



THE
**CREATIVE
LEARNING**
PARTNERSHIP TRUST

Capability Procedure for School Teachers

Approved by:

Chair of Trustees
Chief Executive Officer

Date: Summer Term 2023

Next review due by: Summer Term 24

This policy and procedure are to be used only where an employee's performance does not reach expected standards after all reasonable support has been given as part of the normal Appraisal process. Managing performance is a continuous process and involves making sure that the performance of employees contributes positively to their own goals, the goals of their students and the school as a whole.

This policy and procedure are a means of encouraging and supporting improvement in performance. School Leaders have a key role in managing and addressing underperformance and supporting their employees.

SCC strongly encourages and expects regular and supportive conversations between School employees and those managing them. This will enable issues to be resolved at the earliest opportunity and at the lowest level, before referral to the formal capability policy and procedure. This includes jointly identifying whether further learning and development, support, coaching, mentoring, tools/resources, improved communication or working relationships for example via mediation may resolve any underperformance. When managing an employee's underperformance, conversations must have an emphasis on;

- Support and coaching to help improve performance as soon as concerns arise
- Sufficient time for improvements in performance
- Consideration of learning, development and support needs

Underperformance may have a variety of causes and some of them may be outside of the individual employee's control. It is therefore important to discuss any problems carefully and in a timely way so that concerns don't escalate unnecessarily, and practical solutions can be agreed early on.

When determining whether an employee is underperforming, consideration will be given to whether underperformance may be related to a disability. Where this is the case, consideration must be given to whether there are reasonable adjustments that could be made to their working arrangements such as;

- changing their duties where reasonably possible subject to the role and service requirements
- considering any difficulties in meeting expectations which may be being presented by needing to work differently due to outside events
- providing additional equipment
- any agreed programme of learning and development/support
- redeployment based on ill health capability (where a suitable role exists and is vacant)

School Leaders and those managing staff will also take into account any other factors that may be impacting on an employee's performance.

Where there are concerns about an employee's performance, the issues should be discussed with the employee as soon as possible as part of normal day-to-day management discussions. This will happen as part of normal 121 meetings or catch ups. Care should be taken that this is not excessive.

Catch ups and/or 121's will provide opportunity to help alleviate or resolve issues, where these are identified, as positively and as early as possible, allowing adequate time for improvement. Where there are underperformance concerns that are being discussed informally within 121's, these conversations should not normally exceed 8 weeks, but where it is felt this needs to be for a longer period, HR advice should be sought.

All discussions about an employee's performance will take place in a confidential environment and will be conducted in a supportive manner. The employee must have a clear understanding of the purpose of these discussions, and, where underperformance is identified, the possible next steps if performance does not improve.

1. SCOPE OF DOCUMENT

- 1.1 This procedure is designed to ensure that concerns about the standards of professional performance achieved by Headteachers and teachers in schools are addressed in a systematic and fair way. The objective of informal and formal support should be to improve staff performance. It is not intended to deal with the following matters:
- (a) discipline and conduct;
 - (b) staffing reductions, school closures and displacement;
 - (c) ill health;
 - (d) professional competence of newly qualified teachers who have not yet successfully completed their initial period of assessment

Separate procedures exist for dealing with these matters and should be adhered to. For the purposes of this document, a working day is defined as a school working day).

- 1.2 This procedure provides a framework for addressing concerns about performance. Its main aim is to allow any professional difficulties to be identified and addressed in a structured, supportive and open manner, taking account of individual circumstances, and resolved in a non-threatening way. These difficulties might relate to the teaching duties or to managerial/pastoral responsibilities. These issues tend to be complex and specific to the individual and therefore it is undesirable to lay down a rigid procedure for dealing with them, particularly in the early stages.
- 1.3 The over-riding requirements are fairness and reasonableness while constructively supporting an employee to improve their performance. The employee is naturally entitled to expect fair treatment, including appropriate guidance and advice from the Headteacher, colleagues on the school's teaching staff and external advisers as appropriate.
- 1.4 Teachers are expected to understand the nature of their role, including the professional duties set out in STPCD, the duties of their job description and the professional standards set out in the Teachers' Standards.
- 1.5 School leaders and those managing employees are expected to ensure that all employees have a clearly defined and agreed Job description, reviewed on a regular basis so that it remains appropriate and relevant. They are also expected to draw staff's attention to school policies and other information.
- 1.6 This capability procedure is a source of added stress for the teacher concerned. A duty of care should always be exercised to include emotional well-being support if necessary. There should be clear reference to this support and how it can be accessed in all correspondence with the teacher as part of this procedure.
- 1.7 There may arise a conflict of interest in the process of monitoring the performance of a teacher and supporting a teacher in improving their performance. Wherever possible, the person who monitors the performance of the teacher should not be the one who offers support. However, the procedure has to operate in the context of limited resources and of the nature and requirements of a teacher's job.
- 1.8 Employees should be made aware that while they are and remain the subject of the capability procedure, the normal appraisal arrangements will be suspended.
- 1.9 No formal action will be taken against an official of a teachers' professional association or trade union until a full time official of the association has been notified first.

2 HEADTEACHER PERFORMANCE

- 2.1 Action in relation to the Headteacher will normally be co-ordinated by the Chair of Governors, who has a general responsibility for monitoring performance in the school. In a grouping of schools with an Executive Headteacher, action in relation to an individual Headteacher (including a Head of School) will normally be coordinated by the Executive Headteacher.

- 2.2 In a maintained school, the Chair must inform the Local Authority about any concerns relating to Headteacher performance before providing informal support or taking more formal action. The Local Authority has intervention powers, which it may exercise to advise the Chair of any perceived performance issues prior to being notified by the Chair of their concerns.
- 2.3 The Local Authority may wish to assign an Officer to advise the Chair of Governors.
- 2.4 Performance of Executive Headteachers and Heads of School will fit within the appraisal process for HTs (STPCD – 2020 Sec 3 Para 16-23)

3 ROLE AND RESPONSIBILITIES

3.1 School Leaders and those managing employees

The Headteacher or other senior leader usually undertakes the role of evaluating and reviewing the performance of teachers' subject to the capability procedure. In case of a Headteacher subject to this procedure, this will be the Chair of Governors.

3.2 Governors

Governors should not normally be involved with a capability procedure relating to a teacher before the dismissal stage. The exception to this is where a governor or governors are involved in considering an appeal against a warning, or in a capability procedure against a Headteacher when the Chair of Governors will undertake the monitoring and evaluation of performance supported by an appropriate Professional Lead. It is important to be prepared for the possibility of dismissal. The procedure requires that a sufficient number of impartial governors remain available for the first and appeal committees. Normally at least three governors are required for each committee, and these must be different governors.

3.3 Professional Lead

An appropriate professional should be appointed to support the Chair of Governors when undertaking the monitoring and evaluation of performance of a Headteacher. This could be a representative of the local authority, a professionally qualified and experienced school leader or external consultant.

3.4 Professional Advisers

School improvement advisers or other advisers with education and personnel experience may advise the school and where appropriate assist with the process, including planned classroom observation and providing support and advice at formal meetings.

3.5 Trade Unions and Professional Associations

A teacher has a legal entitlement to be accompanied by a trade union representative or colleague at all formal meetings. If the teacher's chosen companion is not available at the time proposed for the meeting or hearing, a mutually convenient time should be arranged within 5 working days of the original date.

Schools are strongly advised to encourage teachers to seek advice at the informal stage of the procedure.

3.6 Written records

A written record should be made of all meetings with the teacher and any action taken following the meeting. Except in agreed circumstances any formal warnings should be disregarded for

disciplinary purposes after a specified period of satisfactory performance. These periods are 2 terms for a first written warning and 3 terms for a final written warning.

3.7 Grievances

In exceptional circumstances a teacher may raise a grievance about the Headteacher or other manager during the course of a capability procedure. If the grievance is unrelated to the capability procedure, the matter should be investigated concurrently under the school Grievance Procedure and should not delay the progress of the capability procedure.

However, depending on the circumstances, it may be appropriate to suspend the procedure until the grievance can be considered. Such a delay should only be considered where there is a strong indication that the teacher has been mistreated and consideration should be given to bringing in another manager to deal with the capability case. Any records should be passed to the new manager and, if appropriate, the capability procedure should be continued within the same timetable.

4 INFORMAL STAGE

- 4.1 Where concerns regarding underperformance have been raised, evidence should be collected and presented to the teacher for discussion, in order to identify the nature and the causes of the underperformance and, if required, what course of action is appropriate at an early stage.
- 4.2 Perceived difficulties may cover a range of issues or may be concerned with just one area of difficulty. The cause of the specific difficulty(ies) also needs to be discussed, and may be due to one of the following;
- a) The knowledge and skills required for the role have changed, but the employee does not possess the new skills and knowledge required.
 - b) Circumstances outside the school are affecting the employee's work performance.
 - c) Circumstances within the school environment (eg. new or additional responsibilities, changes in management, perceived lack of support, and/or unreasonable demands, workload) are affecting the employee's work performance.

Staff returning to work after a period of long-term absence should be given a reasonable period of time (e.g. a term) to ease back into their role. They should be given time to adjust before their performance is assessed. Specific areas of work or school life which have significantly changed during the member of staff's absence will be discussed as part of the return to work plan.

- 4.3 The manager will discuss the problem areas with the teacher, who must be informed before the meeting that it is proposed to implement the **informal stage** of the capability procedure. The teacher should be encouraged to seek advice from their trade union or other representative prior to the meeting and given reasonable time to do so.
- 4.4 The manager will consider the evidence and the context within which it was collected and pursue one of the following options:
- a) take no further action, because there is little or no under-performance, and return to the normal appraisal process;
 - b) decide that the matter is of a relatively trivial nature or a "one-off" and that the informal discussion is enough to resolve the matter without further action;
 - c) decide that the matter is not an issue of capability and should be dealt with under a separate procedure (eg: ill-health, misconduct);
 - d) decide that the matter is one where informal support should be provided in relation to performance (Example types of support can be found at Annex 1);
 - e) initiate the formal procedure where the under-performance is deemed sufficiently serious, for example where health or well-being of pupils or staff are at risk.

Prior to considering moving directly to a formal stage, a line manager will seek authorisation from a more senior School leader. Authorisation will only be given in exceptional circumstances, where all other avenues have been explored or where new evidence has come to light which indicates that health or well-being of pupils or staff are at risk.

- 4.5 The informal stage, where a member of staff is typically supported by a support plan, should in most cases be between 4 and 10 weeks in duration. The agreed period may be adjusted to suit the circumstances in each individual case. However, in particularly serious cases where the education, health or well-being of pupils may be at risk, a shorter period of monitoring is may be more appropriate. In very exceptional cases, this may need to be extended.
- 4.6 The above time scales should be used as a guide. In determining the length of the informal stage, the manager must consider what would be reasonable in terms of:
- a) how much improvement needs to be made;
 - b) how long it would take to put effective support measures or training in place;
 - c) the opportunity that the member of staff has to demonstrate that progress is being made over the monitoring period;
 - d) the impact of the alleged underperformance on pupils/students, colleagues and the school;
 - e) the willingness of the member of staff to engage in the process.
- 4.7 The meeting will explore:
- a) what is required of the teacher;
 - b) what agreed support will be provided;
 - c) how future performance will be reviewed and over what agreed period;
 - d) that the formal procedure will be initiated if there is insufficient improvement;
 - e) If targets are used, these should be **SMART (Specific, Measurable, Achievable, Realistic, Timely)** so that agreement can be reached. Targets should not be solely number-driven.

In the event that agreement cannot be reached, then it is ultimately for the headteacher to determine which measures are appropriate in the circumstances whilst ensuring that suggestions, requests and objections on the part of the member of staff are given due consideration.

The agreed plan will be confirmed in writing to the teacher within 5 working days.

- 4.8 The meeting should be supportive and encouraging and avoid creating undue stress for the teacher.
- 4.9 Throughout the informal stage, those monitoring the performance should offer feedback and instruction to help the teacher improve performance. If training courses or assistance from colleagues would be helpful, these should be arranged as soon as possible but should not interrupt the timing of the procedure.
- 4.10 After a period of review of the evidence gained (which should not normally be less than 4 weeks) a firm conclusion should be reached.

The options will be either to:

- a) take no further action;
- b) extend the informal period; or
- c) initiate the formal stage of this procedure.

5 Staff who are absent through illness during the procedure

- 5.1 Absence during the capability procedure should be taken into account when assessing progress and where necessary the monitoring period should be extended to allow the employee opportunity to evidence improvement whilst in work.

- 5.2 Absence which is triggered by the capability procedure, and which is likely to be long term, should be referred immediately to the occupational health adviser who will advise as to whether or not the member of staff is well enough to engage in the process. Short absences should not delay any part of the informal stage of the capability procedure. Reasonable steps should be made to enable the teacher to attend formal meetings, but where the teacher is unable to attend, these may proceed if the absence is protracted and the operation of this procedure is a substantial factor in the illness. Management will take into consideration occupational health guidance/recommendations before proceeding with any formal meetings in the absence of the member of staff. If the teacher is absent from such meetings a full account of the evaluation should be provided in the letter confirming the decision taken.

FORMAL STAGE

6 STAGE 1: First Formal Meeting

- 6.1 There may be occasions, when, despite adequate support and continued conversations, an employee's performance fails to reach the required standard. Where this is the case, managers and employees must be prepared to have honest and sometimes difficult conversations, and to do so in a polite and compassionate manner.

Where the manager determines that a meeting should be convened to consider use of the formal capability procedure, they will prepare a report on their concerns about the teacher's performance and write to the teacher inviting them to a meeting to discuss on-going concerns under the Formal Stage of the Capability Policy. A scheme of delegation should exist noting who is involved and at what stage.

The letter should include the report and/or set out clearly the following:

- a) the nature of the concerns and relevant evidence;
- b) details of the support which has been previously provided;
- c) the names and roles of who will be attending the meeting; and
- d) an outline of what actions might follow

It will also clearly state that the teacher has a right to be represented at all formal meetings and they should be strongly encouraged to be accompanied by a trade union representative or colleague. The teacher will be given this notice/letter of invitation to the first formal meeting and a copy of the manager's report at least 5 working days beforehand.

An extra copy of the letter and any enclosures will also be provided for the teacher to pass on to their union representative.

- 6.2 The first formal meeting may provide new information or put a different interpretation on evidence collected. If it becomes clear that further investigation is needed the meeting should be adjourned for an appropriate length of time to allow this to happen.
- 6.3 At the meeting, the manager will go through the report with the teacher and their representative, giving them the opportunity to respond, ask questions and make comments and representations. The manager will then adjourn the meeting to consider whether concerns remain. 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.
- 6.4 In other cases the manager will decide to:
- a) provide continued support via an informal support plan (except where similar support has already been undertaken without improvement);
 - b) issue a Stage 1 First Improvement Notice; or
 - c) issue a Stage 2 Final Improvement Notice

- 6.5 The first option is only relevant where new information is provided, a different interpretation on the information collected is reached, or further investigation suggests that the matter is not as serious as it first seemed.
- 6.6 If some progress has been made and there is confidence that sufficient progress is likely, it may be appropriate to extend the monitoring and review period.
- 6.7 The second option is relevant to any case where the manager remains concerned that the teacher is consistently failing to perform to a professionally acceptable standard.
- 6.8 Option 3 should only be considered where the concerns are of an extremely serious nature.
- 6.9 During the meeting, or any other meeting which could lead to a formal warning being issued, the person conducting the meeting will discuss and seek to agree on the following:
- a) identify the professional shortcomings which still remain, for example which of the standards expected of teachers are not being met;
 - b) 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 reasonable and achievable targets focused on the specific shortcomings that need to be addressed, any success criteria against which progress will be judged and the evidence that will be used to assess whether or not the necessary improvement has been made);
 - c) explain and agree the support, guidance, counselling and training that will be available to help the teacher improve their performance;
 - d) set out the timetable for improvement and explain how performance will be monitored and reviewed. The timetable will depend on the circumstances of the individual case and will be appropriate and realistic in light of the targets which are being set. This should also have been set out at the informal stage and will usually be between four and ten weeks and should not be longer than one term. It is for the school to determine the set period. It should be reasonable and proportionate, but not excessively long, and should provide sufficient opportunity for an improvement to be evidenced (particularly where the opportunities are not daily) and sustained. Again, this should also have been set out at the informal stage.
 - e) inform the teacher formally that failure to improve within the set period could lead to dismissal. In very serious cases, this warning could be a final written warning.

The teacher must clearly be aware and understand what is expected of them.

- 6.10 Within 5 working days, a letter will be sent to the teacher following the first formal meeting, recording the result of any investigations, the main points discussed at the meeting, confirming the decision and (where a warning is issued) giving information about the handling of the monitoring and review stage of the procedure. The letter will also indicate that the teacher has a right of appeal against a Stage 1 First or Stage 2 Final Written Warning. Appeals must be to the Clerk to Governors in writing within 5 working days; the appeal meeting will take place within 10 working days of notification of the appeal. A copy of the notes taken at the meeting will also be sent to the teacher.

7 STAGE 1: First Monitoring and Review Stage

- 7.1 The teacher's performance will be subject to a period of monitoring and review) of no longer than one term. This involves regular monitoring and evaluation of performance, with guidance, training if necessary, and support to the teacher.
- 7.2 Monitoring and evaluations of performance will be undertaken alongside a programme of guidance and support. Throughout this period, regular meetings will be scheduled to discuss the teacher's performance against the agreed objectives and criteria. This regular feedback will provide

opportunity for improvement throughout the monitoring and review period and ensure that the Teacher is fully aware at all times of how they are performing.

- 7.3 If the period at this stage is of 10 weeks or more, there will be a mid-stage formal evaluation of progress involving the manager, the teacher and their representative. This mid-stage evaluation gives an opportunity for the withdrawal of any additional support provided in the first period, if the evaluation has shown satisfactory progress by the teacher up to that point. Alternatively, it allows for an increase to or adjustment of the support, if insufficient progress is demonstrated.
- 7.4 If, at any point during this stage, the circumstances suggest more serious professional shortcomings, the review period may be curtailed and the procedure will move to a second Formal Meeting.
- 7.5 At the end of the agreed monitoring and review period, if the manager deems that the teacher has made enough improvement, this will be confirmed in writing. The capability procedure will come to an end and Appraisal will re-start.
- 7.6 If the manager deems that no or insufficient improvement has been made, the employee will be informed of the need to arrange a meeting under Stage 2 of this procedure.

8 STAGE 2: Second Formal Meeting

- 8.1 The manager will prepare a report on their continuing concerns about the teacher's performance and arrange a second formal meeting to discuss this with the teacher. The teacher has a right to be represented at all formal meetings and should be strongly encouraged to be accompanied by a trade union representative or colleague. The teacher will be given notice of the second formal meeting and a copy of the manager's report at least 5 working days beforehand.
- 8.2 At the meeting, the manager will go through the report with the teacher and their representative, giving them the opportunity to respond, ask questions and make comments and representations. The manager will then adjourn the meeting to consider whether concerns remain. If the manager is satisfied that the teacher has made sufficient improvement, the capability procedure will cease and the appraisal process will re-start.
- 8.3 In other cases:
 - a) If some progress has been made and there is confidence that sufficient progress is likely, it may be appropriate to extend the monitoring and review period to allow for this;
 - b) If no or insufficient improvement has been made during the monitoring and review period, the teacher will receive a final written warning and a second monitoring and review stage will commence. If performance is judged to be unsatisfactory a final written warning should be issued. Formal monitoring, evaluation, guidance and support should continue for a second assessment stage. Arrangements for this should be explained at the meeting. The teacher will be told explicitly that failure to achieve an acceptable standard, with confidence that it can be maintained, may result in dismissal. The decision and main points of the meeting should be recorded in a letter to the teacher. The letter will also indicate that the teacher has a right of appeal against a written or final written warning. Appeals must be to the Clerk to Governors in writing within 5 working days on receipt of the letter; the appeal will normally be heard within 10 working days of notification of the appeal.

9 Second Monitoring and Review Stage

- 9.1 The teacher's performance will be subject to a second formal assessment stage, normally over a period of 4 weeks. This involves further regular monitoring and evaluation of performance, with guidance, training if necessary, and support to the teacher.

- 9.2 The procedure is the same as for the first formal assessment stage. If performance has been satisfactory, and there is sufficient confidence that it can be maintained, the capability procedure will cease and this will be confirmed in writing.
- 9.3 If performance is unsatisfactory, the teacher should be informed that the matter will be referred to Stage 3, Capability Hearing before a committee of the governing body.

10 Stage 3 – Capability Hearing – (consideration of dismissal)

- 10.1 The governing body should set up a committee of 3 representatives. This must hear the representations and recommendations brought by the Headteacher, or manager conducting the capability procedure, and any representations that the teacher may wish to make. The governing body should also set up an Appeal Committee of 3 representatives to hear any appeal against a dismissal decision. None of the governors on the First Committee should be on the Appeal Committee and no discussion of the case should take place between members of the two committees.
- 10.2 It is recommended that a HR professional is involved in the hearing, either present or giving advice remotely.
- 10.3 The Headteacher/manager will prepare a report to the first committee summarising the concerns with the teacher's performance, any support offered and the outcomes of the assessment stage(s).
- 10.4 The teacher will be given notice of the date of the meeting and a copy of the Headteacher's/Manager's report at least 5 working days beforehand. The teacher has the right to be accompanied by a trade union representative or colleague. The procedure for the meeting is attached as Annex 2.
- 10.5 Should support have been identified as needed but not offered, this should be taken into account and no unfair penalty given because of this.
- 10.6 The Committee may decide:
- a) to take no further action because it is not satisfied that there is sufficient under-performance to do so;
 - b) to allow a further period for improvement; or
 - c) to dismiss the teacher with appropriate notice
- 10.7 The Committee's decision will be confirmed in writing as soon as possible and within 5 working days. It will include the reasons for the decision and the teacher's right of appeal.

11 Right of Appeal

- 11.1 Following the issue of a formal warning, a final formal warning or a decision is to dismiss, the teacher has the right of appeal to the Appeals Committee.
- 11.2 A teacher wishing to appeal must notify the Clerk to the Governors in writing, within 5 working days of the written notification of the outcome, of their intention to appeal.
- 11.3 It should include:
- a) the grounds of appeal which may include;
 - I. Facts disputed
 - II. Procedural fault or principles not followed
 - III. Previous evidence not fully investigated
 - IV. Evidence not previously considered
 - V. Level of warning not considered to be proportionate
 - b) whether they wish to be represented or accompanied at the meeting of the Appeal Committee and, if so, by whom;

- c) whether they propose to call witnesses at the meeting and, if so, who those witnesses are;
- d) whether they wish to introduce any additional documents not used previously - if so, these should be included with the letter of appeal.

11.4 The appeal will take place within 10 working days of notification of appeal. The procedure for the meeting is attached as Annex 3.

EXAMPLES OF POSSIBLE SUPPORT

It should be noted that not all examples given will be appropriate to the situation. Support offered should have a genuine likelihood of impact on the teacher's performance and should be within the budget and capacity of the School.

1. Advice and encouragement from management, colleagues and/or identified professional support;
2. Assigning a mutually agreed mentor;
3. Opportunities to observe exemplar practice of others in the Teacher's own school or at another school (where appropriate);
4. Opportunities to review own practice and adapt and implement improvements accordingly;
5. Support of experienced staff/subject managers/Headteacher advisers to lead lessons or team teach or to advise on management processes;
6. Specific training or other learning opportunities for professional development;
7. Attendance at courses aimed at rectifying specific weaknesses;
8. Seeking appropriate medical advice where ill-health appears to be a contributory factor;
9. Consideration of redeployment, changes to role and/or responsibilities, changes to working pattern, suitable adaptations as appropriate;
10. Consideration of and adaptation of present commitments if at all practicable (e.g. by the voluntary relinquishing of additional responsibilities and associated responsibility payments);
11. In-school workshops/coaching for example on class management or pupil behaviour;
12. Observation of particular, agreed issues within the classroom and appropriate supportive feedback;
13. Additional non-contact time to carry out specified responsibilities;
14. Advice on curriculum and lesson planning procedures;
15. Advice on teaching and learning styles.

Note: the record of agreed support should indicate the improvement each support element is intended to secure.

First Formal Capability Meeting

PROCEDURE

1. Introduction by Chair: explanation of procedure.
2. Headteacher/Manager should amplify the report prepared recommending the dismissal of the teacher.
3. The Headteacher/Manager may present witnesses.
4. Teacher (or representative) may ask questions of Headteacher/Manager and witnesses.
5. Teacher (or representative) should put case against dismissal.
6. Headteacher may ask questions of teacher and witnesses.
7. The Committee may ask questions of Headteacher/Manager, teacher and witnesses.
8. Headteacher/Manager to sum up case.
9. Teacher (or representative) to sum up case.
10. Parties to retire. (HR Advisor may remain with the Committee to offer advice.)
11. The Committee will consider the case and notify the parties of their decision. This may be conveyed verbally, at the conclusion of the hearing or soon after. The decision will then be confirmed in writing by no later than 5 working days after the meeting.
12. This procedure may be varied by agreement of all the parties.

APPEAL MEETING**PROCEDURE**

1. Introduction by Chair: explanation of procedure.
2. Teacher (or representative) should put their grounds of appeal, including any new evidence that is to be presented.
3. Headteacher may ask questions of teacher (or representative).
4. The Headteacher/Manager should summarise the original report recommending the dismissal of the teacher and respond to the grounds of appeal as appropriate.
5. Teacher (or representative) may ask questions of Headteacher/Manager.
6. The Committee may ask questions of Headteacher/Manager and teacher.
7. The Chair should summarise the facts for meeting.
8. Parties to retire. (HR Adviser may remain with the Appeal Committee to offer advice.)
9. The Appeal Committee will consider the case and notify the parties of their decision. This may be conveyed verbally, at the conclusion of the hearing or at a later date. The decision will then be confirmed in writing by no later than 5 working days after the meeting.
10. The decision of the Appeal Committee is final.
11. This procedure may be varied by agreement of all the parties