: DCAT Complaints Policy). This will particularly apply where there are grounds to believe that the employee has raised a grievance to inconvenience or frustrate the reasonable aims and working practice of DCAT.

- c. Grievances that are unduly personal in nature or which ought properly to have been registered under the Trust Anti-Bullying and Harassment Policy: for example, registering a grievance against a named colleague for actions properly carried out in their role.
- d. Grievances that should be addressed by the disciplinary procedure or regarding promotion which should be addressed by the Pay Policy.

7.3. Stage one: resolution (informal)

Where possible, employees should first seek to resolve their grievance informally and at an early opportunity; employees who are members of a union may find it useful to seek initial advice from their union at this stage. Employees are expected to raise concerns within no more than a three month period following the act or decision complained of, or show good reason for a longer delay.

If the employee's grievance relates to a colleague, he/she should normally attempt to raise and resolve the grievance directly with that individual.

Most grievances can be resolved quickly and informally, therefore, there is an expectation that initial concerns will ordinarily be reported at an appropriate level of delegation with the Trust/School and discussion with the appropriate line manager, and that this avenue will be considered prior to escalation to formal grievance being considered. The employee should, in the first instance, discuss the grievance with their line manager or other appropriate senior manager indicating their preferred resolution.

It is an expectation that employees will positively comply with any offer of informal resolution including but not limited to, a facilitated conversation, internal or external mediation. Any malicious or vexatious complaints, or any employee who deliberately provides false information or otherwise acts in bad faith as part of an investigation may be subject to action under the DCAT Disciplinary Policy.

7.4. Informal Grievance Meeting

The purpose of meeting informally to discuss the employee's grievance is for the manager to clarify the exact nature of the grievance and what reasonable outcomes the employee is seeking in order to resolve the matter.

Where third parties are involved, the line manager will use the initial meeting to gather relevant facts. It may then be necessary to adjourn the meeting to allow for further investigation and to interview other parties.

The manager will conclude any necessary further investigation and then follow up with the employee, explaining his/her findings and any action to be taken as a result. The manager will also explain that, if the employee remains dissatisfied with the outcome, he/she may raise the matter as a formal grievance within 10 working days. The manager will keep a brief written record of the informal grievance, the outcomes and any agreed action. This will remain confidential to the manager and will only be shared with the employee and other relevant parties.

7.5. Stage two: grievance meeting/s and outcome (formal)

If the employee remains dissatisfied, they should submit a formal written notice of the grievance setting out fully the nature of the complaint, including any relevant facts, dates and names of individuals involved ([Grievance Notification Form, Appendix B](#)) to the Headteacher. The written grievance should include the following:

- i. The fact that the employee intends the matter to be raised as a formal grievance;
- ii. A detailed account of the concern/complaint(s), including dates when any incident(s) took place and the names of any other people who may have been involved;
- iii. A summary of what took place during the informal stage, who dealt with the complaint and why he/she was not satisfied with the outcome;
- iv. What resolution the employee is seeking by making the formal grievance;
- v. Any supporting documentation which the employee wishes to be considered.

An employee may wish to seek assistance with drafting the letter from a work colleague or trade union representative. An employee with a disability which affects their ability to put the grievance in writing should also inform their line manager or the Headteacher who will consider what reasonable adjustments can be put in place.

A grievance meeting will be arranged, normally within five working days of receiving the grievance. The employee may be accompanied by a companion who may be a colleague or trade union representative. Their identity must be confirmed before the meeting takes place. Some companions may not be allowed: for example, anyone who may have a conflict of interest, or whose presence may prejudice a meeting.

If the employee or their companion are unable to attend a formal meeting/appeal meeting at the time specified, we will seek to agree an alternative time however this may not always be possible. Employees are allowed reasonable time off with pay to act as a companion. They must speak to their line manager first, and if it is not a convenient time for them to be able to attend a meeting/appeal due to their own work commitments, efforts will be made to arrange an alternative mutually convenient date to allow them to attend. They are not obliged to act as a companion and may decline a request if they so wish.

The School/ Trust may at its discretion, permit a companion who is not an employee or union representative, for example, a family member, where this may help overcome particular difficulties caused by a disability, or difficulty understanding English.

A companion may make representations, ask questions, and sum up the employee's position, but will not be allowed to answer questions on their behalf. An adjournment will be allowed for the employee to confer privately with their companion at any time during a meeting.

Notes will be taken, and a copy provided to the employee within five working days of the meeting.

The Headteacher or their appointed representative will seek to resolve the problem in consultation with other employees and including the respondent and trade union representatives, and any witnesses as appropriate. The meeting may be adjourned to carry out further investigations, after which the meeting may need to be reconvened.

Meetings will be held with the person raising the grievance, and any other connected parties (e.g. the person against whom the grievance is against and/ or witnesses)

The Headteacher or their appointed representative will then, following the meeting/s, respond in writing to the grievance within five working days, either:

- a) Informing them of the outcome and any actions to be taken as a result;
- b) Updating them on the progress of any subsequent investigation, including the date by which it is expected that the investigation will be completed and an outcome may be communicated.

The letter informing the employee of the outcome should also include confirmation of the right to appeal in the event that he/she remains dissatisfied. This right should be exercised in writing within 5 working days of receipt of the letter. The appeal may be heard by the Headteacher, if he/she was not involved in the initial decision, otherwise it will be directed to the academy Clerk who will convene a hearing for the purpose.

The following definitions should be used when determining the outcome of grievance meeting:

- a) **Substantiated** – there is sufficient evidence to prove the allegation
- b) **Malicious** – there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive
- c) **False** – there is sufficient evidence to disprove the allegation
- d) **Unsubstantiated** – there is insufficient evidence to either prove or disprove the allegation. The term therefore does not imply guilt or innocence
- e) **Unfounded** – to reflect cases where there is no evidence or proper basis which supports the allegation being made

Where the outcome is substantiated, the report must also contain recommendations and/or next steps in order to resolve the issues identified.

If the employee is dissatisfied with the response, they are entitled to move on to Stage Three of the procedure.

7.6. Stage three: appeal (formal)

Employees may make an appeal in writing within five working days of the date of the written confirmation of the outcome. In exercising this right, the employee must confirm the grounds on which he/she is making the appeal. If the appeal letter does not contain this information, the employee will be asked for further particulars before the appeal hearing takes place.

Appeals may be heard by:

Person appealing	Appeal heard by
CEO	DCAT Members
Trust Centre Staff	DCAT Trustees
Headteachers	CEO or DCEO
Teachers and Education Support Professionals	Linked SEL or DCEO

Appeals heard will be arranged within 15 working days of the appeal being received, at an agreed time and place. The same arrangements for notification and right to be accompanied by a companion apply as with other formal meetings, as detailed in 7.4. The purpose of the meeting is for the Appeals Panel to consider the grounds for appeal and to review the fairness of the outcome of the grievance. New evidence may be considered at the appeals stage but no additional grievances can be raised.

Notes will be taken, and a copy provided to the employee within five working days.

The employee will be informed in writing of the results of the appeal within five working days. There is no further right of appeal under this or other Trust policy.

7.7. Grievance notification form

Employees are encouraged to seek a remedy through informal discussion. Where this does not result in a resolution the [Grievance Notification Form](#) (Appendix B) should be used by employees to record their grievance in order to avoid any misunderstanding and provides for a written response at the formal stage of the procedure and forms part of the documentation should it be necessary to move to stage 3 of the procedure.

7.8. Relationship with Other Procedures

Where your grievance relates to the conduct of other procedures such as the disciplinary or performance management procedures then the Trust may choose to either delay the consideration of the grievance until that procedure has been completed or to deal with the grievance in the course of that procedure or by way of appeal if that appears to be a fairer or more straightforward way of dealing with the issue.

7.9. Sickness and absence during these proceedings

If long term sickness absence appears to have been triggered by the commencement of the procedure, the Trust may delay the consideration of the grievance until the DCAT Attendance Management procedure has been completed, including if appropriate, a referral to the occupational health service to assess the employee's health and fitness for continued employment and the appropriateness or otherwise of continuing with formal procedures.

7.10. Collective Grievances

A 'collective grievance' for the purposes of this procedure is defined as a grievance put forward by two or more employees who have the same concerns or problems to raise, and who have agreed to raise these jointly rather than separately. Collective grievances are not used to consider issues which are already the subject of collective negotiation or consultation with recognised trade unions.

Collective grievances will be addressed in accordance with the general framework outlined in this procedure and there is therefore a presumption that efforts will be made initially to resolve the grievance on an informal basis.

Where the employees are trade union members, their trade union representative(s) may raise the grievance on the employees' behalf and act as their spokesperson. In so doing, he/she will need to identify the employees who are raising the grievance.

Where a collective grievance reaches the formal stage, there will in most cases be a single grievance hearing convened and a single outcome communicated to all. It may, however, be necessary to discuss with the employees and/or their spokesperson how the procedure will be managed as it may need to be adapted according to the circumstances and nature of the case.

Where employees do not agree to use the collective grievance process each grievance will be heard on an individual basis.

An appeal, conducted in accordance with the appeal stage of this procedures, will be convened when at least one employee who was party to the collective grievance seeks to exercise the right. Employees who are satisfied with the outcome of the grievance may choose to withdraw from the process at this stage.

7.11. Grievances Arising Post Employment

Grievances which are already under consideration before a member of staff leaves employment will usually be seen through to conclusion in accordance with the timescales and process outlined in this

procedure unless the employee no longer wishes to engage with the process or there is clearly no purpose to be served in seeking to resolve the employee's complaint after he/she has left.

This procedure does not apply to grievances which are not raised until after the employee has left. Employees are expected to raise genuine concerns prior to employment ending. Concerns or complaints which are not raised until after employment has ended will be considered only on a discretionary basis, bearing in mind the nature of the concerns raised, the length of time since the employee left and any other relevant factors. The manager or governor assigned to consider the case may determine that the matter requires further investigation without necessarily treating the employee's concerns as a formal grievance.

7.12. The Role of Mediation

In seeking to resolve a grievance, it may sometimes be appropriate for mediation to be considered, depending on the nature of the grievance. A third-party mediator may be asked to discuss the issues with those involved and seek to facilitate a resolution. Mediation will only be used where all parties involved in the grievance have agreed to it.

7.13. Data Protection

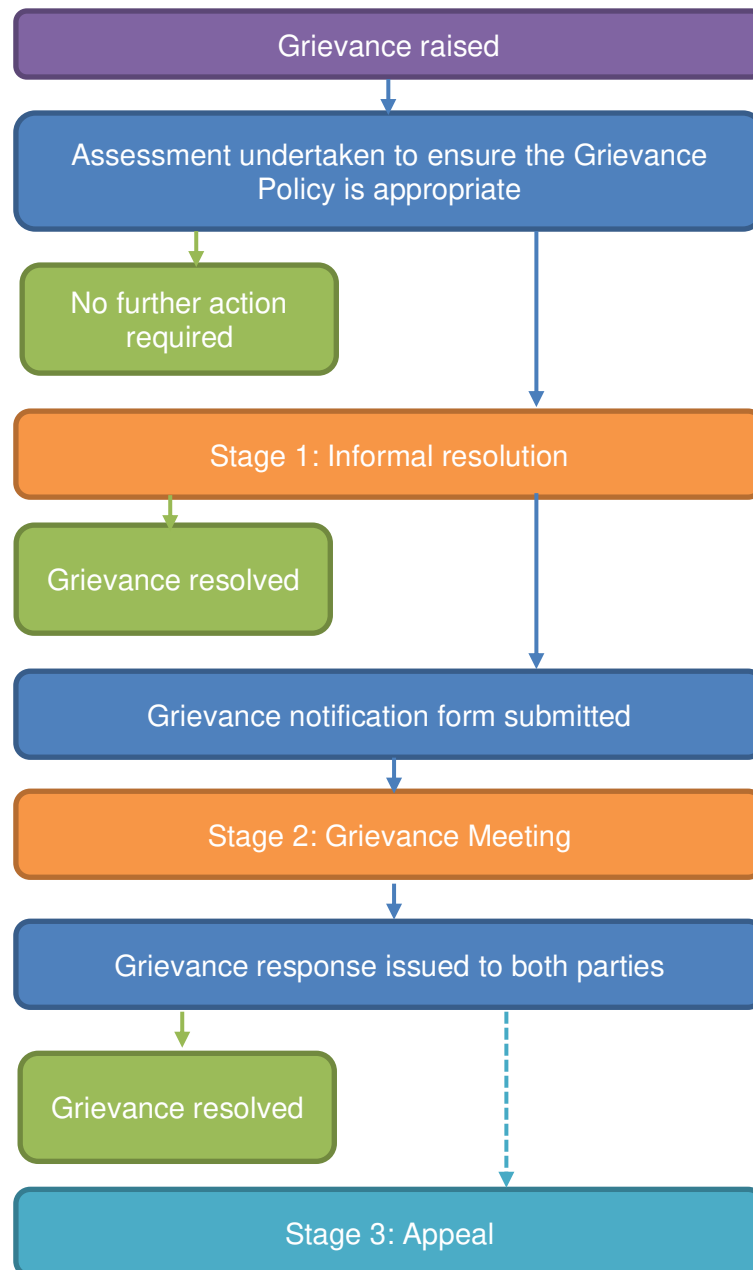
The Trust processes personal data collected during informal complaints and the formal grievance procedure in accordance with its data protection policy. The Headteacher, governors and any other manager involved with the operation of this procedure will ensure that any information relating to an employee's grievance is held securely, accessed by and disclosed only to those who have a direct involvement in dealing with or responding to the grievance, except in cases where disclosure may be a legal obligation or where there is a reporting duty to the local authority or other outside agencies.

In order to investigate a complaint or concern thoroughly, it will often be necessary to speak to members of staff or other people associated with the Trust. Disclosure to individuals will be based on what they need to know in order to contribute effectively to the investigation, emphasising the need for strict confidentiality. If in doubt, the investigating manager will clarify with the employee what details will be disclosed in advance.

Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the Trust's disciplinary procedure.

7.14. Appendices

Appendix A – Flowchart



Appendix B – Grievance notification form

Grievance Notification Form – Stage 2 (Formal)			
Name:			
School/Trust Centre			
Job title:			
Statement of grievance			
(Where possible and applicable, provide dates, locations and names of witnesses)			
Preferred resolution			
Signed:			Date:

7. Pay Policy

8.1. Introduction

This policy has been developed taking into account relevant education and employment legislation, and with regard to but not restricted by the [School Teachers' Pay and Conditions Document \(STPCD\)](#) and the [National Joint Council \(NJC\) for Local Government Services National Agreement on Pay and Conditions of Service \("Green Book"\)](#) in force at the date of the adoption of this policy. The Board of Trustees of DCAT may exercise its freedoms to adjust pay and conditions beyond these documents, where it feels it is appropriate to do so.

The overarching policy covers all employees and includes pay determination on appointment and pay progression. Specific procedures for employees on differing terms and conditions will be applied accordingly and may vary from school to school. In recognition of the crucial, strategic role of executive leadership in the success of the Trust and in order to recruit and retain colleagues of the highest calibre, this policy provides the freedom and discretion to determine the pay for the Executive Leadership Team, Executive Headteacher and Headteacher roles on an individual basis whilst being mindful of, but not bound by, the relevant STPCD and NJC (Green Book) where appropriate.

The Board of Trustees of the Trust is committed to applying any nationally agreed cost of living awards; as determined by the STPCD and NJC.

There are different arrangements for determining the performance pay and progression for different groups of employees:

Role	Determined by
CEO	The Board of Trustees
Trust Executive Leadership Team	Board of Trustees Pay Panel, on the recommendation of the CEO
Trust central employees	CEO, on the recommendation of the Executive Leader link to the team
Headteacher	Trust Board's Pay Panel, on the recommendation from the CEO.
Teachers and Education Support Professionals	Headteacher; or Governor Pay Panel, on recommendation of the Headteacher

This policy should be read in conjunction with and is linked to the current Trust policies:

- a. Professional Performance Review (Appraisal) Policy
- b. Capability Policy
- c. Safer Recruitment Policy

The aims of the pay policy are part of the strategy to deliver DCAT mission and vision to:

- a. Facilitate the recruitment and retention of colleagues in sufficient numbers and of the highest calibre to enable the Trust to deliver the best possible outcomes for children and young people,
- b. Grow the effectiveness and sustainability of our schools by developing the people within them, through shared and equitable responsibility for quality and outcomes,
- c. Impact on children and young people's outcomes by improving organisational efficiency and effectiveness,

- d. Ensure that all teaching and education support professionals are recognised and receive appropriate remuneration for their work and contribution to the Trust,
- e. Ensure a direct link between professional performance review, CPD and pay progression,
- f. Ensure that pay decisions are managed in an objective, fair, rigorous and transparent way.

8.2. Equalities and performance related pay

The Board of Trustees will ensure that its processes are rigorous, transparent and fair, either directly or through delegated powers. All decisions will be objectively justified. Adjustments will be made to take account of special circumstances, for example an absence on maternity or long-term sick leave. The exact adjustments will be made on a case-by-case basis, depending on circumstances and the Trust will take a practical and flexible approach to conducting appraisals and making pay decisions for those absent on maternity leave or due to a disability, including where a teacher has been absent for part or all of the reporting year. Headteachers should refer to pages 41 – 42 of Implementing Your School's Approach to Pay – March 2019 (DfE) for further information [Implementing your school's approach to pay \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

8.3. Pay reviews

The salary of all employees will be reviewed annually, with any changes taking effect from 1 September although the review process may postdate this, and any performance pay progression will be backdated. Reviews may take place at other times of the year to reflect any changes in circumstances. Following any review, where there is a change, employees will receive a written communication setting out their salary. All employees should receive an annual statement, regardless of any changes.

Professional Performance Review documents will make pay recommendations for consideration and take account of the totality of the employee's role. Pay will be reviewed for teachers against their professional performance review objectives, and/or the National Standards of Excellence for Headteachers, Teachers' Standards as applicable. For education support professionals, pay will be reviewed against their objectives, job descriptions and any professional standards appropriate to the role.

8.4. Pay determination on appointment

Prior to the advertisement of a post the pay or range of pay must be determined.

A range of factors may be taken into account when determining the pay range and the starting salary of the successful candidate on appointment, including but not limited to:

- a. the nature of the post including the degree of complexity and challenge
- b. the level of qualifications, skills and experience relevant to the post
- c. market conditions
- d. benchmark salaries across the Trust, local authority or Nationally
- e. the needs of the School/ Trust to improve and sustain excellent educational provision and outcomes.

Teachers at all levels appointed to the Trust will be paid within the minimum and maximum of the appropriate pay range as set out in the STPCD in force at the date of the adoption of this policy.

There are five pay ranges for teachers:

- a. Main pay range (MPR)
- b. Upper pay range (UPR)
- c. Unqualified teacher range (UTR)
- d. Leadership range (LR)
- e. Lead Practitioner Range (LPR)

The [Teacher Standards](#) are should be referenced throughout and where appropriate reference will also be made to the [Headteacher Standards](#).

For classroom teacher posts on the main pay range or upper pay range, the school will not normally restrict the salary range beyond the minimum of the main pay range and the maximum of the upper pay range.

The Trust's general policy, when determining the starting salary for a classroom teacher on the main pay range or the upper pay range whose previous appointment was within a maintained school or academy, will be to appoint the teacher on a salary which at least equals the teachers' previous salary, taking into account any pay progression determinations made but not yet implemented by the previous school. Notwithstanding this general statement, the Trust reserves the right to depart from this policy where it is deemed justified to do so. In any such cases, which are expected to be exceptional, the fixed pay range for the post will be made clear from the outset of the recruitment process.

Teachers without QTS or QTLS will be placed on the pay range for unqualified teachers.

In determining the salary range for a post in which the primary purpose is modelling and leading improvement of teaching skills ('leading practitioners'), an individual post range within the overall pay range for leading practitioners will be determined, having regard to the challenge and demands of the post as well as internal pay relativities.

Additional allowances may be awarded to new appointments where the Trust deems this to be appropriate. Specifically, where market conditions are deemed to be a factor, a recruitment allowance may be awarded.

Education Support Professionals appointed to the Trust will be paid within the NJC/ Single Status ranges as set out by their schools relevant Local Authority.

8.5. Executive Salaries

Executive salaries are benchmarked every two years against other MATs of a similar size and demographic by an independent third party, and roles are revaluated accordingly. This is carried out in line with and is compliant with the requirements of the Academies Handbook in force at the date of the adoption of this policy. The Board of Trustees Pay Panel make recommendations annually to the Board of Trustees.

8.6. Publication of salaries over £100,000

The trust will clearly publish on its website the number of employees whose benefits exceeded £100k, in £10k bandings, for the previous year ended 31 August.

8.7. Performance related pay progression and target setting

All employees can expect to receive at least one KIT meeting mid-year with constructive feedback on their performance and are subject to annual professional performance reviews that recognise their strengths, inform plans for their future development, and help to enhance their professional practice. Reviews may also take place at other times of the year to reflect any changes in circumstances or job description that lead to a change in the basis for calculating an individual's pay. A written statement will be given after any review and, where applicable, will give information about the basis on which it was made. Performance reviews will be carried out in accordance with the [DCAT Professional Performance Review \(Appraisal\) Policy](#).

Pay decisions for all employees will be linked to assessments of performance subject to the maximum of the pay range.

Professional performance objectives and related targets should take account of the experience, leadership responsibilities and additional remuneration for example UPR, TLR or leadership points. For teachers, these should always relate to outcomes for learners delivered through high quality provision and should always require meeting all aspects of The Teacher Standards. Teachers' Standards state that 'Teachers make the education of their pupils their first concern, and are accountable for achieving the highest possible standards in work and conduct'. Reviewers should ensure that objectives and targets have appropriate levels of challenge around performance, appropriate to career or role expectations, and align with whole school improvement targets and priorities.

Decisions regarding pay progression will be based on an assessment of an individual's performance. These will consider teaching commitments or education support professionals' core responsibilities, managerial and leadership responsibilities, with reference to performance documents and the pay recommendations they contain. Pay progression is linked to the assessment of performance against objectives and the totality of the role.

In the case of ECTs pay decisions will be made with reference to the statutory induction process. To be fair and transparent, assessments of performance will be evidence based. The Headteacher or their appointed representative will rigorously and objectively moderate performance objectives so that they are commensurate with the level of responsibility and pay; shadow some performance management meetings; provide training for reviewers to assess performance against objective data and give an assessment grade for the employee's overall performance.

Awards will only be made on the evidence of successful performance reviews based on reviewee and reviewer assessment and taking into account advice from the Headteacher and equal opportunities considerations. For teachers on the main pay range who are successfully and consistently meeting the Teacher Standards, progression up to and including M6 will be automatic. Progression will be automatic unless they have been subject to enhanced support (support plan)/or within the capability process, within the course of the year. The same approach will be taken to the pay progression of education support professionals who are not managers. This does not mean that a person who has been subject to enhanced support or capability process earlier in the year but who has subsequently demonstrated sustained, improved performance, cannot be recommended for pay progression. Each case needs to be considered on its merits and must be discussed with the Headteacher/SEL respectively.

For teachers who are applying to join or who are due to move through the upper range, pay progression is not automatic. The STPCD sets out that the criteria for crossing the threshold onto the UPR, and maintaining this standard are:

- a. that you are highly competent in all elements of the relevant standards; and

- b. that your achievements and contribution to the school are substantial and sustained.

For teaching and education support professionals with TLRs, management responsibilities or on leadership pay ranges, the achievement of professional performance objectives will be considered by the reviewer and may not automatically lead to pay progression even if objectives are met. In making any pay recommendation, account will be taken of the degree of challenge of the objectives and the extent to which expected levels of performance have been demonstrated more widely. A 'no progression' determination may be made without recourse to the capability procedure but any person who has been subject to enhanced support (support plan)/or within the capability process, within the course of the year will not be awarded performance pay progression because it is clear that high levels of performance have not sustained.

8.8. Pay progression

For Teachers, the evidence for pay progression will come from the annual professional performance review. ([See Professional Performance \(Appraisal\) Review policy](#)).

Performance pay progression awards are based on an assessment of an individual's overall performance in their role and the extent to which professional performance objectives are met.

To be eligible for consideration of performance-related pay progression teachers must normally have been in post for at least 26 weeks in aggregate during the previous academic year (including periods of absence for school closures, sickness or family-related leave). Newly-appointed teachers who have not been in post for 26 weeks as of 1st September will not be eligible for performance-related pay progression with effect from 1st September in that year unless their offer letter states otherwise.

Decisions regarding pay progression will be adjusted where appropriate to take into account special circumstances, for example long-term absence resulting from sick leave or maternity leave. A decision on what adjustments may be necessary will be made on a case-by-case basis depending on the exact circumstances.

A pay range and additional payments may be reviewed at any time during the year, in line with this policy, to retain an employee or if there are significant changes in circumstances or responsibilities. Any temporary or permanent salary uplift will be proportionate to the level of responsibility and accountability undertaken.

The Board of Trustees do not provide additional remuneration to the CEO, Executive Leadership Team, Executive Headteachers and Headteachers for providing traded services /consultancy to other schools or organisations, in or outside school sessions. Income arising from such activities is allocated to the Trust/for the achievement of its objectives.

As public servants we must be guided by the Nolan principles remembering we are stewards of public resources and therefore accountable. That means, as a Trust we believe in recognising and rewarding exceptional performance - performance which consistently or far exceeds expectation. In these exceptional circumstances, there is an option to reward staff by granting usually no more than two additional increments within a salary scale. You cannot exceed the maximum of the salary scale and the employee's performance must meet one or more of the following performance criteria:

- i. Consistent performance for at least six months of high-quality work over and above that normally expected of the post holder.
- ii. Consistent performance of work of the same quality over and above that normally expected of the post holder.
- iii. Performance of work to such a high standard that little supervision is required in circumstances where there is usually a strong supervisory element.

- iv. A permanent, measurable increase in responsibility which is insufficient to warrant regrading.

8.9. Upper Pay Range

Any qualified teacher may apply to be paid on the Upper Pay Range. This requires that:

- a. the teacher is highly competent in all elements of the Teachers' Standards,
- b. the teacher's achievements and contribution to the Trust are substantial and sustained

Within DCAT:

- a. **'Highly competent'** means having excellent depth and breadth of subject knowledge, being a skilled classroom practitioner able to meet all aspects of the Teachers' Standards, in particular in ensuring good outcomes for students; to enable coaching and mentoring of others; modelling and demonstrating good subject knowledge and effective pedagogy;
- b. **'Substantial'** means the teachers' achievements and contribution to the School/Trust are of real significance, in particular: the teacher plays a critical role in the life of the organisation, making a significant impact on raising standards wider school improvement; the teacher is a role model for others and impacts on the effectiveness of other teachers, using the outcomes of appropriate opportunities for professional development effectively to improve pupils' learning; demonstrating significant wider contribution to the School or the Trust;
- c. **'Sustained'** means that such contribution has been maintained over a period of time; this will usually require the assessor to be assured that the teacher has had at least two consecutive appraisal reports demonstrating the required standard has been met.

All UPR teachers will need to demonstrate in their professional performance review documents and portfolio evidence how they meet each of the upper pay range criteria. The teacher's portfolio will document how the teacher has sustained the standards and has had an increasing impact on achievement, teacher effectiveness, school improvement and wider contribution to School / Trust life. Pay decisions will be made taking into account recommendations from the reviewer.

8.10. Process for Moving on to the Upper Pay Range

It is the responsibility of the teacher to decide whether and when to apply to be paid on the Upper Pay Range. Applications should be made following the process listed below.

If a teacher is simultaneously employed at another school(s), they may submit separate applications if they wish to apply to be paid on the upper pay range in that school or schools. This school will not be bound by any pay decision made by another school.

All applications will include the results of recent appraisals, including any recommendation on pay. The evidence should usually cover at least the previous two year period. Employees who have been absent from work, for example due to maternity leave or extended sickness absence, will be able to use earlier appraisal evidence in support of their application and/or a statement and summary of evidence as outlined below.

In the event that information from appraisals is not applicable or available, a statement and summary of evidence, designed to demonstrate that the applicant has met the assessment criteria, should be presented instead.

The process is as follows:

- a. complete the [Application Form to the UPR – Appendix B](#)
- b. submit the application form and portfolio evidence (electronic or file) to the Headteacher by 30th September.

- c. Teachers may submit one application annually. The closing date for applications is 30th September however, exceptions will be made in particular circumstances, for example, those teachers on maternity or sick leave. DCAT or relevant body in accordance with the scheme of delegation will ensure that teachers who may have had breaks in service are treated equitably.
- d. the Headteacher will seek an initial assessment of the application and evidence from the teacher's line manager including a comment on pay recommendation
- e. the Headteacher will make a final assessment of the application, evidence and recommendation
- f. the headteacher will notify the Governing Body of their recommendation. Once the Governing Body has determined the final decision, the headteacher will then provide written feedback, to the teacher as promptly as possible, but in any event by no later than 30 November in each academic year.
- g. successful applicants will move to the Upper Pay Range from 1 September of the year of assessment
- h. a teacher may appeal against a decision not to move to the Upper Pay Range as outlined in the appeals section below.

Feedback for unsuccessful teachers will have a developmental focus, stating specifically which criteria were met and which were not met, and confirming the right to appeal. Any appeal against a decision not to move the teacher onto the upper pay range will be heard under the school's pay appeals procedure

8.11. Process for progressing within the Upper Pay Range

There are no separate application forms for progression through the Upper Pay Range. However, teachers need to demonstrate that they have maintained the standards required of the upper pay range in order to progress.

8.12. Unqualified teachers

Unqualified teachers will only be appointed on the following basis:

- a. where a qualified teacher is not available to recruit
- b. trainees who have not yet been awarded QTS
- c. overseas trained teachers who have not exceeded the four years they are allowed to 'teach' without having QTS, and
- d. instructors (people with particular skills and/or expertise), who may only be employed for as long as a qualified teacher cannot be recruited and will not, therefore, be given permanent contracts.

The Headteacher will place any unqualified teacher on appointment on an appropriate point on the unqualified teachers' range. Trainees on a salaried route or Teaching Apprenticeships who are working towards QTS will be paid on the Unqualified Teachers' Range. Unqualified teachers are not eligible for TLR payments or SEN allowances.

8.13. Part-time employees

The Trust will ensure that its treatment of all part-timers is consistent with the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 and the Equality Act 2010. Part-time employees will be paid on a pro rata basis. The Trust will have due regard to the work-life balance of part-time staff ensuring that their workload is reasonable and that they are treated fairly in comparison with full-time staff or with what would have been expected of them if they had been employed full-time.

Employees who work less than a full working week are deemed to be part-time. A written statement detailing working hours and pay calculation will be provided comparing a full-time equivalent post.

The percentage that is used to determine the salary of part-time teachers is also used to calculate directed time as a proportion of the directed time hours that they may be required to be available for work in any school year, according to the current STPCD. Teachers on part-time contracts are not normally required to be in school on days when they do not teach unless by mutual agreement.

8.14. Supply teachers

Teachers who work on a daily or other short-term notice basis will be paid 1/195th of the amount calculated as their annual salary. Teachers who work less than a full day will be paid on an hourly basis, calculated as a proportion of 1/195th of their annual salary – with each day being calculated as 6.5 hours. A supply teacher who is employed by the school for 12 months must not be paid more than if in regular employment during the period.

8.15. Intervention tutors

The Trust pays an hourly rate for intervention tutors based on a qualified or unqualified basis.

8.16. Regrading of Education Support Professional roles

The pay ranges of Education Support Professionals may be regraded. This is a process that will be triggered as a result of an employee's annual review. New roles and changes in job descriptions will be evaluated using the NJC Job Evaluation Scheme in consultation with the Trust HR Team.

Pay Scale reviews will be carried out centrally by the Trust, every two years using a third party provider.

Teacher allowances

8.17. Teaching and Learning Responsibility (TLR) Payments

The School's staffing structure identifies the number and values of TLR1 and TLR2s and leadership group posts; this structure is reviewed annually and any changes to staffing structures must be approved by the ELT. Significant whole school restructuring would necessitate employee consultation. TLRs are awarded where the Trust is satisfied that the additional responsibilities are significant and meet the criteria specified in the STPCD. For the award of a TLR1, the post-holder must also have line management responsibility for a significant number of people.

In setting the values of TLR1s and TLR2s the Trust will have regard to the relative weight of different TLR posts, taking into account the range of responsibilities entailed, the level of accountability, the number of people for whom the individual has line management responsibilities and any other factors the Trust deems to be relevant. Where posts are deemed to be of equal weight they will be allocated the same value. TLRs may not be awarded to leadership group postholders or unqualified teachers.

All TLR posts generally meet the criteria in the STPCD in force at the date of the adoption of this policy. Teachers should only hold one TLR1 or one TLR2. The Headteacher will use their flexibility

to award temporary TLR3s for short term staff development projects, which are not subject to safeguarding. To award a TLR3, the Trust must be satisfied that the significant responsibility is one not required of all classroom teachers and which is focussed on teaching and learning, requires the exercise of a teacher's professional skills and judgement and has an impact on the educational progress of pupils other than the teacher's assigned classes or groups of pupils.

TLR3 awards may be given to TLR1 or TLR2 holders.

8.18. Special Educational Needs (SEN)

The School's staffing structure identifies the number and values of a SEN allowance. These are only payable to teachers:

- In an SEN post that requires a mandatory SEN qualification and involves teaching pupils with SEN; and/or
- Who teach pupils in one or more designated special classes or units within the school; or
- In a non-designated setting, analogous to a designated special class or unit, where the post:
 - Involves a substantial element of working directly with children with special educational needs;
 - Requires the exercise of a teacher's professional skills and judgement in the teaching of children with special educational needs; and
 - Has a greater level of involvement in the teaching of children with special educational needs than is the normal requirement of teachers throughout the school or unit within the school.

8.19. Acting Allowances

Acting allowance may be considered where any employee is assigned to a higher-level role for a reasonable period of time, which is generally no less than a month. Fixed term acting allowances for example teaching and learning and SENCO responsibilities may be remunerated at an appropriate rate commensurate with the duties for some or all of the acting period at the discretion of the Headteacher/ELT.

8.20. Recruitment and Retention Incentives and Benefits (R&R)

The Trust may occasionally exercise its discretion in making R & R payments or other financial benefits to recruit new teachers or to retain the services of existing teachers for posts where the Trust anticipates or encounters recruitment and/or retention difficulties. The duration and review date must be explicit at the time of the award. Any new retention incentives/benefits awarded will be reviewed regularly after which they may be withdrawn.

In determining whether a post will be eligible for a recruitment and retention allowance the Trust will take into account the following factors:

- Whether the post is in a nationally recognised shortage subject area;
- Whether the post has had to be re-advertised due to insufficient quantity and/or quality of applicants;
- Whether previous recruitment to posts of a similar nature has proven difficult;
- Whether there has been a high rate of staff turnover;
- Any other relevant circumstance that the Trust believes is having a detrimental impact on the recruitment and retention of staff.
- Where such an incentive or benefit is awarded the Trust will determine:
- Whether the award is for recruitment or retention;
- The nature of the award (e.g. cash sums, travel, housing costs, etc.) and its value;
- When/how it will be paid*;

- The start date and expected duration of the award (unless it is a one-off award);
- The review date after which the award may be withdrawn;
- The basis for any uplift that may be applied.

(*Allowances may be paid monthly, paid wholly or in part as a lump sum subject to satisfactory completion of service in the previous year, or paid by a combination of the two methods.)

Recruitment and retention allowances cannot be paid to the leadership group except where they relate to a reimbursement of reasonably incurred housing or relocation costs. Any other recruitment and retention considerations will be taken into account when determining the leadership pay range.

The Trust will conduct regular formal reviews of all recruitment and retention awards and will withdraw awards where the circumstances no longer justify their continued payment.

8.21. Education support professional allowances

Education support professionals may be paid allowances, values set by the Trust, for performing additional duties.

8.22. Additional payments, acting up, overtime, Time Off in Lieu (TOIL)

Where education support professionals are required to undertake additional responsibilities on a temporary basis one of the following will apply:

- a) where the employee is required to “act up” in a higher graded post for a significant period they may temporarily be paid at the minimum point on the new grade for that post;
- b) a one-off additional payment where extra duties/responsibilities, often at a higher grade, are undertaken to meet a particular development or need, or
- c) overtime, where contractual or TOIL with prior approval of the Trust to meet short-term and excessive work-loads where it is essential that the task needs to be undertaken within a defined timescale.

8.23. Employee benefits

Various benefits are available through the Trust at the prevailing time. Further details can be obtained from the Employee Wellbeing and Benefits document.

8.24. Safeguarding (teachers) and Pay Protection (education support professional)

The Trust has generally adopted the provisions of the STPCD in force at the date of adoption of the policy.

For an education support professional, pay will be protected for a maximum period of no more than 2 years.

8.25. Isle of Wight Premium (Executive Heads/ Headteachers/Senior Education Leads)

Due to the location, schools based on the island face significant challenges when recruiting leaders, including linked Trust Senior Education Leaders, and can struggle to attract a field of suitable candidates with the required skill level and experience.

To overcome this challenge and to facilitate securing appropriate leadership on the Isle of Wight, the Board of Trustees has agreed to set the agreed pay range for any Executive Head/Headteacher post on the Isle of Wight above the set pay range within the Headteacher Group Range, in consideration of the [STPCD \(2021\)](#) and the [government guidance for implementing pay](#), as explained below:

Leadership Pay Range + 10% IOW Premium = IOW Executive Head/Headteacher Salary

The 10% IOW Premium will also be applied (pro-rata for days worked on the IoW) to the linked DCAT Senior Education Leader.

8.26. Managing Appeals against Pay Determination

Support Staff

Where a member of support staff is dissatisfied with any decision relating to their pay, this should be raised in accordance with the Trust's [grievance procedure](#).

Teaching Staff

The following procedure for teachers has been drawn up in accordance with the DfE guidance.

Pay Decision

- At the Appraisal meeting held between 1 September and 31 October, the Appraiser makes a recommendation on pay and writes this on the Appraisal Statement, a copy of which is given to the teacher.
- It is the intention that the Appeals Procedure will be dealt with promptly, thoroughly and impartially.

Stage 1 – Informal discussion with the appraiser prior to confirmation of pay recommendation by Pay Committee

- If the teacher disagrees with the Appraiser's written recommendation, they should discuss this with the Appraiser on an informal basis. This stage in the process will help to ensure that pay decisions and pay policies are seen as transparent and fair. The opportunity to discuss a pay decision before it is made formally may also mitigate the need for the more formal stages two and three of the procedure.
- If following full exploration and discussion of the teacher's concerns, the outcome of the informal discussion is that the Appraiser has not changed his/her recommendation this should be noted on the Appraisal Form.
- The Appraisal Form will then be passed to the Headteacher for an assessment of the recommendation. The Headteacher will then pass the Appraisal Form to the Pay Panel for a decision on the pay recommendation to make to DCAT.
- If, having had an informal discussion with the person making the recommendation, the teacher believes that an incorrect recommendation has been made, he/she may make representation to the Pay Committee prior to them making the pay determination.

Stage 2 - a formal representation to the Pay Committee making the pay determination

- The hearing will be chaired by the Chair of the Pay Panel, and will take place prior to the determination of the pay recommendation (this should be at the actual meeting of the Pay Committee, therefore time will need to be allowed on the agenda for such a hearing to take place). The teacher has the right to be accompanied at the hearing by a trade union representative or work colleague. The Headteacher will be present to provide information on their assessment of the recommendation. A written decision will be given to the teacher following the hearing within 10 working days.

Stage 3 – a formal hearing with an appeals panel of governors

- If the teacher disagrees with the outcome of the hearing they should write to the Chair of the Pay Committee within 10 working days of receipt of the written outcome of the hearing.
- A Stage three appeal will then be arranged. A Panel of local governors not connected to the original pay decision and including a DCAT representative will hear the appeal. The teacher has the right to be accompanied at the appeal hearing by a trade union representative or work colleague. The Chair of the Pay Committee will be in attendance to present their decision. The Headteacher will also be present to provide information on their assessment of the recommendation. The decision will be put in writing within 10 working days to the teacher. The decision of the Appeal Panel is final and there is no further right of appeal.

The following list, which is not exhaustive, includes the usual reasons for seeking a review of a pay determination.

That the person or committee by whom the decision was made:

- Incorrectly applied a provision of the STPCD or this policy;
- Failed to have proper regard to statutory guidance;
- Failed to take proper account of relevant evidence;
- Took account of irrelevant or inaccurate evidence;
- Was biased;
- Otherwise unlawfully discriminated against the teacher.

The appellant also has the right to see all relevant papers and to be accompanied by a trade union representative or a work colleague.

If the appellant wishes to submit any written evidence as part of his/her appeal then they must do so at least 5 working days prior to the appeal hearing.

Where an appeal has been submitted by a member of staff other than the headteacher, and they are appealing against the decision of the Pay Committee, it will be for the Chair of that committee to determine whether a representative of the committee and/or the headteacher should be present to explain their decision.

An agenda for hearing a pay appeal is included as an appendix to this policy.

This procedure fulfils the function of the grievance procedure and therefore pay decisions cannot be reopened under the general grievance procedure.

We would expect all decisions, discussions and hearings to take place within a reasonable period of time taking into account the availability of all parties and school term dates

8.27. Access to Salary Records

Staff may have access to their salary records by giving reasonable notice during term time to the payroll administrator.

8.28. Data Protection

The Trust has in place arrangements with its payroll provider to ensure that it takes appropriate measures to process employees' personal data safely and securely.

8.29. Status of Policy and Review

This policy will be reviewed following the publication of the School Teachers' Pay and Conditions Document 2023 or earlier if required.

8.30. Appendices

Appendix A – [Application Form for the Upper pay Range](#)

Name:		Academy:	
Application submitted to:		On (date):	

This form should be used in conjunction with the agreed pay policy of the school and the [School Teachers Pay and Conditions Document](#).

Any qualified teacher can apply to be paid on the Upper Pay Range. One application may be submitted annually. The closing date for this school is **(insert date)**, however, exceptions will be made in particular circumstances, for example, those teachers on maternity or sick leave. DCAT will ensure that teachers who may have had breaks in service are treated equitably.

Please complete the form and return by the closing date to the Head teacher, including any written evidence to support your application. Examples of evidence that you may wish to include are **(school to insert appropriate examples)**:

- Two successful performance management reviews (records of two appraisal cycles), and the evidence within this will include the following:
 - Classroom observations
 - Internal tracking of pupil progress
 - Evidence of supporting progress against the Teachers' Standards using self-assessment
 - Records of CPD and evidence of impact

An application to be paid on the upper pay range will be successful where DCAT or relevant body in accordance with the scheme of delegation is satisfied that you meet the following assessment criteria as detailed within the Pay Policy:

- you are highly competent in all elements of the relevant standards
- your achievements and contribution to the school are substantial and sustained

If you wish to be considered to be paid on the upper pay range you will need to demonstrate to DCAT or relevant body in accordance with the scheme of delegation how you meet the school's definitions of 'highly competent', 'substantial' and 'sustained' which, along with the outcomes of your most recent appraisal, will form the basis of the school's assessment criteria for access to the Upper Pay range.

Schools to specify the information that applicants should provide in order to demonstrate how they meet the application criteria:

Progression to the UPR requires evidence that the applicant is a "highly competent teacher". Please outline below how you meet the criteria with reference to the Teacher Standards, the particular role that you are fulfilling and the context within which you are working (please expand the table if appropriate):

--

Progression to the UPR requires evidence that the applicant's achievements and contribution to the school are substantial. Please outline below how your contribution has raised standards of teaching and learning not just in your own classroom but has made a significant wider contribution to school improvement which has had a clear impact on pupil progress across the school and on the effectiveness of colleagues (please expand the table as appropriate):

--

Progression to the UPR requires evidence that the applicant's achievements and contribution to the school have been sustained. You must be able to show that you have at least two consecutive successful appraisal reports in this school and have met your agreed objectives during this period. Please use the space below to show how your teaching experience has grown over a sustained period of time and is consistently good to outstanding (please expand the table as appropriate):

--

Please ensure your application also includes the results of your most recent annual appraisal, including recommendation on pay (or, where that information is not applicable or available, a statement and summary of evidence designed to demonstrate that you have met the assessment criteria). Please attach any other written evidence that you have collated to support your application.

A copy of the [Teacher Standards](#) is available, along with FAQs from the DfE website.

Appendix B – Agenda for Pay Appeal Hearing

AGENDA FOR PAY APPEAL HEARING

1. Introduction of all those present.
2. The appellant and/or his representative to present his/her reasons for appeal with any supporting evidence, and calling witnesses* if applicable.
3. The representative of the Pay Committee/headteacher to ask questions of the appellant and witnesses* if applicable.
4. The Appeals Committee to ask questions of the appellant and witnesses* if applicable.
5. The representative of the Pay Committee/headteacher to respond to the appellant's appeal, and calling witnesses* if applicable.
6. The appellant and/or his/her representative to ask questions of the representative of the Pay Committee/headteacher.
7. The Appeals Committee to ask questions of the representative of the Pay Committee/headteacher.
8. The appellant and/or his/her representative to summarise.
9. The representative of the Pay Committee/headteacher to summarise.
10. Hearing to be adjourned whilst all parties, except the Appeals Committee, their adviser and the Clerk, leave the room.
11. The parties will be recalled and if the Appeals Committee has reached a decision this will be confirmed.

*Witnesses will usually be called one at a time and will be questioned by the other party and the panel, if necessary, before being asked to leave and the next witness called in.

8. Performance Management Review (Appraisal) Policy

9.1. Introduction

The Policy has been developed in line with the Education (School Teachers' Appraisal) (England) Regulations 2012 (the Appraisal Regulations) in force at the date of adoption of the Policy. Except where otherwise stated, the Spencer Academies Trust adheres to the Appraisal Regulations, with the intention of remaining compliant with all relevant legislation. Where appropriate the policy needs to be read in conjunction with the DCAT Capability Policy

This Policy applies to all employees except those on contracts of less than one term, those undergoing induction (i.e. ECTs see [ECT Policy](#) or employees subject to a probation period) and those who are subject to the Capability Policy

Guidance on managing the procedures is available from the Senior Education Leaders and the Trust HR Team.

9.2. Purpose

The Policy sets out the framework for a clear and consistent assessment of the overall professional performance of employees, and for supporting their development within the context of relevant documents including the Teachers Standards, other professional standards and the [Trust CPD handbook](#). Its purpose is to ensure a quality of education which supports all Trust schools on the journey to outstanding education provision; high-performance leadership for Trust academies, and to support high expectations from all DCAT employees.

Performance management is a supportive and developmental process designed to ensure that all employees have the skills and support to carry out their role effectively. It is designed to ensure that teachers and education support professionals are able to continue to improve their professional practice and to develop in their current and future role. Professional performance management of employees with a fixed term contract of less than one year will be in accordance with the principles underpinning this Policy. The length of the professional performance management review period on an individual basis will be determined by the duration of their contract.

All staff will have an annual performance management review, conducted by their Line Manager.

[Appraisal Proforma Review and Planning Template – Appendix D](#)

Performance management within the Trust is underpinned by our 3 Trust values. Therefore, it should be:

- ✓ Wise
- ✓ Respectful
- ✓ Aspirational

The process is designed to be equitable and is in place to enable, acknowledge and reward strong performance.

Reviewee	Reviewer	Additional input	Pay recommendations + decision making
CEO	Chair of Board of Trustees	Externally commissioned advisor	Trust Pay Panel, on recommendation from the reviewer
Trust ELT	Line Manager		Trust Pay Panel, on recommendation from the reviewer
Trust Centre Staff	Line Manager		CEO, on recommendation from reviewer
Headteachers	Linked Senior Education Leader	DCEO / Chair of the LGB	Trust Pay Panel, on recommendation from the reviewer
Teachers and Education Support Professionals	Line Manager		Headteachers, on recommendation from the review; or LGB Pay Panel, on recommendation from the Headteacher

9.3. Timeline

The performance management period runs for twelve months from 1st September to 31st August. Review meetings are typically held in the autumn term and spring terms but could be done at any time throughout the year with pay decisions made for September.

The cycle is the same for all schools and Centre staff within the Trust; see below:

Stage	Date	Notes
Review	September – October	Trust ELT and Headteachers by 10 th September All staff by last day of Term 1
Target setting	By 5 th October	Trust ELT and Headteachers by 20 th September All staff by 5 th October
CPD	By 5 th October	Trust ELT and Headteachers by 20 th September All staff by 5 th October
Reviews (KIT)	Term 4/5	All mid-term reviews to be completed by end of Term 5
Pay recommendations (decision)	By 31 st October	Trust ELT and Headteachers by 30 th September All staff by 31 st October

9.4. Measurable Professional Performance Objectives

All employees are entitled to measurable, clear and reasonable objectives appropriate to their employed role. Objectives will be set before, or as soon as practicable after, the start of each appraisal period. Objectives will be specific, measurable, achievable, realistic and time-bound ('SMART') and appropriate to the role and level of experience. All objectives should contribute to an individual's professional development in relation to their current and future roles.

All employees will typically be set 3-4 (but not less than 3) key performance objectives, Headteachers will receive 4-5 targets, one of which will be a Trust-wide target which will promote improved outcomes for children and young people. It may be determined that specific objectives require a longer

time span than a single appraisal period, in which case appropriate milestones towards the achievement of such objectives will be built in, in order to monitor progress within each appraisal period.

These will take account of the individual's role, their professional development needs and typically relate to the improvement of School/Trust objective and priorities in areas such as:

- a. Quality of education
- b. Personal development
- c. Leadership and management
- d. Behaviour and attitudes
- e. Whole Trust Target (for Headteachers)
- f. Service delivery and efficiency (typically for non-education support staff)

CPD support should meet a colleague's developmental needs and should be identified and documented – there is space to do so in the DCAT appraisal template.

Measurable Performance Objectives for Teachers will relate to:

- a. The development of the curriculum
- b. The improvement of pedagogical approaches
- c. Accelerating the progress of groups
- d. Researching and implementing best practice

Objectives will reflect career stage expectations including those related to the upper pay range where whole school responsibilities are part of the criteria for teachers paid on this range, for example whole school responsibility such as mentoring or coaching or whole school policy development.

Before, or as soon as practicable after, the start of each appraisal period, each teacher will be informed of the standards against which that teacher's performance in the appraisal period will be assessed.

Teachers with leadership responsibilities will have one or more objectives relating to driving measurable improvement in the areas for which they are accountable, commensurate with their pay range.

Examples might include raising subject standards/improving the quality of the curriculum or its teaching; improving performance, attendance or behaviour of a year group, delivering outcome indicators for a key group such as SEND or disadvantaged pupils through a whole school role such as SENCO/pupil premium coordinator; improving levels of compliance and culture as DSL.

Summary Guidance

Teacher Performance Objectives and Standards

Pay Scale	Developing	Accomplished	Expert
	M1, M2, M3, M4	M5, M6	U1, U2, U3
Professional Practice	All aspects of teaching over time is at least good.	All aspects of teaching over time is at least good with elements of outstanding.	All aspects of teaching over time is outstanding.
Professional Outcomes	Students progress in line with national expectations in reading, writing and in maths.	Students make progress in line with national expectations and an increasing % exceed expectations in reading, writing and in maths.	Students make progress in line with national expectations and a significant number exceed expectations in reading, writing and in maths.
Professional Relationships	Positive working relationships established with students, colleagues and parents/carers.	Positive working relationships result in good progress by all groups of pupils and productive sharing of professional practice with others.	Positive relationships with colleagues are characterised by an enthusiastic commitment to helping them overcome professional challenges.
Professional Development	Develops a proactive role in identifying areas of professional development in line with advice from more experienced colleagues.	Takes a proactive role in identifying areas for professional development.	Proactively leads the professional development of others in a way which leads to improved outcomes for: UPI: Pupil UP2: School UP3: the Trust
Professional Conduct	Meets the standards for professional conduct set out in the Teachers' Standards.	Meets the standards for professional conduct set out in the Teachers' Standards.	Meets the standards for professional conduct set out in the Teachers' Standards.

Measurable Performance Objectives for classroom-based Education support professionals will relate to:

- The delivery of high-quality support to children and young people
- Accelerating the progress of groups
- Developing high quality resources

Objectives for all other Education support professionals will relate specifically to improving the effectiveness with which they deliver their role in relation to School/Trust objectives

Where possible, objectives will be agreed between the employee responsible for the performance management process, 'the Reviewer,' and the employee subject to performance management, 'the Reviewee;' however, where objectives cannot be agreed, the Reviewer will determine the objectives.

Before, or as soon as practicable after the start of each performance review cycle, each employee will be informed of the standards against which their performance will be assessed, in line with their job description. This may include Teachers' Standards, leadership frameworks or other professional standards and framework documents as appropriate.

9.5. Gathering evidence of performance

Evidence from a range of quality assurance processes is used to inform the performance management process and regular oversight.

- a. For teachers, determination of teaching quality over time will involve evaluation of, a range of evidence including direct observation of teaching in lessons through learning walks and longer observations, work sampling, achievement data, student voice, feedback from classroom colleagues including QTS staff, and other outcomes.
- b. For education support professionals the evidence used will depend on the employee's role.

In addition to classroom observations, the reviewer will discuss, and wherever possible agree with each teacher, the evidence base to be used for assessment at the end of the appraisal period. The range and balance of activities used to gather evidence of performance will reflect each school's own quality assurance programme and the specific objectives set for an individual employee.

Reviewers should ensure that the evidence reflects the 'typical' practice of the employee. In the case of teachers, this may be across groups and key stages, if appropriate to the performance management objective. The length and frequency of visits to lessons will vary depending on specific circumstances. How much notice an individual employee is given of a lesson observation should reflect the school's quality assurance processes.

Employees with leadership and management responsibilities outside of the classroom should expect to have their discharge of those responsibilities observed and assessed through an appropriate range of activity.

Employees supporting students in the classroom will be observed to assess performance. Feedback from QTS staff may be considered to inform the review. Other education support professionals may be observed by their line manager or other appropriate manager as applicable to their role.

Additional evidence gathering activities, including lesson observations, may be scheduled at the discretion of the Headteacher and may reflect specific concerns or themes for further observation, where evidence indicates that teachers are not consistently meeting the Teacher Standards. This forms part of the professional development focus and may result in additional coaching or improvement goals being set.

9.6. Self-review

All employees are expected to undertake self-review against the appropriate standards at designated points in the performance review cycle, preparing review documentation of performance against agreed objectives and any relevant performance frameworks. Evidence will be discussed during the review meeting and will be used to shape future objectives.

9.7. Identifying performance concerns

Where there are concerns about any aspects of performance the Reviewer will meet the Reviewee under the Capability Procedure.

When the Reviewer is satisfied that sufficient improvement has been made the appraisal process will continue as normal.

9.8. Interim reviews

Performance objectives for all employees will be subject to regular review; an interim review (Keep in touch – KIT) meeting will take place to check whether the individual is on track to meet their objectives and to identify whether additional informal support or monitoring is required to achieve these. The interim review meeting may take place mid-way through the performance review cycle or at another appropriate point in the review cycle. Objectives may be revised where appropriate. The interim review meeting must be recorded on the Professional Performance Review document.

9.9. Annual performance management review

The annual performance management review process culminates in the annual review meeting, ordinarily held in the autumn term. The Reviewee will provide the Reviewer with a self-evaluation report against the job description, objectives and any other relevant professional frameworks.

This report will be completed as a result of this review, and includes:

- a. details of the objectives for the appraisal period in question
- b. an assessment of performance of the role and responsibilities against objectives, job description and any relevant professional frameworks or standards documents
- c. an assessment of training and development needs
- d. identification of any action that should be taken to address training and development needs
- e. recommendations on pay, where appropriate

Recommended suitability for pay progression will be made by the Reviewer subject to the maximum of the employee's pay range or grade, in accordance with the Trust Pay Policy. For teachers, this will take into account performance as a teacher and as a responsibility holder. For ECTs, pay decisions will be made with reference to the statutory induction process. For other employees, account will be taken of typicality and overall performance in role.

For all employees, a 'no progression' determination may be made without recourse to the capability procedure. In ordinary circumstances this would be the case where the maximum of the pay range or grade has been reached. However, any employee subject to a support plan or formal capability procedures will not be awarded automatic performance pay progression. See the Pay Policy about how such cases are managed.

The assessment of performance and of training and development informs the planning process for the following review period.

9.10. Probation review for Education Support Professionals

For education support professionals a probationary period will be specified on appointment. Measurable performance objectives will be set on appointment and review meetings will take place throughout the probationary period. This performance review is independent of the normal professional performance review cycle.

The probation review process is designed to identify additional development or support requirements and may lead to an extension of the probationary period of 6 months but can be extended to a maximum probationary period of 12 months in total. Probation review meetings must be held as follows:

- Induction checklist to be completed in week 1 ([Appendix G](#))
- 1st Review Meeting to be held in week 6

- 2nd Review Meeting to be held in week 12
- 3rd (Final) Review Meeting to be held in week 18

Line managers must schedule all review meetings as part of the Induction during the employee's first week and complete a written record of all discussions held during the review meetings on the [Probation Review Form – Appendix E](#), which should be shared with the employee. The completed Probation Review Form must give details of the employee's current standard of work and conduct. If the employee's performance or standards are satisfactory, this should be explicitly stated. Once the line manager is satisfied that the employee meets the requirements of the role, they will recommend that the employee is confirmed in post and the normal professional performance management cycle is entered and formal measurable performance objectives agreed.

Where aspects of performance or conduct in the role are considered unsatisfactory or require further development, the proposed measures to facilitate improvement and the consequences of continued unsatisfactory probationary employment should be clearly stated.

Line managers conducting probationary period formal reviews need to bear in mind that the information entered on the Probation Review Form could, in certain circumstances, be subject to scrutiny in a formal setting such as a probationary dismissal or Employment Tribunal hearing. Consequently, it is important that all fields on the form are completed fully, with meaningful and relevant detail at each of the formal review meetings. For this reason, the use of phrases such as "see previous form", "ditto" or "not applicable" is not acceptable as they do not convey the scope and content of the discussion conducted with the employee.

It is important that the line manager begins setting work targets and explains the standards that are expected to the new employee at an early stage of their employment. If at any stage during the probationary period there are concerns about the employee's performance or conduct, the line manager should be identifying the reasons for this, and planning a remedial training/ development programme to improve conduct and/ or performance. In doing this, the line manager should focus on the following key elements:

- reminding the employee of the standards that are expected and confirming them in writing;
- explaining how performance or conduct is falling short;
- identifying training needs and taking action to meet those needs;
- providing additional supervision/monitoring of work if appropriate;
- reviewing levels of sickness or other unauthorised absence, its impact on performance and actions to minimise future unauthorised absences;
- ensuring that regular reviews take place;
- keeping written records of discussions, actions and progress.

Where conduct or performance is falling short of the required standard at any stage during the probationary period, or where issues of attendance are causing concern, the supervisor or line manager should contact the DCAT HR Team for advice and support in dealing with the situation.

Where the required improvement in conduct, work performance or level of attendance is not being achieved, the employee should be advised as soon as possible that their performance is not satisfactory and of the likely consequence if there is no improvement (which could be termination of employment). It would also be appropriate at this stage for the employee to be accompanied at their formal review meetings by their trade union representative or a work colleague should they wish.

In circumstances where the employee has not met the required standard of performance or conduct for their post, managers need to give consideration to dismissal, refer to section 9.11.

In addition to the formal probationary review meetings outlined above, line managers should hold supervisory sessions to discuss work related issues at 4-6 week intervals. Regular supervision sessions are beneficial for all employees, especially for those in their Probationary Period. These sessions provide an opportunity to discuss and resolve, at an early stage, any issues or concerns that may arise between the formal reviews.

9.11. Probation dismissals

In circumstances where it is clear that an employee's conduct and/or work performance will not improve sufficiently to meet the required standard, it is not necessary to wait for the full twelve-month probationary period to be completed before taking action. It may be more helpful for both the employee and the Trust to terminate employment at an earlier stage. The process for dealing with dismissals can be found in [Appendix F](#).

On termination of employment, any outstanding annual leave and/or entitlement to notice will be paid in lieu.

Where an employee is dismissed summarily, for example for reasons of gross misconduct, there will be no entitlement to notice.

9.12. Moving to the DCAT Capability Policy

Where an employee continues to fall below the level of competence expected of them, and a package of support has been put in place through this policy in the form of a formal documented support plan, the formal capability process will be invoked.

This will be in the case for those employees where serious concerns about performance have been registered and have not been remediated through the professional performance management process.

9.13. Data Protection

When conducting an employee's appraisal, the school processes personal data collected in accordance with the Trust's data protection policy. Data collected by the school as part of the operation of the appraisal process is held securely and accessed by, and disclosed to, individuals only for the purposes of managing their appraisal or to quality assure the operation and effectiveness of the appraisal system. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the Trust's disciplinary procedure.

9.14. Monitoring and Evaluation

The Trustees and Trust Leaders will monitor the operation and effectiveness of the Trust's appraisal arrangements. This will include ensuring that the arrangements minimise the impact on workload for all parties involved.

Reference documents

Teachers' and head teachers' standards

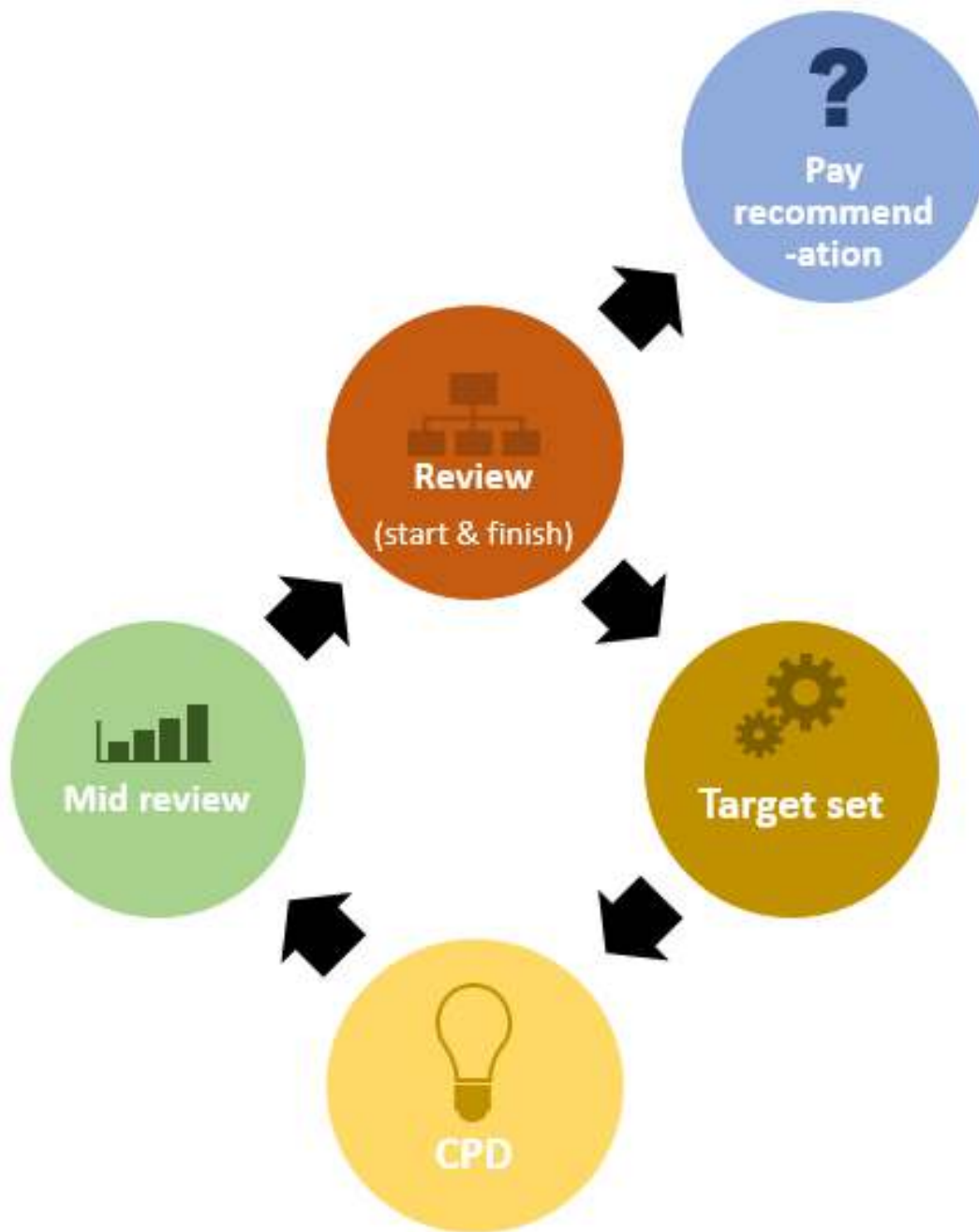
<https://www.gov.uk/government/collections/teachers-standards>
[Headteachers' standards 2020 - GOV.UK \(www.gov.uk\)](#)

Education Support Professionals' standards and guidance

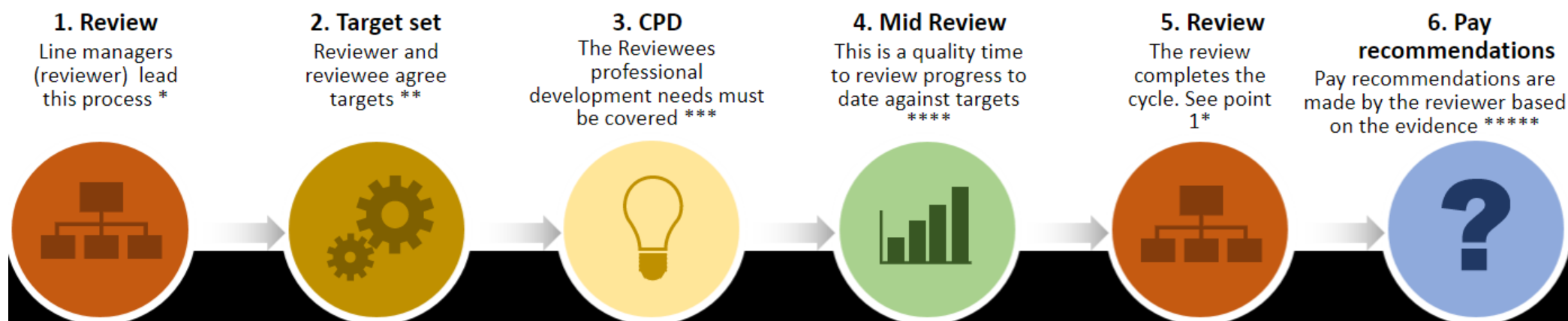
[Professional standards for teaching assistants | NEU](#)
[School business management competency framework \(publishing.service.gov.uk\)](#)

9.15. Appendices

Appendix A – Performance Management Cycle



Appendix B – Performance Management Cycle unpacked



DCAT performance Management unpacked

***Review** reviewee responsibility to bring their evidence to the meeting. If evidence is lacking then the meeting should be rescheduled once by the reviewer. The order of reviews should work from the Headteacher down.

****Targets set** There should be a minimum of three and they must be signed off by reviewee and reviewer. The targets will come from the school's Academy Development Plan priorities. The reviewees job description should be reviewed at the meeting to evaluate work undertaken against it. Any suggested changes should be considered by the school's Senior Leadership Team.

***** (CPD)** component should also be included or run through each target dependent on the school's preference

****** Mid review** At least one keep in touch (KIT) meeting to review progress against the targets in the year, to determine the likelihood of meeting targets set and any additional support that can be provided

******* Pay progression** The reviewer needs to be clear in the paperwork if pay progression is recommended or not. The Headteacher will then review all decisions made and the local governing body (or the Pay Panel if the school has one), will receive an overview of progression rates in the school. They will consider on merit and against DCAT and national comparators. The appeals process is set out in the policy. The Trust Board will receive pay recommendations for the Headteachers and the Trust Executive Team as well the aforementioned progression rates. The outcomes will be shared in writing.

Appendix C – Performance Management timeline



Appendix D – [Appraisal Proforma Review and Planning Statement](#)

Add School
logo

Appraisal Proforma

Review and Planning statement



Our vision: helping every child achieve their God-given potential

Our values: working with wisdom, respect, and aspiration

Review Academic Year:	INSERT LAST ACADEMIC YEAR DATES		Planning Year:	INSERT THIS ACADEMIC YEAR DATES	
Name of Reviewee			Job Title:		
Name of Reviewer:			Academy:		
Job description reviewed:	Yes / No		Standards reviewed (*Embed which, if any, standards were reviewed):	Headteacher Teacher Teaching Assistant Business Manager	
Meeting Date(s): 1. Objective setting 2. Mid review 3. Review			Keep In Touch Date(s):		
Career Aspirations:	(For teachers consider if they are planning to apply for UPS and discuss what would be suitable evidence.)				
Summary review of performance against objectives from last appraisal: Add link to previous year's appraisal form				Met	Partially met
Objective 1					
Objective 2					
Objective 3					
Professional development					
Reviewee's comments:					
Reviewer's comments:					
SWOT (optional/recommended completed together)	Strengths •		Areas for development •		
Pay recommendation	Yes/No	Current pay scale	Proposed pay scale		

Performance objectives agreed for **INSERT THIS ACADEMIC YEAR DATES (usually set 3-4)**

Objective 1 – INSERT CLEAR OBJECTIVE	ADP Ref.	
Performance criteria and Milestones		
Methods and sources of evidence used to monitor progress and evaluate success		
Mid review evaluation		
<i>Add comments about progress towards meeting objective. Use on track/progress towards/risk of not meeting. If 'risk of not meeting' consider, and document, additional support/training that could be provided to support the reviewee.</i>		
Final review evaluation		
<i>Reviewee must come to the meeting having added, in this box, evaluative and evidence-based comments about their work towards meeting the agreed objective (links can be made to other documents). If not ready for the review meeting, then the reviewer should reschedule once, if no evidence is provided at the next meeting the target is considered 'not met'.</i>		
<i>Ordinarily, the reviewer and reviewee should discuss whether there is sufficient evidence to judge that the reviewee has 'met', 'partially met' or 'not met' their agreed objective.</i>		
<i>The right of appeals process is set out in the Trust Appraisal Policy.</i>		
Met		Partially met
		Not met
Objective 2– INSERT CLEAR OBJECTIVE	ADP Ref.	
Performance criteria and Milestones		
Methods and sources of evidence used to monitor progress and evaluate success		
Mid review evaluation		
<i>Add comments about progress towards meeting objective. Use on track/progress towards/risk of not meeting. If 'risk of not meeting' consider, and document, additional support/training that could be provided to support the reviewee.</i>		
Final review evaluation		
<i>Reviewee must come to the meeting having added, in this box, evaluative and evidence-based comments about their work towards meeting the agreed objective (links can be made to other documents). If not ready for the review meeting, then the reviewer should reschedule once, if no evidence is provided at the next meeting the target is considered 'not met'.</i>		

Ordinarily, the reviewer and reviewee should discuss whether there is sufficient evidence to judge that the reviewee has 'met', 'partially met' or 'not met' their agreed objective.

The right of appeals process is set out in the Trust Appraisal Policy.

Met		Partially met		Not met	
Objective 3 – INSERT CLEAR OBJECTIVE					ADP Ref.

Performance criteria and Milestones

Methods and sources of evidence used to monitor progress and evaluate success

Mid review evaluation

Add comments about progress towards meeting objective. Use on track/progress towards/risk of not meeting. If 'risk of not meeting' consider, and document, additional support/training that could be provided to support the reviewee.

Final review evaluation

Reviewee must come to the meeting having added, in this box, evaluative and evidence-based comments about their work towards meeting the agreed objective (links can be made to other documents). If not ready for the review meeting, then the reviewer should reschedule once, if no evidence is provided at the next meeting the target is considered 'not met'.

Ordinarily, the reviewer and reviewee should discuss whether there is sufficient evidence to judge that the reviewee has 'met', 'partially met' or 'not met' their agreed objective.

The right of appeals process is set out in the Trust Appraisal Policy.

Met		Partially met		Not met	
Professional development	To assist in meeting the agreed objectives, the reviewee will:				
Objectives Agreed by:	Reviewee		Reviewer		
Signature (s)					
Name					
Date					

Appendix E – Probationary Period – Progress Review Form

This form should be completed by the Reviewer with the Employee on three separate occasions throughout the six-month probationary period in weeks 6, 12 and 18. Please indicate which review meeting the form relates to by ticking the 1st, 2nd or 3rd review.

Name of Employee		Name of Reviewer			
Date Probation Started		Date Probation Ends			
Review Date		1 st Wk 6		2 nd Wk 12	
Assessment of Performance					
Area	Comments of Review and Employee				
Standard of work					
Knowledge/skills					
Working relationships with others					
Customer service (e.g. service to parents/staff/pupils)					
Attendance and time keeping					
Overall Assessment (Reviewer Comments):					
Overall Assessment (Employee Comments):					
Is the role meeting the employee's expectations? If not, why?					

Development – Areas for further Training/Support			
Agreed Objectives/Actions			
Action/Objective	Success Criteria	To be completed by (Name) / Monitoring Arrangements	Target Date
Date of Next Review			
Signed (Reviewer)		Date	
Signed (Employee)		Date	

Provide one copy of the review form to the employee and add a copy to the employee's personnel file.

Appendix F – Probationary Dismissal Procedure

1. Where the line manager has made the decision that the employee's work performance or conduct is unsatisfactory s/he **must** first contact the DCAT Central HR Team.
2. A meeting should be arranged to inform the employee of the decision to recommend dismissal and to allow them the opportunity to present their views.
3. The meeting should be chaired by a senior manager who is more senior than the line manager. The employee should be given the opportunity to be accompanied by a trade union representative or a work colleague. A representative from the DCAT Central HR Team may be present in exceptional circumstances.
4. At the meeting all the relevant paperwork should be reviewed and the reasons for the decision to recommend dismissal should be given by the line manager. It is not anticipated that any witnesses will be required to attend.
5. The employee should then be given the opportunity to state their views.
6. The chairing manager should decide whether to dismiss the employee or to continue with their employment. This decision should be conveyed to the member of staff at the meeting and confirmed in writing as soon as practicable afterwards.
7. Once the decision is reached the employee has no right of appeal.

Appendix G – [Induction Checklist](#)

This checklist is provided as an example: it is not designed to be prescriptive as every role and setting will have slightly different induction requirements – adjust as necessary.

Name & Job Title of Employee		Name & Job Title of Line Manager	
Start Date of Employee			
STAGE ONE – BEFORE COMMENCEMENT OF EMPLOYMENT			
Task			Date Completed
Offer letter, contract of employment, other new starter paperwork sent			
Pre-employment checks completed and add details to SCR			
Instructions for first day given to employee			
Preparation for first week completed (e.g. work area set up, payroll documents completed, access to I.T. including all appropriate drives, phone number arranged, share calendars)			
Training booked (where identified, e.g. safeguarding / child protection)			
Make arrangements for relevant induction appointments or meetings			
Discuss any Medical Conditions and possible need for a Health Care Plan			
STAGE TWO – ON FIRST DAY (OR SOON THEREAFTER)			
This section of the checklist should be completed in conjunction with the employee, to ensure that he/she has fully understood each area before it is signed off.			
Area	Tasks	Tick when completed	
HR	Any outstanding HR / payroll documentation completed (P45)		
	Hours of work, breaks, holiday arrangements, absence reporting procedures and benefits (e.g. Employee Assistance Programme, Occupational Health) explained		
	Add Employees emergency contact/next of kin details to Arbor		
	School/Trust rules discussed, and copies of any relevant procedures given to employee (e.g. DCAT Employee Handbook, code of conduct)		
	Add staff member to website, N2K, signing in system		
	Details of local union representatives given		
	Background information about School/Trust offered		
Tour of Site	Tour of buildings, including cloakroom & refreshment facilities, entrances/exits, noticeboards, staff areas, pupil facilities		
	Introduction to staff members (mentor and/or 'buddy' if appropriate), function of department and how it relates to the whole School/Trust		
Department	How the School/Trust communicates: what processes are used, when meetings take place, how email and noticeboards are used, the telephone system		
Communication	How role fits into department, about colleagues, supervision arrangements, description of job tasks and standards of work expected		

Job	Explain induction arrangements and review process (book dates for Probationary Review Meetings in wks 6/12/18 for Education Support Professionals)	
	Use of any relevant systems and equipment and safety guidance for use, including I.T. (set up email footer) and phone (record answerphone message), review School/Trust diary and add any appropriate dates/meetings to employee's diary	
Office Administration	ID card and issue appropriate keys	
	Car parking	
	Explain finance, ordering & budget procedures / how to claim expenses	
Health & Safety	Local health and safety policy and associated rules – allocate Handsam training	
	Accident / incident reporting rules	
	First Aid facilities and trained First Aiders	
	Building security arrangements	
	No smoking policy	
	Department / job specific safety rules	
	How to raise the fire alarm & location of extinguishers	
	Assembly areas, evacuation routes and procedures	
	Relevant Risk Assessments/PPE	
Safeguarding Children	Asbestos awareness / Hazardous Substances (COSHH)	
	Explain any information which is relevant to the role, including giving copy of School/Trust policy, reporting procedures, log in details for MyConcern/CPOMs, name of designated safeguarding lead, copy of Part I of <i>Keeping Children Safe in Education</i> (or Annex A if more appropriate to role) and copy of pupil behaviour policy Allocate The Key Safeguarding training and book the first face to face training available at a DCAT school	
Data Protection	Explain individual obligations under the data protection principles defined in the GDPR and Data Protection Act 2018. Explain what data protection policies exist, where they are held, and the data protection conditions that apply to storing and sharing information (including for safeguarding purposes) in the role	

STAGE THREE – WITHIN FIRST THREE MONTHS

Area	Tasks	Tick when completed
Training & Development	Immediate job-related training / induction needs discussed	
	Departmental and longer-term training / induction needs discussed / explain the School/Trust's appraisal process	
Review meetings	End of first week review meeting	
	One month review meeting	
	Three month review meeting – evaluate the success of the employee's induction programme and use findings to inform future practice.	

ACKNOWLEDGEMENT			
I have instructed the above named in the safeguarding, health & safety and general induction for new employees at our School/Trust		I have received instruction and understand the above safeguarding, health & safety arrangements and general induction for new employees at this School/Trust	
Manager's Signature		Employee's Signature	
Date		Date	

When complete, copy to be offered to employee and copy to be stored on the employee's personnel file.