



**HR Handbook
Key Policies & Procedures
6 April 2026**

HR Handbook

Key Policies and Procedures

Date Agreed:	24 March 2026 (effective from 6 April 2026)
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Revision Number	Date Issued	Prepared by	Approved	Comments
1	31.10.2022	SBa / DL	A&R Committee	Rewrite
2		KS/DL	A & R Committee	Update of hyperlinks and dates for 23/24 academic year
3	19.02.2024	KS/DL	A & R Committee	Updated Induction & Probation Policy
4	01.06.2024	KS/DL	A & Committee	Updated to include new Flexible Working Policy
5	02.06.2025	Director of People	People Committee	Updated to include revised Pay, Appraisal & Capability policies
6	12.01.2026	Director of People	Trust Board	Updated to include revised Pay Policy 2025/26
7	06.04.2026	Director of People	People Committee	Updated to include revised Disciplinary & Grievance Resolution policies and compliance update to Attendance Management Policy reflecting legislative changes for SSP.

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Summary of Updates 6 April 2026

Item	Summary of Changes
Footer	Updated to include a version reference and revised date
4.9	Statutory Sick Pay references updated to remove the 3 waiting days

Summary of Updates January 2026

Item	Summary of Changes
Footer	Updated to include a version reference and revised date
8. Pay Policy	Policy updated
3. Safeguarding	Updated safeguarding contacts

Summary of Updates June 2025

Item	Summary of Changes
Footer	Updated to include a version reference and revised date
3. Safeguarding	Updated safeguarding contacts
6. Capability Policy	Policy updated
8. Pay Policy	Policy updated
9. Performance Management (Appraisal) Policy	Policy updated

Summary of Updates June 2024

Item	Summary of Changes
Footer	Updated to include a version reference and revised date
I. Added Induction and Probation Policy & Flexible Working Policy to list of policies included in the Handbook	Updated to include new policies added
II. Flexible Working Policy Added	New Flexible working policy added

Item	Summary of Changes
Footer	Updated to include a version reference and revised date
9.10 Probation review for Education Support Professionals and 9.11 Probation dismissals	Removed and replaced with new Induction and Probation Policy

and associated appendices removed from Performance Management Policy	
10. Induction and Probation Policy added	New Induction and Probation Policy added

Summary of Updates February 2024

Summary of Updates September 2023

Item	Summary of Changes
Footer	Updated to include a version reference and revised date
Summary of Updates	Table of updates added for ease of tracking changes and reader information
Various Hyperlinks .	Hyperlinks updated
Link to DCAT Employee Handbooks for Schools and Central Staff	Hyperlinks updated
Reference and links to Keeping Children Safe in Education	Updated to 2023 and hyperlinks updated
Safeguarding 3.1	DCAT Safeguarding Team details updated
Performance Management Review Introduction I	Updated to remove link to Trust ECT Policy and revise to own schools ECT Policy
Performance Management Review 9.2 & Appendix D	Performance Management (Appraisal) Forms Updated for 23/24.

Introduction

1.1. 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)
- g. Induction and Probation Policy
- h. Flexible Working Policy
- i. Equality, Diversity & Inclusion Policy
- j. Bullying and Harassment (Including Sexual Harassment 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

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:

1.1.1.1 Aspiration

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

1.1.1.2 Wisdom

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

1.1.1.3 Respect

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

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:

Dominique Ivil, Head of Safeguarding & HR/People Operations Manager
DCAT Designated Safeguarding Lead – divil@dcacat.academy

Mark Talbot, CEO
DCAT Deputy Safeguarding Lead – mtalbot@dcacat.academy

Karen Stant, Director of People
DCAT Deputy Designated Safeguarding Lead – kstant@dcacat.academy

Nick Wilkinson, Safeguarding Link Trustee – nwilkinson@dcacat.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.

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:

- a) Comply with the sickness absence reporting procedures in section 4.5;
- b) Take all reasonable steps to safeguard their health and safety at work;
- c) Not attend work when unfit to do so;
- d) Attend work when fit to do so;
- e) Seek medical advice as soon as possible;
- f) Keep the School/Trust informed of any relevant developments during their absence; and
- g) 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:

- a) Repeated short-term sickness of 3 occasions in a rolling 6-month period;
- b) 8 working days' absence or more in a rolling 12-month period;
- c) 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@dcat.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:

- a) 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.
- b) 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.

4.9. 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 payable from the first day 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.

4.10. 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.

4.11. 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.

4.12. 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.

4.13. 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.

4.14 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.

4.15 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.

4.16 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.](#)

4.17 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.

4.18 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.

4.19 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.

4.20 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.

4.21 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.

4.22 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.

4.23 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

4.24 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

4.25 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.

4.26 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.

4.27 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.

4.28 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.

4.29 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.

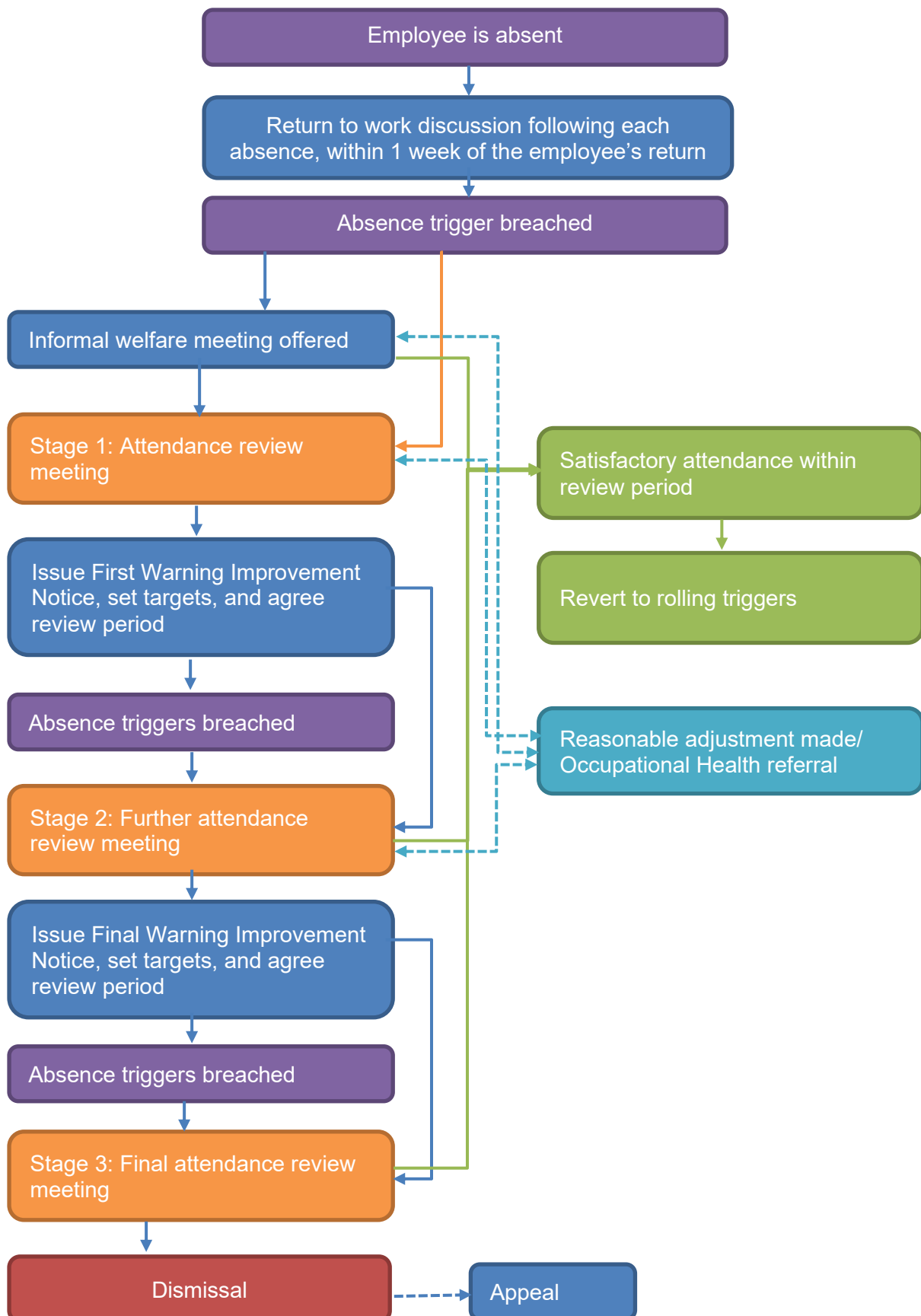
4.30 Grievance raised during sickness absence proceeding

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.

4.31 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: Self Certificate 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: Return to Work Form 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	

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.

5.2 Purpose

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

However, the capability procedure may be started at any point where serious concerns around performance are identified

5.3 Capability Procedure

Notification of a formal capability meeting should never come as a surprise to the staff member concerned. Informal support and a performance improvement plan should mean that the staff member is fully aware of the concerns being raised and they should have had every opportunity to improve in a supportive environment.

At least five (or insert alternative) working days' notice will be given of the formal capability meeting. The notification will contain sufficient information about the concerns about performance and their possible consequences to enable the staff member to prepare to answer the case at a formal capability meeting. It will also contain copies of any written evidence; the details of the time and place of the meeting; and will advise the staff member of their right to be accompanied by a companion who may be a colleague, a trade union official, or a trade union representative who has been certified by their union as being competent.

Employees are entitled to reasonably request an alternative date where they are unable to attend the original date proposed. While an employee is in capability procedures, pay progression should be withheld

In applying this policy, the table below determines who has delegated responsibility for managing the capability procedure at the various stages outlined in this Policy.

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

5.4 Formal Capability Meeting

This meeting is intended to establish the facts. The meeting sets out the required standards which are believed to have been failed by the employee. The meeting allows the employee to respond to concerns about their performance and to make any relevant representations, with the option of being accompanied by a work colleague, union representative or an official employed by a trade union. This may provide new information or a different context to the information/evidence already collected. During the meeting, evidence shall be presented, and witnesses shall be called where appropriate and necessary. The employee shall be allowed to ask questions, present their own evidence and rely on their own witnesses where appropriate and necessary, and will be permitted to respond to the evidence and ask questions.

The person conducting the meeting may conclude that there are insufficient grounds for pursuing the capability issue and that it would be more appropriate to continue to address the remaining concerns through the appraisal process. In such cases, the capability procedure will come to an end. The person conducting the meeting may also adjourn the meeting for example if they decide that further investigation is needed, or that more time is needed in which to consider any additional information. In other cases, the meeting will continue.

During the meeting, or any other meeting which could lead to a formal warning being issued, the person conducting the meeting will:

- identify the professional shortcomings, for example which of the standards expected of teachers are not being met;
- give clear guidance on the improved standard of performance needed to ensure that the teacher can be removed from formal capability procedures (this may include the setting of new objectives focused on the specific weaknesses that need to be addressed, any success criteria that might be appropriate and the evidence that will be used to assess whether or not the necessary improvement has been made);
- explain any support that will be available to help the teacher improve their performance;
- set out the timetable for improvement taking into account the teacher's personal circumstances. This may include any medical conditions, working pattern, wellbeing support needs, or disabilities protected by the Equality Act 2010. The timetable will depend on the circumstances of the individual case but in straightforward cases could be between four and six weeks.; and

- explain how performance will be monitored and reviewed. warn the employee formally that failure to improve within the set period could ultimately lead to dismissal.

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

5.5 Monitoring and review period following a formal capability meeting

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

5.6 Formal review meeting

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

Employees are entitled to reasonably request an alternative date where they are unable to attend the original date proposed (for example a date that is within five working days of the original proposed date). If the person conducting the meeting is satisfied that the teacher has made sufficient improvement, the capability procedure will cease, and the appraisal process will re-start.

In other cases:

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

As before, notes will be taken of formal meetings and a copy sent to the member of staff. The final written capability warning wording will mirror any previous capability warnings that have been issued. Where a final warning is issued, the member of staff will be informed in writing that failure to achieve an acceptable standard of performance within the set timescale, which is normally four to six weeks, may result in dismissal and given information about the handling of the further monitoring and review period and the procedure and time limits for appealing against the final warning. The employee will be invited to a decision meeting.

5.7 Decision meeting

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

If an acceptable standard of performance has been achieved during the further monitoring and review period, the capability procedure will end, and the appraisal process will re-start. If performance remains unsatisfactory, a decision will be made that the final written warning should be extended (where possible or appropriate), or the employee should be dismissed or required to cease working at the school..

Redeployment into an alternative role may be considered where appropriate and possible. The employee will be informed as soon as possible of the reasons for the dismissal, the date on which the employment contract will end, the appropriate period of notice, plus details of any payment in lieu of notice arrangements, and their right of appeal.

5.8 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.

5.9 Appeals

If an employee feels that a decision to dismiss them, or other action taken against them, is wrong or unjust, they may appeal in writing against the decision within five working days of the decision, setting out at the same time the grounds for appeal.

Appeals will be heard without unreasonable delay and, where possible, at an agreed time and place.

The same arrangements for notification and right to be accompanied by a companion will apply as with formal capability and review meetings and, as with other formal meetings, notes will be taken, and a copy sent to the employee. The appeal will be dealt with impartially and an individual(s) who have not previously been involved in the case.

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

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.

5.10 Grievances raised during these proceedings

Where a member of staff raises a grievance during the capability procedure the capability procedure may be temporarily suspended in order to deal with the grievance.

Where the grievance and capability cases are related, including as part of the capability process, it may be appropriate to deal with both issues concurrently.

5.11 Sickness and absence during these proceedings

If long term sickness absence appears to have been triggered by the commencement of monitoring performance at any stage of the procedure or a formal capability procedure, the case will be dealt with in accordance with the 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.

In some cases, it may be appropriate for monitoring and/or formal procedures to continue during a period of sickness absence.

5.12 General principles underlying this policy

ACAS Code of Practice on Disciplinary and Grievance Procedures

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

5.13 Confidentiality

The capability processes will be treated with confidentiality.

5.14 Consistency of treatment and fairness

DCAT is committed to ensuring consistency of treatment and fairness. It will abide by all relevant equality legislation, including the duty to make reasonable adjustments for disabled employees. DCAT is aware of the guidance on the Equality Act 2010 issued by the Department for Education.

5.15 References

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

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

5.16 Definitions

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

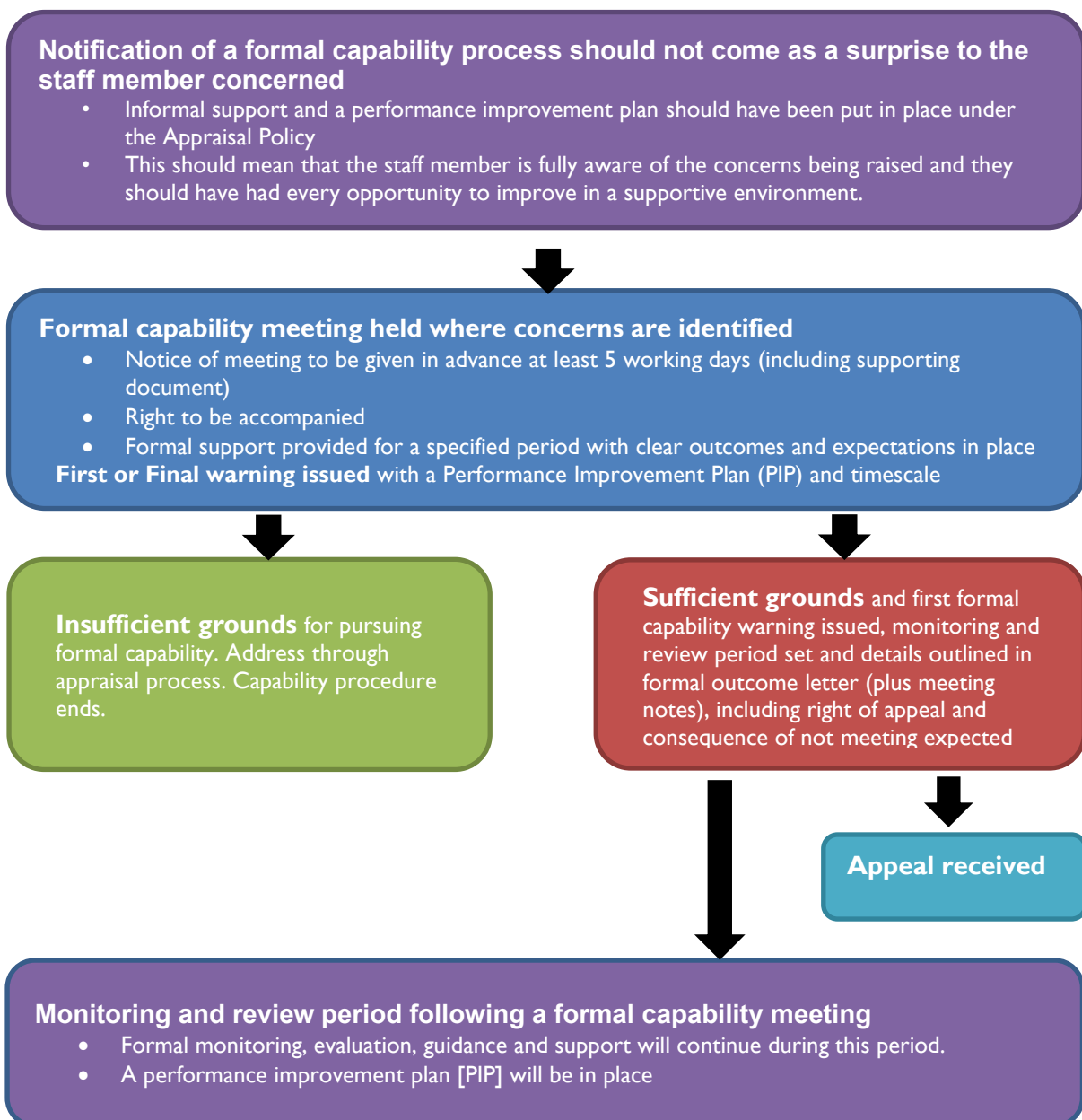
5.17 Monitoring and evaluation

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

5.18 Retention

The Trust and headteacher will ensure that all written capability records are retained and stored in a secure place in line with their Retention and Disposal Policy,

Appendix A Capability Process Flowchart



First written warning live

Final written warning live

Formal review meeting

- Notice of meeting to be given in advance at least 5 working days (including supporting documents)
- Right to be accompanied

Sufficient progress is made, formal capability process ends; outcome letter (plus meeting notes) issued and appraisal process restarts

Some progress is made & confidence that more is likely, decision to extend the monitoring & review period; outcome letter (plus meeting notes) & confirming extension sent

No or insufficient progress is made, final written warning issued, monitoring and review period set and details outlined in formal outcome letter (plus meeting notes), including right of appeal and consequence of not meeting expected standards.

First written warning live

Final written warning live

Appeal received

Decision meeting

- Notice of meeting to be given in advance at least 5 working days (including supporting document)
- Right to be accompanied

Acceptable standard of performance is reached, formal capability process ends; outcome letter (plus meeting notes) issued and appraisal process restarts

Performance remains unsatisfactory, decision to either extend final written warning and monitoring & review period OR dismiss employee, decision outlined in formal outcome letter (plus meeting notes), including right of appeal and consequence of not meeting expected standards.



Appeal received

Appeal meeting

- Notice of meeting to be given in advance at least 5 working days (including supporting documents)
- Right to be accompanied
- Outcome to uphold or not uphold original decision taken, remove formal warnings and point at which to return to in capability procedure

Appendix B: Performance Improvement Plan Template – Formal Capability

Employee:				
Job Title:				
Reviewer:				
Job Title:				
Date plan starts:				
Mid-way review date:				
Final review date:				
No	Area for Improvement (Head/Teacher/Support staff Standard(s))	Intended outcome (What will it look like when improvement is achieved? The practice that needs to be demonstrated)	Performance measure (How will this be achieved and evidence base)	Support agreed & provided
1				
2				
3				
4				
Midway review:				

	Met (sufficient improvement) Partially met (some progress & confident that more is likely) Not met (no or insufficient improvement)	Evidence against the performance measure	Evidence of support	Employee Comments
1				
2				
3				
4				
Final review:				
	Met (sufficient improvement) Partially met (some progress & confident that more is likely) Not met (no or insufficient improvement)	Evidence against the performance measure	Evidence of support	Employee Comments
1				
2				
3				

4				
---	--	--	--	--

Other Support Provided	Yes/No	Date	Comments where appropriate
EAP details provided for access to free confidential support & counselling			
Stress Risk Assessment Completed			
Referral to Occupational Health			
Mental Health Action Plan			
Reasonable adjustments			

Disciplinary Policy

6.1 Policy aims

The Diocese of Chichester Academy Trust [the Trust] is committed to being a fair and reasonable employer and to ensuring that disciplinary matters and other dismissals are managed in a consistent and non-discriminatory manner and that these procedures set out how such matters will be dealt with.

The object of the formal disciplinary procedure is to provide a framework to deal with cases of misconduct where informal measures have been unsuccessful. The intention is to correct employees' behaviour rather than just punish wrongdoing.

This policy emphasises the Trust's commitment to equality and diversity, ensuring fair treatment and preventing unlawful discrimination. It highlights the need to eliminate discrimination, promote equal opportunities, and foster positive employee relations, particularly concerning protected characteristics under the Equality Act 2010.

6.2 Definitions

- “Trust” – this refers to The Diocese of Chichester Academy Trust
- Board of Trustees” – this refers to the Group’s Board of Trustees, which has ultimate responsibility for governance.
- “School” - This refers to the individual school.

6.3 Purpose

This policy applies to all employees and the purpose of this Policy and Procedure is to help and encourage all employees of the Trust to achieve and maintain the required standards of conduct, promoting best practice in employment and to ensure consistency and equity in the approach towards the management of cases where breaches of this policy are alleged to have taken place.

6.4 Scope

As part of the disciplinary process, the Trust will refer to the DCAT Code of Conduct (Section 2 of the Employee Handbook) alongside all relevant policies and procedures, whether incidents occur on Trust premises or elsewhere.

During the first six months of employment, including any probationary period or extension, the Trust may apply a modified approach and is not obliged to follow the full procedure. However, employees will still be informed of any concerns or allegations and given an opportunity to respond before any decision is made. Where concerns arise during probation, line managers should seek guidance and support from the Central HR Team to ensure matters are handled appropriately.

This procedure does not apply in situations where:

- Minor misconduct can be addressed informally through discussion, counselling, or an informal warning to encourage improvement.
- Grievances, which are managed under the Grievance Policy.
- Capability or competence issues, which fall under the Capability Policy, unless there is clear evidence that the employee is capable of meeting the required standard but has chosen not to do so.

- Ill health, which is managed under the Sickness Absence Procedure, unless there is a reasonable belief that the absence or ill health is not genuine.
- Bullying, harassment, discrimination, or victimisation, which are initially addressed under the bullying and harassment policy.

6.5 Policy application and fairness

It is the aim of the Trust to deal with disciplinary matters sensitively and to respect the privacy of any individuals involved. All employees must treat any information communicated to them in connection with an investigation or disciplinary matter as strictly private and confidential.

All Employees and external members accompanying the individual must not make electronic recordings of any meetings conducted under the procedure. We will keep a written record of all meetings under this procedure, taken by the chair or a designated note-taker.

This policy will be applied consistently and fairly for all employees, taking into account the individual circumstances of each case. No employee will be treated less favourably on the grounds of gender, disability, age, race, creed, colour, religion, nationality, ethnic or national origin, trade union membership or activity, sexual orientation, gender reassignment, medical condition, or marital status.

During each stage of the procedure, the Trust will collect, process and file personal data in accordance with our GDPR policy. The data will be held securely and accessed by, and disclosed to, individuals only for the purpose of completing the disciplinary procedure.

Commitment to Natural Justice

The employer recognises its responsibility to uphold the principles of natural justice throughout the application of this policy. This means:

- Employees will be informed of the nature of any allegation against them.
- Employees will have the opportunity to present their case.
- Management will act in good faith and without bias.

Alignment with ACAS Code

This policy is written in accordance with the Advisory, Conciliation and Arbitration Service (ACAS) Code of Practice.

Informal Guidance

Informal guidance and discussions do not form part of the formal disciplinary procedure. Depending on the nature of the alleged conduct, we may suggest mediation to try to resolve it. This involves the appointment of a third-party mediator, who will discuss alleged conduct concerns with everyone involved and seek to facilitate a resolution. Mediation is only used when all parties involved in the disciplinary issue, agree to do so.

Disability-Related Conduct In line with the Equality Act 2010, the Trust recognises that in some cases, conduct issues may arise as a consequence of an employee's disability. Where there is reason to believe this may be the case, the Trust will seek appropriate medical advice (e.g. from Occupational Health) and consider whether reasonable adjustments or alternative support measures are appropriate before proceeding with formal disciplinary action.

6.6 Safeguarding and Child Protection Issues

If the allegation against an employee relates to a child protection issue the Trusts Managing Allegations Procedure must be followed. Advice should be sought from the schools DSL and/or the Trust Safeguarding Lead accordance with the Trusts Managing Allegations Procedure.

Where necessary and appropriate, the Local Authority's Designated Officer (LADO) must be contacted at the outset, to discuss how to proceed. The outcome may be that an allegations strategy meeting is required, and the LADO will convene this meeting if this is the case.

If the allegation is substantiated and the employee is dismissed or the Trust ceases to use the person's services, or the person resigns or otherwise ceases to provide their services, the LADO should discuss with the Trust whether a referral should be made for consideration as to the individual being barred from, or have conditions imposed in respect of, working with children.

No disciplinary records relating to the safety and welfare of children and young people will be withdrawn from an employee's personal file for holders of posts covered by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975. Whilst the warning will remain on file, it is not 'live' and would only be taken into account if relevant and reasonable to do so in the context of the responsibility for the protection of children.

The Trust will refer to the relevant external agency serious misconduct cases relating to registered teachers, which do not raise issues relating to the safety and welfare of children and young people, who are dismissed through this procedure or where the proceedings would have led to dismissal had the employee not resigned.

6.7 Referrals to External Bodies

Where grounds for dismissal or removal from regulated activity relate to issues relating to the safety and welfare of children and young people, these individuals will be referred by the Trust to the Disclosure and Barring Service (DBS) and the Teaching Regulation Agency (TRA) where applicable for teaching staff. This includes where an employee is dismissed (via a different process – attendance management, for example) or resigns before a disciplinary process is completed

Disclosure and Barring Service

The legal duty to refer to DBS is triggered when the following two conditions have both been met;

Condition One

When you withdraw permission for a person to work in regulated activity with children and / or vulnerable adults, either through dismissal or by moving the person to another area of work that is not regulated activity.

Condition Two

When you think the person has carried out one of the following:

- Been cautioned or convicted of a relevant (automatic barring) offence; or,
- Engaged in relevant conduct in relation to children and / or vulnerable adults [i.e. an action or inaction (neglect) that has harmed a child or vulnerable adult or put them at risk or harm]; or,
- Satisfied the Harm Test in relation to children and / or vulnerable adults. [i.e. there has been no relevant conduct (i.e. no action or inaction) but a risk of harm to a child or vulnerable still exists]

Teaching Regulation Agency (TRA)

In cases of serious teacher misconduct and breaches of professional standards, The Trust may make a referral to the Teaching Regulation Agency (TRA).

6.8 Alleged Criminal Offences and Convictions

When conduct relates to a criminal investigation, charge, or arrest or conviction, the facts will be investigated before deciding whether to take formal disciplinary action. Disciplinary action will depend on the circumstances and employees are required to notify their Line Manager and/or Headteacher immediately if they are involved in a criminal investigation, arrest or subject to a charge or conviction. Failure to notify their Line Manager and/or Headteacher may result in disciplinary action.

Where employees have been advised not to attend an investigation meeting or disciplinary hearing or say anything about a pending criminal matter, The Trust may base their decisions on the available evidence at the time.

The Trust will still act and decide on the best course of action if the outcome of a prosecution is still pending. A Criminal investigation charge or conviction relating to conduct outside of work may be treated as a disciplinary matter if it is relevant to the employees' employment.

If a criminal investigation relates to allegations of abuse towards children, the Trust will co-operate and share information about the employee with other relevant agencies as appropriate.

6.9 Precautionary Action (Including Suspension)

At any stage before, during, or after an investigation, if it is believed that the investigation may be adversely impacted by the employee remaining at work, or if there is a potential risk, precautionary action may be taken. This can include restricted or amended duties, or suspension from work.

Precautionary action is **not** an assumption of guilt, nor is it a disciplinary sanction. It does not indicate any prejudice of the allegations. If suspension occurs, it should be for the shortest time necessary and will remain in place only while the investigation and any disciplinary process are ongoing.

Before deciding on suspension, the Headteacher or CEO in the case of central staff must complete a **Suspension Risk Assessment**. This assessment should consider whether suspension is necessary or if alternative adjustments (such as temporary redeployment or restricted duties) could manage the risk effectively.

Suspension should only occur if one or more of the following apply:

- The safety and wellbeing of pupils may be compromised.
- There is alleged serious misconduct or criminal proceedings that may affect continued employment.
- The employee's presence could compromise the investigation (e.g., tampering with evidence, influencing witness)
- Working relationships have broken down and there is no other way to avoid conflict whilst the matter is resolved.
- There are concerns about the health, safety, or welfare of the employee or colleagues

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 following the completion of a Suspension Risk Assessment.
- b) The linked Director of Education, Chair of the LGB and the employees 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) The suspension should be reviewed every two weeks where appropriate.

6.10 Conduct Concerns & Fact Finding

Upon receiving any early-stage concern against employees, it is likely that further information will be required to establish the necessary course of action. The Line Manager or designated Senior Leader should seek to establish the facts of the situation; this may involve speaking to witnesses, looking at records, reviewing CCTV footage and so on.

A preliminary investigation meeting may be held with the employee to establish the basic facts of the circumstance and to enable the designated manager to determine whether further investigation is required. Such a meeting can sometimes produce a reasonable explanation in response to the allegation that then enables the matter to be concluded. A preliminary meeting will not be required in all cases, and it is for the Line Manager or designated Senior Leader to decide whether this is appropriate.

Where a matter can be dealt with informally, if the level of misconduct is of a low-level nature, the approach to resolving quickly and confidently should be taken.

Where this is deemed appropriate the line manager / designated senior leader will address the matter with the employee, making a note of the discussion for agreement to this being an accurate record of any discussion. The line manager may issue the employee with a management guidance letter advising that further acts of misconduct may result in formal disciplinary action.

The informal approach is considered as being outside of formal disciplinary procedures, but where matters are more serious or where an informal approach has been implemented but is not successful (i.e a further transgression within the twelve month period) the matter will be progressed to the formal disciplinary procedure.

Any matters of misconduct will proceed to formal investigation in the following circumstances:

- Where that matter cannot be resolved informally
- Where the employee has been given a previous warning for behaviour of a similar conduct
- Where the allegation leads to concerns about the safety and welfare of children, if deemed appropriate following consultation with the Local Authority Designation Officer (LADO)

6.11 Formal Investigation

No formal disciplinary action will be taken without a prompt and appropriate investigation into the circumstances.

At all stages, the employee will be made aware of the support available to them through the Trust Employee Assistance Programme.

The Headteacher or in the case of central staff a member of the Trust Executive Leadership Team, will act as Commissioning Officer and appoint an Investigating Officer, who will normally be a senior member of staff with relevant training. Where allegations involve the Headteacher, the Chair of Governors will liaise with the Trust to appoint an appropriately independent Investigating Officer, this may be a Director of Education or other member of the Trust Leadership Team. Where allegations involve the CEO, the Chair of the Board will appoint an appropriately independent Investigating Officer

The Investigating Officer will write to the employee as soon as possible:

- Details of the allegation(s)
- Copies of any available and relevant information
- A copy of this disciplinary policy
- The date and time of any investigation meeting, giving reasonable notice

The Investigating Officer will carry out a full, fair, and unbiased investigation in a timely manner. Evidence will be gathered from all relevant parties, including, where appropriate, individuals who may support the employee's case. This will include an investigation meeting with the employee and interviews with witnesses as required.

Whilst there is no right within the Policy for the employee to be accompanied at the investigation meeting, requests to be accompanied will be accommodated where possible provided they do not unreasonably delay the investigation process. Additional consideration will be given where such requests are made as a reasonable adjustment.

If new concerns arise during the investigation, the process may be paused to allow these to be considered.

All investigations will be undertaken in the strictest of confidence. The employee and any other individuals interviewed as part of this process will be advised to treat the investigation as such.

Timescales

For allegations of misconduct or straightforward cases, the investigation should be completed within 15 working days.

For allegations of gross misconduct or complex cases, the investigation should normally be completed within 20 working days.

In exceptional circumstances, an alternative reasonable timescale will be agreed with the employee. Employees and witnesses will be given reasonable notice of any meetings.

Notes of all meetings will be taken and agreed as an accurate record.

Investigating Officer and outcomes

The Investigating Officer's role is to gather evidence and produce a report recommending whether:

- No further action is required
- Management guidance or informal action is appropriate
- Training or support is required
- The case should proceed to a disciplinary hearing
- The matter may constitute gross misconduct

For cases involving the Headteacher, the Investigating Officer will submit the report to the line manager and Chair of Governors, who will decide on next steps, including whether a formal hearing is required.

No case to answer

If there is no case to answer and no further action is required the employee will be informed in writing and all documentation removed from their file.

Management guidance or informal action

A management guidance letter may be issued where the investigation has found that an allegation is found to have some foundation, though does not merit a formal disciplinary hearing, and may be resolved through advice and training where appropriate. The letter should detail the mitigation that led to the decision and will remain on file for a period of 12 months from the date of issue. Where informal action is appropriate, this may include training, support or management guidance.

Proceed to disciplinary hearing

If a disciplinary hearing is required, the employee will be notified and arrangements made. Individuals involved in the investigation may present evidence or appear as witnesses but will not advise or sit on the disciplinary hearing panel.

6.12 Grievances during disciplinary proceedings

A grievance raised during the course of the disciplinary procedure will be referred to a more senior member of staff who will decide whether to temporarily suspend the disciplinary process to deal with the grievance or to address both concurrently.

If the grievance relates to the disciplinary action (e.g. alleging bias), it may be appropriate to pause and resolve that issue first. If unrelated, both can proceed in parallel. The goal is to ensure the disciplinary is fair and not derailed by unresolved complaints.

6.13 Sickness and absence during these proceedings

On the occasion, an employee is absent due to sickness during the investigation process, the Investigating Officer should be informed of this. Advice may be sought from the Trust's Occupational Health provider or the employee's GP, regarding the employee's fitness to participate in the process.

If an employee is suspended from duty and subsequently becomes unwell, the school must follow the Trusts absence management policy.

Reasonable time should be allowed for the employee to recover. However, if it is likely that the absence will be prolonged, with the employee continuing to be unfit to take part in an investigation, the investigatory process may proceed in their absence. The employee's representative may give evidence and state the case for the employee and the employee will also be given the opportunity to provide a written statement in these circumstances.

Remote proceedings

Where it is not possible to hold a face-to-face meeting under this procedure, the process may be conducted remotely. We will ensure that the employee and their representative have access to the necessary technology for participating. The employees' rights will not be affected, and we will ensure that the procedure remains fair and reasonable.

Adjustments to proceedings

If an employee has a disability that may have an impact on their ability to participate fully in this procedure, or if they need assistance because English is not their first language, the employee should let us know by contacting the panel who will make appropriate arrangements on their behalf.

Change of Circumstances

If circumstances prevent full adherence to this procedure (e.g. illness or manager unavailability), we will ensure the employees understands the allegations, can respond, and that their response is considered fairly.

6.14 Anonymous Statements

The Trust recognises that, in rare cases, a witness may request anonymity during an investigation. While anonymity will only be considered in exceptional circumstances—such as where there is a genuine fear of reprisals—the Trust will seek to balance this request with the employee’s right to understand and respond to the allegations.

Where anonymity is granted:

- A full witness statement will still be taken, including all relevant details.
- The statement will be shared with the employee in a way that allows them to respond, while protecting the witness’s identity where possible.
- The investigator will assess the credibility and weight of anonymous evidence carefully and may seek corroboration from other sources.
- Absolute anonymity cannot be guaranteed, as disclosure may be required in legal proceedings.
- The decision to anonymise a statement will be documented, including the reasons for granting anonymity and any steps taken to ensure fairness.

6.15 Disciplinary Hearing

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

The employee will be invited to attend the hearing, receiving at least five working days’ notice of the hearing in writing.

The invitation will include:

- Clear information about the concerns raised and the possible outcomes
- The date, time, and location of the meeting
- Details of who will be in attendance at the meeting
- A reminder of the right to be accompanied by a colleague or trade union representative
- A note on the importance of keeping the process confidential
- A copy of the Investigation Report and any documentary evidence to be considered at the hearing

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 may not be permitted to introduce new evidence at the hearing unless the Hearing Chair agrees that it is reasonable to do so. In such cases, the hearing may be adjourned to allow all parties to consider the new material.

If the employees chosen companion will not be available at the time proposed for the hearing by the employer, the employer must postpone the hearing to a time proposed by the employee provided that the alternative time is both reasonable and not more than five working days after the date originally proposed.

If the employee is unable to attend the hearing, they should inform the school/Trust as soon as possible and provide a valid reason. Where an acceptable reason is given, the hearing will be rescheduled to a later date. If the employee does not then attend the rescheduled hearing and no satisfactory explanation is provided, the hearing may proceed in their absence, and a decision will be made based on the evidence available.

All mobile phones and recording devices must be switched off within the hearing and investigatory meetings. No recording will be allowed without the prior agreement of all parties.

Notes of the hearing will be taken, and a copy sent to the employee.

6.16 Hearing Protocol

Right to be Accompanied

Employees have the right to bring a companion to the hearing. This companion can be:

- A colleague from the workplace
- A certified trade union representative
- An official employed by a trade union

In some cases, the employer may agree to a different companion, such as a partner or legal representative. Under discrimination law, reasonable adjustments must be made for disabled employees, which may include allowing a support worker or someone familiar with the employee's needs to attend.

Requesting a Companion

A reasonable request to bring a companion must include:

- Informing the employer of the companion's name and whether they are a colleague or trade union representative.
- Giving enough notice so arrangements can be made.
- Ensuring the companion has time to prepare, for example by reviewing any evidence before the meeting.

6.17 Procedure for a hearing

- The appointed Hearing Chair will chair the hearing.
- The Hearing Chair may be accompanied by a HR Adviser.
- The investigating officer will present the documentary evidence to the Hearing Chair and in the presence of the employee and companion.
- Witnesses may be called individually, by the investigating officer, to support the case.
- The Employee and/or their companion may ask questions of the investigating officer and any witnesses on the evidence presented.
- The witnesses may then be asked further questions by the investigating officer.
- The Hearing Chair may ask questions of the investigating officer and witnesses on the evidence submitted or to clarify responses to questions asked in the hearing.

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.

- The employee or companion will state their case and answer any allegations made in the presence of the investigating officer.
- Witnesses may be called by the employee individually, to support the employee's case.
- The employee and any witnesses called may then be asked questions by the investigating officer.
- The witnesses may then be asked further questions by the employee or companion on the evidence presented.

- The Hearing Chair may ask questions of the employee and their representative and any witnesses called.

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.

- The investigating officer will sum up the case against the employee.
- The employee or their companion will sum up their case and offer the Hearing Chair details of any mitigating circumstances they consider should be considered.
- The Hearing Chair 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.
- The Hearing Chair and their HR Adviser will then deliberate in private. They may call the parties back only to clarify uncertainties about evidence already provided. If a recall is needed, both parties must return, even if the clarification concerns only one of them

Deliberating doesn't have to be concluded on the day of the hearing, but a decision must be reached within five days of the hearing.

- After deliberating, the Hearing Chair will give the decision to the employee, companion and investigating officer. The right of appeal against the decision will also be explained.
- The decision and appeal rights will be confirmed in writing within five working days of the decision.

6.18 Disciplinary Outcome

In terms of a disciplinary outcome to the conduct of the employee, the following options are open to the Hearing Chair,

- No further action
- Management advice letter
- First written warning
- Final written warning
- Dismissal (with notice)
- Summary Dismissal (without notice) in cases of gross misconduct only

Decisions made during the hearing will be on the basis of balance of probability and any sanctions will be proportionate to the nature of the misconduct.

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 in accordance with the table below. Once the warning is expired it will be removed from the employees personnel file unless it relates to safeguarding allegations.

Duration of warnings

Response	Duration
Management advice letter	12 months
First written warning	12 months
Final written warning	12 months

Once a warning has expired, it will no longer be considered when determining the level of any further disciplinary action, with the exception of warnings related to safeguarding allegations which will be retained in accordance with the Trusts Safeguarding Policy and Managing Allegations Procedure.

6.19 Appeals

Employees may submit a written appeal within five working days of receiving written confirmation of a written warning, final written warning, or dismissal. The appeal must set out the full grounds for the appeal.

In the event of an appeal of a dismissal outcome any recruitment replacing the dismissed employee may 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	CEO or DCAT Trustees
Headteachers	CEO or other member of Executive Leadership Team
Teachers and Education Support Professionals	Headteacher or Director of Education

Appeals heard will usually 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.

Employees have the right to appeal if they believe the disciplinary decision was unfair or unreasonable. Appeals can be made on one or more of the following grounds:

Procedure – Explain how any procedural errors may have affected the outcome.

Facts – Show how the evidence was misinterpreted or overlooked or provide any new evidence.

Decision – State why the level of disciplinary action was not justified, or why the act should be considered misconduct rather than gross misconduct.

Employees will receive at least five working days' notice of the hearing.

The appeal will be heard by an individual not involved in the original hearing. All relevant documentation, including the original decision and any new evidence, will be shared with all parties at least five working days before the hearing.

Appeal Outcomes

The appeal process is intended to review and, where appropriate, reduce or overturn the original decision. It will not result in a more severe disciplinary sanction than that originally imposed.

Dismissal and notice periods take effect from the original decision. If the appeal is successful, reinstatement will be backdated to the original dismissal date, ensuring continuity of employment.

6.20 Formal action against trade union representatives

Where an accredited representative of a recognised trade union is involved, no formal action under this procedure (other than suspension in cases of alleged gross misconduct) will be taken until the matter has been discussed, with the representative's agreement, with a full-time official of the relevant union.

6.21 Student Records

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

6.22 Policy Review & Monitoring

The content and operation of this policy is reviewed biennially by the Trust. This includes equality monitoring.

Where an incident is considered distressing or difficult, consideration may be given to whether any issues have arisen that could warrant a review of the Trust's policies or procedures. The potential training needs of employees, as well as possible implications for pupils and their parents, may also be assessed. Any information shared with governors, employees, or other interested parties must preserve the confidentiality of 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.

Reference documents

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

Appendices

Appendix A - Guide to what counts as 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

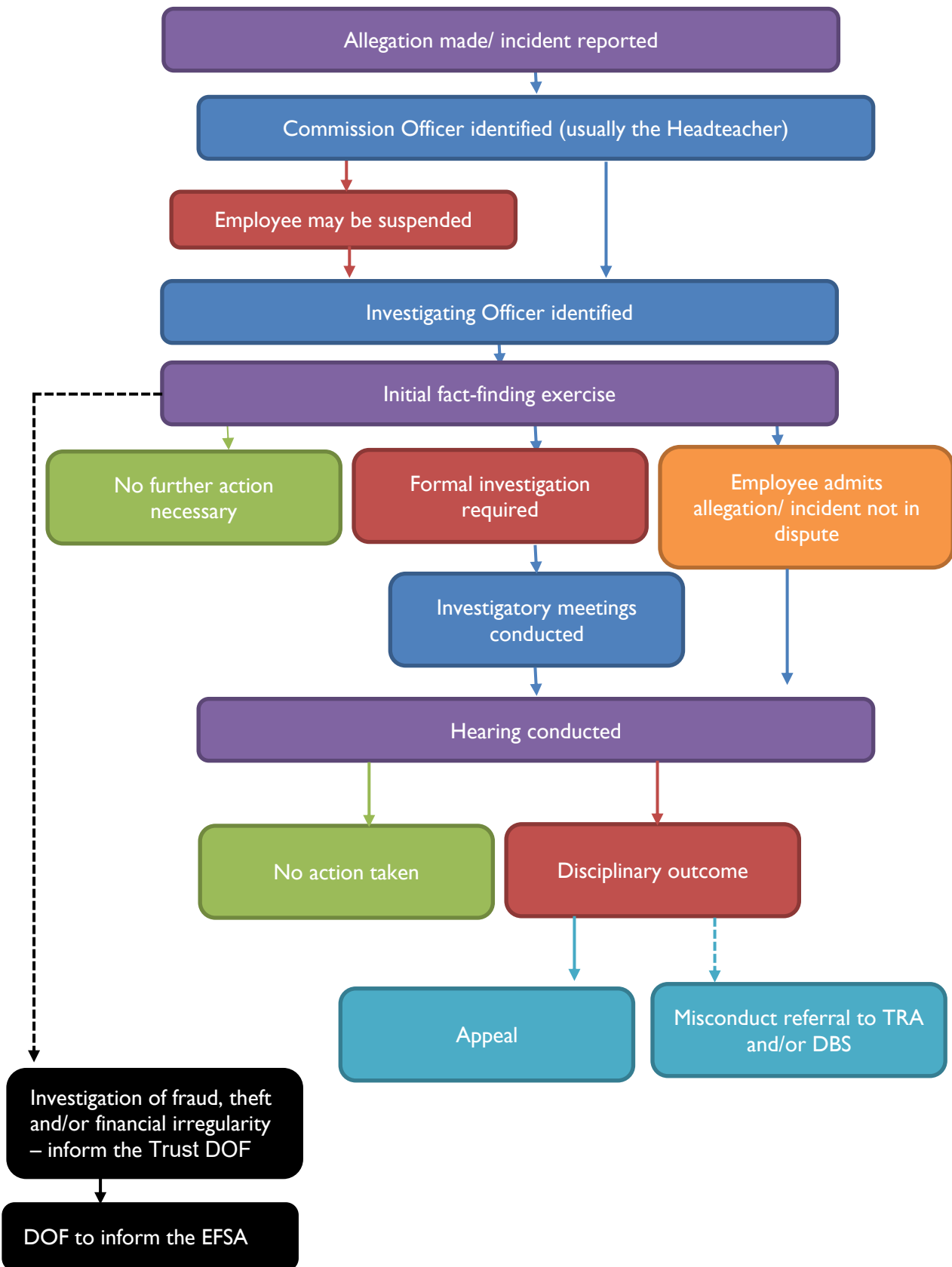
It is important to stress that any form of dishonesty may be regarded as gross misconduct. This includes theft of property, whether belonging to the Trust, colleagues, pupils or any third party. However, it also includes an employee seeking to gain any advantage through deception - such as making a false 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 all employees to work cooperatively with colleagues and managers. Employees must follow reasonable and lawful instructions from their manager. A deliberate and wilful refusal to do so may amount to gross misconduct.

If you believe an instruction is outside your duties, unreasonable, or unsafe, you should raise this promptly with a senior manager, seek advice from your trade union, or use the grievance procedure. However, refusing an instruction may still be considered gross misconduct if the instruction is later found to be reasonable in all the circumstances.

Appendix B – Flowchart



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:	

Grievance Resolution Policy

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

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:

- a. Complaints that are 'trivial': for example, 'They never say good morning to me.'
- b. 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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

Data Protection

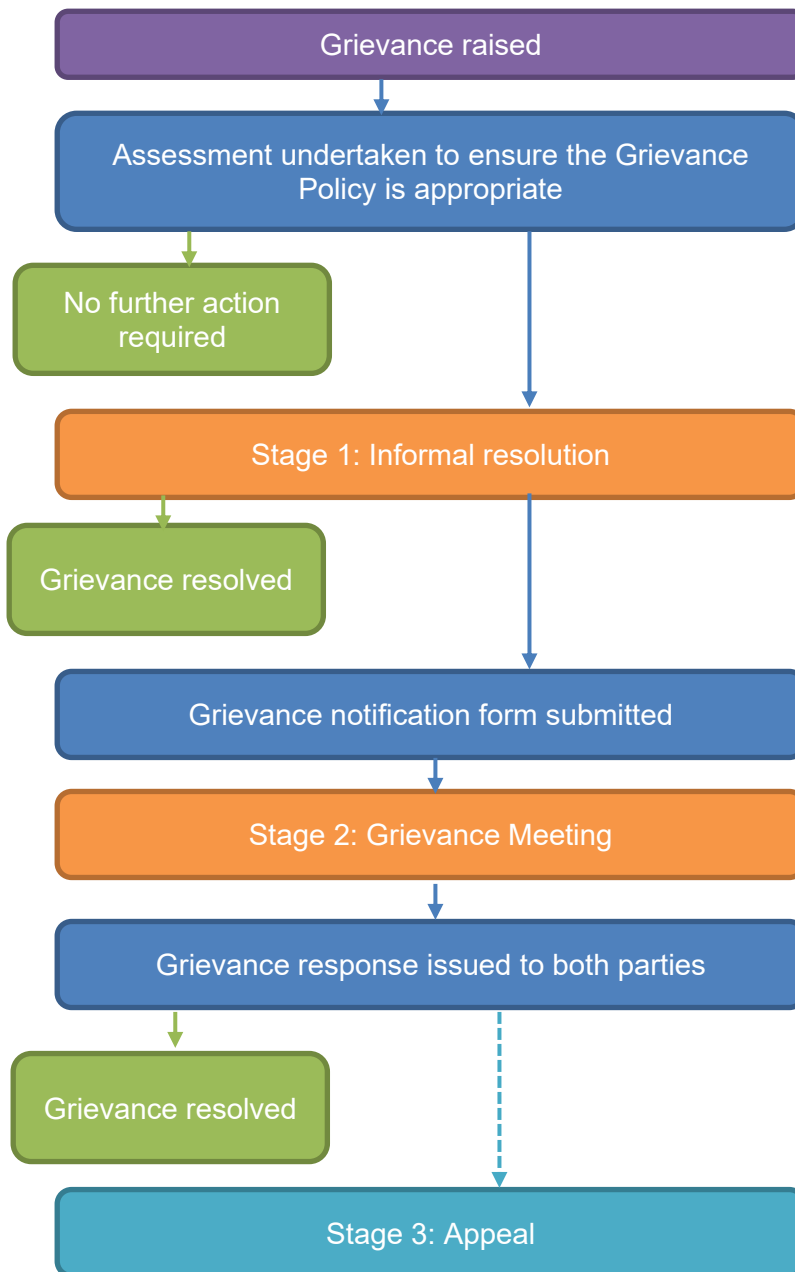
The Trust processes personal data collected during informal complaints and the formal grievance procedure in accordance with its data protection policy. The Headteacher, governors and any other manager involved with the operation of this procedure will ensure that any information relating to an employee's 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:	

Pay Policy

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, with the exception of the Trust Executive Leadership Team, 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, 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
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. Safer Recruitment Policy
- b. Capability Policy
- c. Appraisal (Performance Management) 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 that pay decisions are managed in an objective, fair, rigorous and transparent way.

8.2 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.

8.3 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 wider context of the School/Trust
- f. 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)

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.

8.4 Pay progression

At DCAT all employees can expect to receive regular, constructive feedback on their performance and development and are subject to annual appraisal that recognises their strengths, informs plans for their future development, and helps to enhance their professional practice. The arrangements for appraisals are set out in the [DCAT Appraisal Policy](#).

The criteria this school will use when making decisions on pay progressions are:

- Following an individual's annual appraisal and, subject to the provisions of the published pay policy, they should expect to receive pay progression within the maximum of their pay range unless they are subject to capability procedures.
- Annual pay progression is normally an increase of one pay point on the relevant pay range.
- In cases of exceptional performance progression of two pay points may be awarded.

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 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.

8.5 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.

8.6 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 wishes 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.

8.7 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.

8.8 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.

8.9 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.

8.10 Intervention tutors

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

8.11 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.

8.12 Teaching and Learning Responsibility (TLR) Payments

The staffing structure for each school in the Trust 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.

8.13 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.

8.14 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.

8.15 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.

8.16 Education support professional allowances

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

8.17 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.

8.18 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.

8.19 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.

8.20 Isle of Wight Premium (Executive Heads/ Headteachers & Headteachers)

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 and government guidance as explained below:

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

8.21 Managing Appeals against Pay Determination

All employees have the right to raise formal appeals against pay determinations if, for example, they believe that the person or committee by whom the decision was made: (a) incorrectly applied the school's pay policy

- incorrectly applied any provision of the STPCD
- 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 or,
- unlawfully discriminated against the individual.

8.22 Pay Appeals Procedure

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

- An employee who is dissatisfied with a pay recommendation has the opportunity to discuss the recommendation with the appraiser or headteacher before the recommendation is actioned and confirmation of the pay decision is made.

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

- If, having had an informal discussion with the person making the pay recommendation, the employee believes that an incorrect recommendation has been made, they may make representation to the person (or governors' committee) making the decision.
- To begin the process the employee should submit a formal written statement to the person (or governors' committee) making the determination, setting down in writing the grounds of their disagreement with the pay recommendation.
- The employee is given the opportunity to make representations, including presenting evidence, calling witnesses, and the opportunity to ask questions at a formal meeting with the person (or governors' committee) who will make the pay determination. Following this meeting the person (or governors' committee) will make a pay determination that will be communicated to the employee in writing.

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

- Should the teacher not agree with the pay determination, the teacher may appeal the decision and have an appeal hearing before an appeals panel of governors. Should the employee not agree with the pay determination they may appeal the decision and have an appeal hearing before an appeals panel of governors.
- In the hearing before governors, both the employee and the management representative will have the opportunity to present their evidence and call witnesses; the parties will also be able to question each other. The panel is permitted to ask exploratory questions. Having heard the appeal, the panel must reach a decision, which it must relay to the employee in writing within 5 working days, including their rationale for reaching the decision. The appeal panel's decision is final and, as set out in Section 3 of the STPCD, there is no recourse to the general staff grievance procedure.

It is recommended that the panel which hears pay appeals should comprise three governors who were not involved in previous discussions regarding the teacher's pay determination. Governors on appeals panels should be familiar with the school's pay and appraisal policies. To ensure that appeals are properly considered, governance boards should consider any training needs that their members have, including duties placed on the school by the Equality Act 2010 and the ACAS Code of Practice (Disciplinary and Grievance Procedures). Employees making representation at stage two and making an appeal at stage three may be accompanied by a colleague or representative from a professional organisation or trade union. Pay appeals should be formally clerked and a note of proceedings should be produced. HR advice and guidance will be provided to the Committee Chairs at stage two and three from the Trust HR Team.

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

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.

8.23 Access to Salary Records

Staff may have access to their salary records by giving reasonable notice during term time to the School Business Manager.

8.24 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.

8.25 Status of Policy and Review

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

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

Introductions

- Chair introduces everyone and explains what their role is, then outlines the order of the hearing. Clerk takes notes of the hearing.

The employee case

- Employee or their representative presents employee case providing any evidence to support their case, including from witnesses (if any).
- Management representative has the opportunity to question the employee.
- Chair asks questions and subsequently opens the discussion to the panel.

The management case

- Management representative presents management case, providing any evidence to support their case, including any witnesses.
- Employee or their representative has the opportunity to question the management representative.
- Chair asks questions and subsequently opens the discussion to the panel. Summarising and end of hearing
- Employee or their representative sums up the employee case.
- Management representative sums up the management case.
- If appropriate, the Chair can sum up the key points on both sides. Chair will then end the hearing, advising the employee that they will receive the panel's decision in writing within a given timescale.

Decision-making

- Panel meet to reach their decision. Clerk notes main points of panel discussion and their decision.
- Panel obtains HR advice, if required, to inform their decision-making.

Communication of decision

- Employee is notified of decision. Decision and reason for the decision confirmed in writing.

Appendix C – Pay Scales

Trust Payscales are available from your School Business Manager.

Appraisal (Performance Management Review) Policy

9.2 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, DCAT 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

Guidance on the managing the Appraisal process is available from the DCAT Centre HR Team.

9.2 Purpose

This policy sets out the framework for a clear and consistent assessment of the overall performance of employees, and for supporting their development within the context of the school's plan for improving educational provision and performance, and any professional standards associated with the employees role.

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.

9.3 Appraisal

Appraisal across our Trust will be a supportive and developmental process designed to ensure that all employee have or fully develop the skills and access to support they need to carry out their role effectively. It will help ensure that all staff members are able to continue to improve their professional practice and to develop in their current and future role.

Appraisal 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.

9.4 Scope and Application

This policy is intended to apply to all DCAT employees in both our schools and our Trust Centre team, except ECT's and those who are subject to formal capability procedures.

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.

This policy should always be applied in a way that is robust whilst minimising the impact on workload for teachers, support staff, Centre team staff, line managers, school leaders and Trustees.

9.5 Appointing Appraisers

The table below outlines the role groups that can act as appraisers (reviewers).

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

9.6 Appraisal Cycle

The appraisal period runs for twelve months from 1st September to 31st August. The cycle consists of objective setting and a professional development discussion, a mid-year review meeting and an end of year review meeting.

The appraisal period for employees on a fixed term contract of less than one year will be determined by the duration of their contract and an individual's objectives should take account of the length of contract.

There is flexibility to have a longer or shorter appraisal period when employees begin or end employment part way through the appraisal period.

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

Stage	Date	Notes
Objective 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
Mid-Year Review	Term 3/4	All mid-term reviews to be completed by end of Term 4
End of Year Review	July - September	Trust ELT and Headteachers by 10 th September. All staff by end of September

9.7 Setting Professional Performance Objectives

Objectives will be set before, or as soon as practicable after, the start of each appraisal period. The nominated reviewer has a duty to have regard to the work-life balance of the staff member and objectives will reflect this. 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.

Objectives and appraisal discussions will not be based on teacher generated data and predictions, or solely on the assessment data for a single group of pupils. The appraiser and appraisee will seek to agree the objectives but, if that is not possible, the appraiser will determine the objectives.

The appraisee can record their disagreement on the appraisal statement and this will be taken into account at the appraisal review.

Objectives should be revised if circumstances change, such as but not limited to a teacher going on maternity leave, or undergoing surgery/medical treatment, to take account of the anticipated absence and to allow the teacher to meet reduced and attainable targets.

All employees will typically be set 3-4 (but not less than 3) key performance objectives. Those with a management responsibility will normally have 4 objectives. Headteacher will also have 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.

As part of the objective setting process all employees 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.

Objectives 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.

Objectives should also have a strong focus on effective professional development. For teachers this ensures that teachers stay up to date with the latest methodologies, technologies, and educational research.

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

For teaching staff 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.

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: UP1: 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.

Evidence used in the performance management process must relate directly to objectives and should be agreed in advance and be readily available from day-to-day practice. Numerical targets should not be set if it is beyond the teacher's control to achieve them.

This might but does not have to include:

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

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

- a. The delivery of high-quality support to children and young people
- b. Accelerating the progress of groups
- c. 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

9.8 Reviewing Performance

Evidence from a range of quality assurance processes can be taken into account when reviewing performance. This evidence will be decided upon when the objectives are being set at the beginning of the appraisal process.

DCAT believes that a range of different methods should be utilised, in a supportive fashion, to assess staff members performance. 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. It is important to our Trust that methods of assessing staff members performance do not add to workload.

Examples of methods used to assess performance

- 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.

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.

All employees are expected to prepare for their review meetings, assessing their performance against the appropriate standards, preparing review documentation of performance against agreed objectives and any relevant performance frameworks.

9.9 Development and Support

Appraisal is a supportive process which will be used to inform continuing professional development. DCAT is committed to supporting and enabling all staff grow and develop in their role, offering professional development opportunities that support staff to progress on their chosen career pathway as well as developing excellence in their professional practice . We encourage a culture in which all teachers take responsibility for improving their teaching through appropriate professional development. As part of the appraisal cycle all staff will be given the opportunity to have a discussion about their professional growth and their career aspirations. Professional development will be linked to school improvement priorities and to the ongoing professional development needs and priorities of individual teachers.

9.10 Feedback

At DCAT we believe that all staff should receive constructive and developmental feedback in relation to their performance throughout the year. Constructive feedback will be shared and discussed with staff as soon as practicable after an observation has taken place (in the case of teaching staff) or other evidence has come to light. Feedback will highlight particular areas of strength as well as any areas that require further development.

9.11 Assessment Against Standards

Teachers' performance will be assessed against the relevant teacher standards to a level that is consistent with what should reasonably be expected of a teacher in the relevant role and at the relevant stage of their career. School leaders and other appraisers should use their professional judgement when appraising teachers' performance. Teachers should not be expected routinely to provide evidence that they meet all the standards.

9.12 Informal Support

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

- inform the staff member that they are going to be receiving informal support due to performance concerns;
- give clear and specific feedback to the staff member about the nature and seriousness of the concerns;
- give the staff member the opportunity to comment and discuss the concerns;
- set clear objectives and timescales for required improvement;
- agree any support (e.g. coaching, mentoring, structured observations, wellbeing support), that will be provided to help address those specific concerns;
- make clear how, and by when, the appraiser will review progress (it may be appropriate to revise objectives, and it will be necessary to allow sufficient time for improvement. The amount of time is determined by each individual case but should reflect the seriousness of the concerns);
- explain the implications and process if no, or insufficient, improvement is made – e.g. commencement of the formal capability procedure.

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

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

When progress is reviewed, after the agreed upon period, if the appraiser is satisfied that the staff member has made, or is making, sufficient improvement, the appraisal process will continue as normal, with any remaining issues continuing to be addressed through that process.

Reference documents

Teachers' and head teachers' standards

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

Education Support Professionals' standards and guidance

[Professional standards for teaching assistants | NEU](https://www.neu.org.uk/standards)
[School business management competency framework \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/614447/school-business-management-competency-framework.pdf)

9.13 Transition to Capability

If a staff member demonstrates serious underperformance or has not responded to support provided within the informal support process, the staff member will be notified in writing that the appraisal system will no longer apply and that their performance will be managed under the capability procedure. The staff member will then be invited to a formal capability meeting. Line Managers must seek advice and guidance should from the DCAT Centre HR Team if considering a transition to capability for a staff member.

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

9.14 Annual Assessment

All staff member's performance will be assessed in respect of each appraisal period.

This assessment is the end point to the annual appraisal process, but performance and development priorities will be reviewed and addressed on a regular basis throughout the year, through the mid-year review meeting plus any additional meetings as required.

All staff members will receive as soon as practicable following the end of each appraisal period, and have the opportunity to input into, an appraisal record. The appraisal record will include:

- details of the individuals objectives for the appraisal period in question;
- an assessment of the individual's performance of their role and responsibilities against their objectives and the relevant standards;
- details of where an individuals performance is exceptional and a recommendation is being made for an enhanced pay increase of two scale points (within the scale set for the role).
- an assessment of the individuals professional development needs and identification of any action that should be taken to address them;
- details of any discussion on wellbeing and workload
- details of a discussion around professional growth, career pathways and aspirations.

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

9.15 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.

9.16 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 \(www.gov.uk\)](https://www.gov.uk/government/collections/headteachers-standards-2020)

Education Support Professionals' standards and guidance

[School business management competency framework \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/614247/school-business-management-competency-framework.pdf)

Appendices

Appendix A – Appraisal Timeline



Made with Napkin

Appendix B – Appraisal Cycle



Made with  Napkin

Appendix D – Appraisal Proforma Review and Planning Statement for School Staff

School logo



Appraisal Record

2025-2026

Reviewee name		Reviewee role	
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Reviewer name <i>(line manager)</i>		Reviewer role	
---	--	----------------------	--

Objective setting date <i>Sept- Oct</i>		Mid review date <i>Feb -Mar</i>		Final review date <i>Jul - Sep</i>	
---	--	---	--	--	--

Start of Year - Professional Growth & Career Development Discussion
*Summarise key points from any discussion around professional growth, career pathways/career development.
 For teachers consider if they are planning to apply for UPS and discuss what would be suitable evidence.
 Detail any professional development opportunities and/or support needs & how these will be taken forward (where linked to objectives note in the Support Professional Development Section below)*

Objective 1- <i>Use a SMART objective</i>	Success Criteria <i>Clear expectations & timescales</i>	Support & Professional Development <i>List any support/CPD to help employee achieve objective</i>
Mid Review Comments & Evidence: <i>Add comments about progress towards meeting objective. Record details of any wellbeing or workload discussion points, including details of support offered/in place.</i>		
Final Review Comments & Evidence: <i>Add comments about progress towards meeting objective. Record details of any wellbeing or workload discussion points, including details of support offered/in place.</i>		
Mid review <i>(add supporting details/comments in the evidence box)</i>	<input type="checkbox"/> On Track <input type="checkbox"/> Progress Towards <input type="checkbox"/> Risk of Not Meeting	Final review evaluation <i>(add supporting details/comments in the evidence box)</i> <input type="checkbox"/> Met <input type="checkbox"/> Partially Met <input type="checkbox"/> Not Met
Objective 2 <i>Use a SMART objective</i>	Success Criteria <i>Clear expectations & timescales</i>	Support & Professional Development

		<i>List any support/CPD to help employee achieve objective</i>
<p>Mid Review Comments & Evidence: <i>Add comments about progress towards meeting objective. Record details of any wellbeing or workload discussion points, including details of support offered/in place.</i></p>		
<p>Final Review Comments & Evidence: <i>Add comments about progress towards meeting objective. Record details of any wellbeing or workload discussion points, including details of support offered/in place.</i></p>		
<p>Mid review <i>(add supporting details/comments in the evidence box)</i></p>	<input type="checkbox"/> On Track <input type="checkbox"/> Progress Towards <input type="checkbox"/> Risk of Not Meeting	<p>Final review evaluation <i>(add supporting details/comments in the evidence box)</i></p> <input type="checkbox"/> Met <input type="checkbox"/> Partially Met <input type="checkbox"/> Not Met
<p>Objective 3 <i>Use a SMART objective</i></p>	<p>Success Criteria <i>Clear expectations & timescales</i></p>	<p>Support & Professional Development</p>

		<i>List any support/CPD to help employee achieve objective</i>
<p>Mid Review Comments & Evidence: <i>Add comments about progress towards meeting objective. Record details of any wellbeing or workload discussion points, including details of support offered/in place.</i></p>		
<p>Final Review Comments & Evidence: <i>Add comments about progress towards meeting objective. Record details of any wellbeing or workload discussion points, including details of support offered/in place.</i></p>		
<p>Mid review <i>(add supporting details/comments in the evidence box)</i></p>	<input type="checkbox"/> On Track <input type="checkbox"/> Progress Towards <input type="checkbox"/> Risk of Not Meeting	<p>Final review evaluation <i>(add supporting details/comments in the evidence box)</i></p> <input type="checkbox"/> Met <input type="checkbox"/> Partially Met <input type="checkbox"/> Not Met
<p>Objective 4 <i>Use a SMART objective</i></p>	<p>Success Criteria <i>Clear expectations & timescales</i></p>	<p>Support & Professional Development</p>

		<i>List any support/CPD to help employee achieve objective</i>
<p>Mid Review Comments & Evidence: <i>Add comments about progress towards meeting objective. Record details of any wellbeing or workload discussion points, including details of support offered/in place.</i></p>		
<p>Final Review Comments & Evidence: <i>Add comments about progress towards meeting objective. Record details of any wellbeing or workload discussion points, including details of support offered/in place.</i></p>		
<p>Mid review <i>(add supporting details/comments in the evidence box)</i></p>	<input type="checkbox"/> On Track <input type="checkbox"/> Progress Towards <input type="checkbox"/> Risk of Not Meeting	<p>Final review evaluation <i>(add supporting details/comments in the evidence box)</i></p> <input type="checkbox"/> Met <input type="checkbox"/> Partially Met <input type="checkbox"/> Not Met
<p>End of Year Review Summary</p>		

Reviewers Assessment

Comment on performance in role and responsibility areas, against the objectives and the relevant professional standards (e.g. Teacher Standards)
In cases of is exceptional performance a recommendation can be made for an enhanced pay increase of two scale points (within the scale set for the role)

Reviewees Comments

Final Review Agreed by:	Reviewee	Reviewer
Name		
Signature		
Date		

Appendix E– Performance Improvement Plan Template – Informal Support (Appraisal Policy)

Employee:				
Job Title:				
Reviewer:				
Job Title:				
Date plan starts:				
Mid-way review date:				
Final review date:				
No	Area for Improvement /Objectives (Head/Teacher/Support staff Standard(s))	Intended outcome (What will it look like when improvement is achieved? The practice that needs to be demonstrated)	Performance measure (How will this be achieved and evidence base)	Support agreed & provided
1				
2				
3				
4				
Midway review:				

	Met (sufficient improvement) Partially met (some progress & confident that more is likely) Not met (no or insufficient improvement)	Evidence against the performance measure	Evidence of support	Employee Comments
1				
2				
3				
4				
Final review:				
	Met (sufficient improvement) Partially met (some progress & confident that more is likely) Not met (no or insufficient improvement)	Evidence against the performance measure	Evidence of support	Employee Comments
1				
2				
3				
4				

Final Outcome of the Performance Improvement Plan (delete as appropriate)	Employee Signature	Reviewer's Signature	Date
<p>Met, sufficient improvement has been made. <u>No further support is needed under the Appraisal Policy</u></p> <p>Partially met some progress has been made & confidence that more is likely. <u>A further period of support will be provided under the Appraisal Policy.</u></p> <p>Not met no or insufficient improvement has been made. <u>Appraisal process will no longer apply and performance will be managed under the Capability Procedure.</u></p>			

Other Support Provided	Yes/No	Date	Comments where appropriate
EAP details provided for access to free confidential support & counselling			
Stress Risk Assessment Completed			
Referral to Occupational Health			
Wellness Action Plan			
Reasonable adjustments			

Induction and Probation Policy

10.1 Introduction & Purpose

The purpose of the induction and probation period is for managers to ensure that all new starters have the best opportunity to succeed in their new role with DCAT. This includes supporting and guiding the new starter in familiarising themselves with their role, the team, their school and the wider Trust network.

This policy provides guidance for how to equip new starters for success, as well as providing a framework for addressing any concerns in relation to conduct, performance or absence during the probation period.

It is expected that the new starter will, in turn, invest in their own development in the role and work towards building positive working relationships with colleagues.

10.2 Scope

This procedure applies to all new employees, other than early career stage teachers ECTs, employed by DCAT regardless of their permanent, fixed-term, full or part-time status. Where a six month (or less) fixed term contract is issued the probationary period will run concurrently with the contract.

The probationary period does not apply to existing DCAT employees who are appointed into new positions with their school or another DCAT school, unless they have less than six months service with DCAT. In the case of internal appointments to new roles employees will be supported in their new roles through regular reviews which will take place at the same intervals as probation meetings and any concerns will be managed under the appropriate DCAT Policy.

Employees in their probationary period are not subject to DCAT's Capability, Absence Management and Disciplinary Policies; concerns of this nature are dealt with under the Probation Policy.

This policy does not form part of the contract of employment and DCAT reserve the right to amend or withdraw it at any time.

10.3 Equality and Diversity Statement

The Trust is committed to preventing discrimination, valuing diversity and achieving equality of opportunity. No person will receive less favourable treatment on the grounds of the nine protected characteristics (as governed by the Equality Act 2010): sexual orientation; gender; age; gender re-assignment; pregnancy and maternity; disability; religion or belief; race; marriage and civil partnership. In addition to these nine, the Trust will not discriminate on the grounds of domestic circumstances, social-economic status, political affiliation or trade union membership.

10.4 Responsibilities

The Headteacher and senior leadership team have the overarching responsibility for:

- Embedding a culture where the effective management of the induction and probation period is regarded as an important factor in developing and retaining talented staff; and
- Holding managers to account for the successful induction and probation management of their new starters.

Managers are responsible for:

- Providing an effective induction for their new starters which results in the individual having the best opportunity to succeed in their role (contact the school Business Manager/School HR Lead for induction guidance, further support is available from the Centre HR Team;
- Holding regular meetings with their new starters, including the six-week, 12 weeks and six-month probation review meetings and completing the relevant probation review forms;
- Deciding if the employee has met the required standard of performance to be confirmed in post or not.

New starters are responsible for:

- Proactively engaging in the development and training required during the induction and probation period, including reading the Keeping Children Safe in Education (KCSIE) document and other mandatory training;
- Being open to constructive feedback and praise.

Role	Probationary process managed by
CEO	Chair of Trustees; or their appointed representative up to, but not including Final Probation Meeting to consider non confirmation of contract or any appeal which must be managed by the Chair only
Trust Centre Staff	Line Manager, but not including Final Probation Meeting to consider non confirmation of contract or any appeal which must be managed by a more senior Manager
Headteachers	Line Manager, but not including Final Probation Meeting to consider non confirmation of contract which must be managed by a more senior Manager
Teachers and Education Support Professionals	Line Manager, but not including Final Probation Meeting to consider non confirmation of contract which must be managed by a more senior Manager

10.5 Timescales for Induction & Probation

The timeframe for the induction and probation period is usually six-months. When the new starter joins DCAT, the manager should discuss with the employee the expectations of both parties during the induction and probation period.

An induction meeting must be held in the first week of employment and the Induction checklist completed ([Appendix A](#)). The probation process will be explained by the line manager during the induction meeting and the line manager will also schedule all probation meetings.

Induction and probation review meetings are usually held at the following intervals

- Induction checklist to be completed over weeks 1- 12
- 1st Probation Review Meeting to be held in week 6
- 2nd Probation Review Meeting to be held in week 12
- 3rd (Final) Probation Review Meeting to be held at 6 months

In addition to the formal probationary review meetings outlined above, managers should hold 1:1 meetings at regular intervals, normally between two and four weeks. Regular 1:1 meetings are beneficial for all employees, especially for those in their Probationary Period. These sessions provide an opportunity for feedback and discussion between the manager and new starter and help ensure that the new starter is well supported and inducted into the organisation. These regular 1:1 meetings also enable the line manager to identify and resolve, at an early stage, any issues or concerns that may arise between the formal reviews.

10.6 Probation Reviews

These meetings offer the opportunity for the manager and new starter to feedback on how the induction and probation period has gone so far, answer any questions and identify areas of support.

Managers are encouraged to seek feedback from the new starter about their experience in their new role within the Trust, how they've been managed and the team.

Targets should be set at both the six-week and three-month probation meetings to outline what the new starter should have achieved by the next meeting and overall in the induction and probation period.

The manager is required to complete the probation review meeting record, a copy of the completed record is signed by the manager and new starter for record purposes.

The Probation Review Forms can be found at [Appendix B](#).

10.7 Confirmation in Post

If the new starter has developed and adjusted well to their new role, the six-month probation meeting should be used to congratulate the individual on completing their probation.

If the manager has not already set objectives for the performance management (appraisal) cycle during the induction and probation period, the manager should now set objectives for the rest of the cycle (according to the DCAT Performance Management (Appraisal) Policy), being mindful of how much of the appraisal cycle is remaining and that the new starter is still relatively new to role.

10.8 Performance Concerns, Conduct, Absence Management & Dismissal

Where concerns become apparent the manager will raise them with the new starter at the earliest opportunity with the aim of supporting the employee to improve their performance/conduct/attendance this can be as part of normal line management meetings or through a probation review meeting.

Where concerns are identified a manager can schedule additional probation meetings to raise concerns.

When concerns are raised, the manager should be clear with the employee:

- What the concerns are (examples);
- What standard is expected;
- What training or support is available to help resolve this (if applicable);
- The timeline for the required improvement;
- Be clear that failing to improve could result in dismissal.

Additional probation meetings may be appropriate to assist with the support and monitoring of the employees' progress.

The outcome of discussions of this nature should be confirmed in writing to the employee.

10.9 Gross Misconduct Concerns

If, following a fact-finding investigation process, allegations of a gross misconduct nature are established the employee can be invited to a meeting in accordance with the Dismissal section of this procedure at any stage in the probation period.

10.10 Extension of the Probation Period

Extension of probation will only happen in exceptional circumstances; the probation period will provide ample opportunity for a new starter to demonstrate their suitability for the post. An example of exceptional circumstances is where necessary training is required and it was not available within the probation period.

An extension period will not normally exceed 10 weeks. Where an extension of the probationary period is a likely the manager should consult with the School Business Manager/School HR Lead before proceeding with the meeting, additional guidance can be sought from the Centre HR Team if required.

A manager will discuss their decision to extend the probation period during a probation review meeting. During the meeting the manager will explain:

- The duration of the extension;
- The reasons for the extension;
- Details of the further improvements required, including timescales and measures of improvement;
- Arrangements for monitoring and review; and
- Be clear that failing to improve could result in dismissal.

Any extension to the probationary period must be confirmed in writing.

The employee does not have the right to appeal the manager's decision to extend the probationary period.

Towards the end of the period of extension a further final probation review meeting should take place to conclude the probation process and decide whether or not the employee is to be confirmed in post.

10.11 Dismissal

If a likely outcome of a probation meeting is dismissal the manager should first discuss with the Centre HR Team before taking any action. It is not necessary to wait for the full six-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 more senior manager must write to the employee to invite them to a meeting:

- Detailing the reasons for the meeting and areas of concern
- Giving reasonable notice, this is normally five working days;
- Giving the individual the option to be accompanied by a trade union official or workplace colleague;
- Informing the employee that one possible outcome of the meeting could be their dismissal.

During the meeting, the more senior manager will present the concerns to the individual and give them the opportunity to respond.

The process for dealing with dismissals can be found in [Appendix C](#).

The more senior manager will confirm their decision during the meeting and confirm this in writing as soon as practicably possible afterwards and usually no later than five working days after the meeting. If the outcome is dismissal, the individual will have the option appeal the outcome of the meeting.

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

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

10.12 Appeals

Where an employee is dismissed during the probation period there is an option to appeal.

Appeals must be sent to the nominated manager within 5 working days of receipt of the outcome letter. The appeal letter should clearly set out the grounds of appeal. Appeals received after this period will not be heard.

The purpose of the appeal hearing is to review the decision to dismiss. The employee should be invited in writing to a meeting to hear the appeal:

- Giving reasonable notice this is normally five working days; and
- Giving the individual the option to be accompanied by a trade union official or workplace colleague.

The manager hearing the appeal can decide either to confirm the original decision to dismiss or they may overturn the original decision and the individual is reinstated usually with additional probation (see Extensions above) and induction recommendations.

The person hearing the appeal will communicate their decision in writing to the and usually no later than five working days after the meeting. This decision is final and there is no further internal recourse.

The process for dealing with probation dismissal appeals can be found in [Appendix D](#).

10.13 Appendices

Appendix A – Induction Checklist

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, relevant policies (ALL Staff – H&S, Safeguarding, DCAT Employee Handbook and HR Key Policies) and 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/ and in the two weeks prior to 6 months 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 / copy of Business Insurance and Driving Licence to HR for mileage claims	
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	
Asbestos awareness / Hazardous Substances (COSHH)		
Safeguarding Children	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 1 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	
	Probationary Review meetings to be held at weeks 6, 12 & 6 months	

Employee Voice

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Are you enjoying the job?

What do you feel like you've accomplished during your time here so far?

Do you understand the job requirements and expectations?

Is this what you thought you'd be doing?

Where do you think you could have done things better?

Has anything made it hard for you to do your job well?

What help do you need to keep doing this job, or doing it better?

Do you need any specific training or support?

What would you like to achieve in the next few months? (Your goals)

Do you feel supported in your role?

Are you able to find a healthy work/life balance in your role? If not, what could support you to do so?

How would you rate your overall induction to the role? Is there anything we could improve to make it a more robust or better onboarding experience?

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

Provide one copy of the completed checklist to the employee and provide a copy to your School Business Manager/HR Lead for the employee's personnel file.

Appendix B – Probationary 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 in the two weeks prior to 6 months service being completed. 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	<input type="checkbox"/>	2 nd Wk 12	<input type="checkbox"/>	3 rd 6 months	<input type="checkbox"/>
Assessment of Performance							
Area	Comments of Reviewer 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):							

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		Confirmation in Post (6 month review only)	<input type="checkbox"/>
Signed (Reviewer)		Date	
Signed (Employee)		Date	

Provide one copy of the review form to the employee and provide a copy to your School Business Manager/HR Lead for the employee's personnel file.

Appendix C – Probationary Dismissal Procedure

1. Where the manager has made the decision that the employee's work performance or conduct is unsatisfactory they **must** first contact the DCAT Central HR Team.

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.

2. The employee must be invited to the meeting in writing with reasonable notice (normally 5 working days).
3. A copy of all relevant paperwork, including copies of previous probation review forms and meeting record should be enclosed with the invite letter.
4. The meeting should be chaired by a senior manager who is more senior than the line manager. A note taker should also be present. 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.
5. 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.
6. The employee should then be given the opportunity to state their views.
7. The chairing manager should decide whether to dismiss the employee or to continue with their employment with the option to extend the probationary period. This decision should be conveyed to the member of staff at the meeting and confirmed in writing as soon as practicable afterwards and usually within 5 working days.
8. A copy of the meeting notes will also be enclosed with the outcome letter.
9. Once the decision is reached the employee has the right of appeal to the nominated manager within 5 working days of receipt of the outcome letter. Appeals received after this period will not be heard.

Appendix D – Probationary Dismissal Appeal Procedure

1. Where an appeal against the decision to dismiss is received the nominated manager should confirm receipt of the appeal as soon as is reasonably practicable and contact the DCAT Central HR Team.
2. An appeal meeting should be arranged to hear the appeal and to allow the appellant the opportunity to present their grounds for appeal.
3. The appellant must be invited to the meeting in writing with reasonable notice (normally 5 working days).
4. A copy of all relevant paperwork, including copies of all documentation from the probation dismissal meeting should be enclosed with the invite letter.
5. The appeal meeting should be chaired by a senior manager who is more senior than the original decision maker. A note taker should also be present. The appellant 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.
6. At the meeting the grounds for appeal should be given by the appellant. It is not anticipated that any witnesses will be required to attend.
7. The original decision should then be given the opportunity to respond to the grounds for appeal.
8. The chairing manager should decide whether or not to uphold the appeal. This decision should be conveyed to the member of staff at the meeting and confirmed in writing as soon as practicable afterwards and usually within 5 working days.
9. A copy of the meeting notes will also be enclosed with the outcome letter.
10. There is no further right of appeal.

Flexible Working Policy

11.1 Introduction and Purpose

At DCAT we are 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.

We believe that flexible working can increase staff motivation, promote work-life balance, enrich employee wellbeing and improve performance and productivity. Flexible working opportunities can also reduce staff absence and help improve retention by creating new opportunities and ways of working and allow us to recruit from a wider pool of talent that includes people with different lifestyles, experiences and perspectives.

Work-well is our promise to all staff working within DCAT to support their health and wellbeing. We are passionate about creating an inclusive culture across our family of schools that supports a good work-life balance. We care about the health and wellbeing of our employees and want to invest in an environment where everyone can thrive.

We are committed to ensuring that all managers have received training so that they are able to give full consideration to flexible working where appropriate. We will also continue to explore the benefits of new technology and new ways doing things to transform the way we work.

This policy sets out our approach to flexible working requests under the statutory procedure and also provides arrangements for non-statutory requests to also be considered.

11.2 Scope

This policy applies to eligible employees employed by DCAT (see section 11.5). It does not apply to workers, contractors, consultants or any self-employed individuals working for the organisation.

This policy does not form part of the contract of employment and DCAT reserve the right to amend or withdraw it at any time.

11.3 Equality and Diversity Statement

The Trust is committed to preventing discrimination, valuing diversity and achieving equality of opportunity. No person will receive less favourable treatment on the grounds of the nine protected characteristics (as governed by the Equality Act 2010): sexual orientation; gender; age; gender re-assignment; pregnancy and maternity; disability; religion or belief; race; marriage and civil partnership. In addition to these nine, the Trust will not discriminate on the grounds of domestic circumstances, social-economic status, political affiliation or trade union membership.

11.4 Responsibilities

The Trust is responsible for:

- Ensuring that this flexible working policy is applied consistently across the Trust and that it is in line with equality legislation.

The Headteacher and senior leadership team have the overarching responsibility for:

- Promoting an inclusive culture across our family of schools that supports a good work-life balance.
- Ensuring that managers receive training so that they are able to give full consideration to flexible working where appropriate.

Managers are responsible for:

- Considering all valid requests for flexible working arrangements equally, fairly, and according to the needs of the school and pupils.
- Responding to requests within the agreed timescale.
- Making sure that the staff member knows about their right to be accompanied by a colleague or trade union representative to any appeal meeting.
- Ensuring there is communication to the staff member any changes to holiday, pay allowance or other conditions that may result from a contractual change.
- Promoting positive working arrangements.
- Giving due regard to equality legislation and taking any disability requirements into consideration.

Employees are responsible for:

- Following the procedures set out in this policy and adhere to the stated timescales when responding to or appealing to requests or decisions.

Role	Flexible working request process managed by
CEO	Chair of Trustees; or their appointed representative up to the appeal stage which must be managed by the Chair only
Trust Centre Staff	Line Manager up to the appeal stage which must be managed by a more senior Manager
Headteachers	Line Manager up to the appeal stage which must be managed by a more senior Manager
Teachers and Education Support Professionals	Headteacher/Line Manager up to the appeal stage which must be managed by a more senior Manager

11.5 Eligible Employees

All employees have the statutory right to request flexible working from the first day of their employment with DCAT. Under the statutory procedure, employees can make two requests in every 12-month period. If an employee has submitted a flexible working request, they must wait until that one has been considered and any appeal has been dealt with, before submitting another.

However, we do also recognise the importance of providing flexible working request opportunities for all staff. Therefore, if an employee is not eligible to make a formal request for flexible working under the statutory procedure, they may submit a non statutory request and this will be considered on an informal basis. In addition, there may be times where an employee would like to submit an informal request for flexible working outside of the statutory procedure.

The employee should submit their non statutory flexible working request in writing to their line manager. The line manager will consider the request, this may involve holding a meeting with the employee. The manager will notify the employee of their decision in writing. There is no right of appeal in connection with non-statutory requests.

11.6 Types of flexible working

Flexible working can be defined as 'arrangements which allow employees to vary the amount, timing, or location of their work.

Some forms of flexible working may be more suitable for particular roles in schools than others. Employees making a request should consider which forms of flexible working are best suited their role, as individual circumstances vary.

We will consider requests for any type of flexible working with an open mind. Below are some of the common examples of flexible working that can be requested under this policy.

Part-time working

- Part time - Working less than full-time hours.
- Job share - Two or more people doing one job and splitting the hours
- Phased retirement - Gradually reducing working hours and/or responsibilities to transition from full-time work to full-time retirement.

Varied hours

- Staggered hours - The employee has different start, finish and break times.
- Compressed hours - Working full-time hours but over fewer days.
- Annualised hours - Working hours spread across the year, which may include some school closure days, or where hours vary across the year to suit the school and employee.

Term-time working

- Where a staff member takes time off during the school holidays, separate from their annual leave entitlement

Remote or Hybrid working

- Where an employee works some or all of their hours remotely and is not required to be on the school site/in the usual place of work.

11.7 Making a Request for Flexible Working

All requests must be made in writing by filling in the Flexible Working Request Form which can be found at Appendix A. The completed form should be submitted to your line manager either via email or in hard copy.

Any request made under this policy must include:

- the date of the request;
- the changes that the employee is seeking to their terms and conditions of employment;
- the date on which the employee would like the change to come into effect;
- a statement that this is a statutory request;
- if and when the employee has made a previous application for flexible working; and
- if the employee has made a previous request, the date that application was made.

If an employee's request does not contain all the required information, the employee will be asked by their line manager to resubmit it with the necessary additional information. Any request that is incomplete or contains errors will not be automatically rejected.

11.8 Timescales

Requests for flexible working will be dealt with as soon as possible. However, all requests will be dealt with within two calendar months, from receipt of the request to notification of any appeal decision.

The timescales within this policy may be extended where this is mutually agreed.

11.9 Consultation Meeting

The employee's line manager will arrange a consultation meeting to discuss the flexible working request with the employee. The consultation meeting will be held within 14 calendar days of receiving the request. However, if this is not possible, the employee will be informed of the reason for any delay.

The employee may, if they wish, be accompanied at the meeting by a work colleague or trade union representative at the consultation meeting.

The consultation meeting is an opportunity for the employee to explain how the proposed working arrangements would benefit them and for the line manager to consider and discuss any alternative flexible working options that may be available and suitable for the employee and the organisation.

At the consultation meeting, employees are encouraged to be as open as possible about their needs to enable a constructive discussion with their line manager about what is feasible.

11.10 Considering the Request

After the consultation meeting, the line manager, with advice from the Trust HR team as needed, will consider the employee's proposed flexible working arrangements carefully, weighing up:

- the potential benefits to both the employee and the organisation; and
- any adverse impact of implementing the changes.

Each request will be considered on a case-by-case basis - agreeing to one request will not set a precedent or create the right for another employee to be granted a similar change to their working patterns.

11.11 Notification of the Decision

The line manager will inform the employee in writing, usually within 7 calendar days after the consultation meeting, of their decision and why.

Where an employee's request is granted

The employee's request may be granted in full or in part. For example:

- the line manager may propose a modified version of your request;
- the employee's request may be granted on a temporary basis; or
- the employee may be asked to try the flexible working arrangement for a trial period.

Where the employee's request is granted in full or in part, the line manager will meet with the employee to discuss how and when the changes might be implemented.

Any changes to an employee's terms and conditions of employment, whether permanent or temporary, will be put in writing and sent to the employee as an amendment to their contract of employment.

Reasons for rejecting a request

While we are committed to encouraging flexible working patterns, we need to remain realistic. In some cases, it may not be possible for us to accommodate a request because of:

- the burden of additional costs;
- an inability to reorganise work among existing staff;
- an inability to recruit additional staff;
- a detrimental impact on quality;
- a detrimental impact on performance;
- a detrimental effect on ability to meet customer demand;
- insufficient work for the periods the employee proposes to work; and
- a planned structural change to the business.

The Trust will not reject an employee's request for any other reason.

11.12 Right of Appeal

The employee has the right to appeal if their request for flexible working is rejected or only agreed in part.

The employee's appeal should be sent in writing to their line manager within seven calendar days of receiving the decision. The appeal letter should clearly set out the grounds on which the employee is appealing. An appeal meeting, with a more senior manager where possible, will be held within 14 calendar days of the appeal being received.

The employee may, if they wish, be accompanied at the meeting by a work colleague or trade union representative at the appeal meeting.

Following the appeal meeting, the relevant manager will, with advice from the Trust HR team as needed, inform the employee in writing, usually within seven calendar days, of the outcome.

The outcome of the appeal is final.

11.13 Treating the Application as Withdrawn

If the employee fails to attend, without good reason, both the first and second meeting to discuss their application, or both the first and second meeting to discuss their appeal, we will treat their application as withdrawn.

11.14 Data Protection

When managing an employee's flexible working request, we process personal data collected in accordance with the data protection policy. Data collected from the point at which we receive a flexible working request is held securely and accessed by, and disclosed to, individuals only for the purposes of managing their request for flexible working.

11.15 Appendices

Appendix A - Flexible Working Request Form

Employee Guidance – please read in conjunction with the DCAT Flexible Working Policy

Eligibility to make a flexible working request

All employees have the statutory right to request flexible working. Under the statutory procedure, you can make two requests in every 12-month period. If you have submitted a flexible working request, you must wait until that one has been considered and any appeal has been dealt with, before submitting another. If you are uncertain whether you are eligible to make a request, please contact your line manager in the first instance.

Timescales

You will normally receive a decision about your flexible working request within two months of submitting your request. We encourage staff who would like to request flexible working to submit their request at the earliest possible date. Where school based staff are considering making a flexible working request for the following academic year we encourage these applications to be made in a timescale that aligns with the school planning cycle, this is likely to be February/March of each academic year.

Making your request & completing the Flexible Working Request Form

It will assist with the consideration of your application if you provide as much information as you can about your flexible working request.

It is important that you complete all the sections in the application form. You may be asked to resubmit the form if it is incomplete.

Once you have completed this form you should send it to your line manager, following any instructions you may have been given regarding how to do this.

It is important to note that the right provided in law is to have a request considered by your employer. There is no automatic entitlement to have your request agreed and it can be turned down for various organisational reasons. If your request is granted this will normally be a permanent change to your terms and conditions of employment unless a temporary arrangement has been agreed.

If you need assistance completing this form, please speak to your line manager in the first instance.

Section A: To be completed by employee

Employee name:

Job role:

Line manager:

Have you submitted a previous request for flexible working?
(If yes, please answer the next question.)

YES

NO

When did you submit your last two requests for flexible working?

Are you a disabled person whose request for flexible working is related to your disability?

YES

NO

I wish to submit a statutory request for flexible working as detailed below.

Please set out in full the details of your flexible working request. Please include the pattern of working that you are seeking. For example, if you wish to change your hours of work, please state what your current hours are and what you would like your new hours to be and you have any preference around the days/times that you work these hours.

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I would like the above change(s) to my working pattern to take effect on:		
I would like the above change(s) to my working pattern to be permanent:	Yes	No
If "No", I would like the above change(s) to my working pattern to be temporary and to end on:		

Once you have submitted a valid application for flexible working, we will contact you to arrange a consultation meeting, which will take place within 14 calendar days of the application being submitted.

The consultation meeting is an opportunity for you to explain how the proposed working arrangements would benefit you and for us to consider and discuss any alternative flexible working options that may be available and suitable for you and the organisation.

We urge you to be as open as possible about your needs so that we are able to engage in a constructive discussion about what is feasible.

Following the consultation the decision regarding your flexible working request will be confirmed to you in writing within 7 calendar days.

We treat personal data collected while managing your flexible working request in accordance with the data Protection Policy. Information about how your data is used and the basis for processing your data is provided in the employee privacy notice.

Signed by employee	
Date form completed	

Please now submit this form to your Headteacher / Line Manager.

NB: A copy of this completed form should be placed in the employee's personnel file