CARDIFF
CAERDYDD

Western Learning Federation

Riverbank School

CAPABILITY FOR SUPPORT STAFF POLICY

Riverbank
SCHOOL
Learning together to be the best we can

RATIFIED BY GOVERNORS	30th September 2026
DATE REVIEWED	30th September 2026
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Monitoring the policy

This policy will be reviewed bi-annually unless change of circumstances or legislation requires it to be amended earlier.

SIGNED  **DATE** 01.10.26

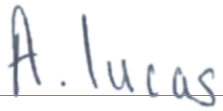
Chair of Governors

SIGNED  **DATE** 01.10.26

Executive Headteacher

SIGNED  **DATE** 01.10.26

Deputy Executive Headteacher

SIGNED  **DATE** 01.10.26

Head of School

The values and principles

The federation is underpinned by a set of values that define the culture of the three federated schools.

Our Principles

Honesty

Responsibility

Positivity

Trust

Empathy

Patience

Respect

Kindness

Our Values

- We celebrate our differences.
- We have a shared sense of belonging.
- We play, laugh, smile and celebrate success.
- We have a positive attitude.
- We learn from experiences to develop life and independent skills.
- We follow our dreams and aspirations.
- We care for our own and wider environment.
- We improve quality of life.

Definition

Values	One's judgement of what is important in school life.
Principles	Morally correct behaviour and attitudes.

Rights Respecting Schools

Every child has rights "without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status"

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Riverbank SCHOOL
Learning together to be the best we can

Tŷ Gwyn SCHOOL
Learning to achieve

Woodlands SCHOOL
Learning for Living

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Together we learn, grow and achieve

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Central South Consortium Capability Procedure for School Support Staff

DOCUMENT CONTROL	
POLICY NAME	Model School Support Staff Capability Policy
Department	Human Resources
Reviewing Officers	HR Group on behalf of each of the five LA's of Bridgend, Cardiff, Merthyr, Rhondda Cynon Taf and Vale of Glamorgan Councils
REVISION HISTORY	
Date	**Revised By**
DOCUMENT APPROVAL	
This document has received approval from:	Date of Approval
CSC Five LA Education Directors	

Mae'r ddogfen hon ar gael yn Gymraeg. This document is available in Welsh.

The policy will be reviewed in one year in light of operational experience.

This Capability Policy is recommended by each of the five Local Authorities that constitute the CSC.

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Additional Documentation

Flowchart for the support staff process

1. Introduction

1.1 The Governing Body of the Western Learning Federation on behalf of Riverbank School is committed to providing high standards of education to pupils. It is recognised that the capability and commitment of its staff is fundamental to the achievement of this goal. The Governing Body is committed to ensuring that all staff have the opportunity to develop the appropriate skills, knowledge, competence and aptitude to undertake their roles effectively.

1.2 In the vast majority of cases, staff meet and exceed the performance requirements of their roles. However, in some circumstances, individuals may experience difficulties in demonstrating the levels of competence required to perform their job effectively.

1.3 *'Individuals have a contractual responsibility to perform to a satisfactory level and should be given every help and encouragement to do so. Employers have a responsibility for setting realistic and measurable standards of performance and for explaining these standards carefully to employees.'*

ACAS Disciplinary and Grievance Procedures

1.4 If staff are performing below expectations, the role of the nominated manager/headteacher will be to bring this to the attention of the individual and to work closely with them to improve their performance to an acceptable level. The objective of this policy will be to set out a constructive approach to achieving improved work performance through effective supervision, mentoring, training, performance review and development.

1.5 Failure to achieve the expectation for improvement will result in the member of staff progressing through the various stages of the procedure. The member of staff will be advised of their progress during the course of the process and will be left under no misunderstanding that failure to achieve the required improvement will place their continued employment at risk.

SECTION ONE – GENERAL PRINCIPLES

2. Purpose of policy

2.1 The purpose of this policy is to provide the nominated manager/headteacher with the necessary information in order to:

2.1.1 help and support the member of staff with any competency issues;
2.1.2 ensure staff are performing their roles effectively and capably;
2.1.3 address cases of underperformance, in a fair and consistent manner;
2.1.4 manage cases in a supportive, sensitive, realistic and constructive manner;
2.1.5 ensure that competency issues are dealt with efficiently within agreed time periods (according to circumstances) and with clear outcomes at all stages.

3. Scope and Values

3.1 This Procedure applies to all support staff appointed by the governing body under governors delegated powers but excludes:-

3.1.1 staff working wholly or primarily within schools but appointed to centrally established posts

3.2 The procedure outlines the process to be adopted and followed when addressing issues of unsatisfactory performance for support staff.

3.3 All staff will be treated with respect, consistency and fairness.

3.4 All matters of managing unsatisfactory performance and related investigations will be treated in confidence by all parties involved throughout all stages of the capability process. Only those staff who have agreed and specific roles and duties associated with the procedure will have the right to access information.

4. Definition of capability

4.1 If concerns are raised about the unsatisfactory performance of a member of staff it is important to establish the facts and to apply the appropriate procedure. A clear understanding of what is deemed to be unsatisfactory performance needs to be established including whether the issue is a lack of capability due to ill-health, lack of capability due to lack of competence or a matter of professional misconduct. The following definitions are provided for guidance only, it is important that the headteacher/ nominated manager seeks appropriate HR advice to ensure that the correct procedure is invoked.

4.2 Misconduct: action or inaction which contravenes the contractual obligations of the member of staff, the rules laid down by the governing body and/or the Code of Professional Conduct and Practice as identified by the Education Workforce Council (where applicable). In such cases the agreed disciplinary procedure will apply.

4.3 Capability due to ill-health: relates to any inadequacy in health or any other physical or mental quality which results in unsatisfactory performance. In these cases the agreed sickness procedures will apply.

4.4 Capability due to a lack of competence: is a lack of skill or aptitude leading to unsatisfactory performance. In these cases the capability procedure will apply.

5. Exclusions

5.1 The following matters cannot be considered under this procedure:

5.1.1 Matters of misconduct, should be more appropriately dealt with under the disciplinary procedure.

5.1.2 Matters of capability resulting from persistent ill-health for which the school's Sickness Absence policy will apply.

5.1.3 Issues which arise during a probationary period will be dealt with via the school probationary policy.

6. Principles

6.1 It is important to ensure that due regard is given to the following points throughout the capability process:-

6.1.1 **Communication** – the member of staff should be kept informed at all stages of the process by the nominated manager. Regular meeting should be arranged and relevant information confirmed in writing;

6.1.2 **Record keeping** – the procedure is evidence based it is therefore important that accurate records are maintained and these are shared with the member of staff. Within 7 working days of the meeting copies of the minutes and support/action plan should be circulated. The accuracy of these documents should be agreed following which a letter should be sent to the member of staff confirming the date, time and venue of the next meeting and outlining the consequences of failing to meet the required improvement.

6.1.3 **Confidentiality -** Performance matters should be dealt with sensitively and with due respect for the privacy of the individuals involved. The headteacher or manager responsible for managing a capability process should at each stage:-

6.1.3.1 clearly define the parties who will be involved or be made aware of an ongoing process; and

6.1.3.2 remind those parties of their responsibility to treat as confidential any information communicated to them.

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Governors will be advised as to the importance of confidentiality and the consequences of any breach of confidentiality.

6.1.4 **Clarity of roles** – it is important to ensure that all parties involved in the process have a clear understanding of their part in the process. A definition of roles and responsibilities can be found in Appendix one

6.1.5 **Wellbeing** – the member of staff should at all stages of the procedure be made aware that they can access support services via Occupational Health or other employee support which is available.

7. Representation

7.1 Where a member of staff is invited to attend a meeting in relation to this procedure whether it be to agree a support plan or as part of stage one, stage two or referral to the staff dismissal committee they may

choose to represent them self or be represented / accompanied by a work colleague, or a trade union representative. Members of staff will be informed of their right to be represented.

7.2 In the event that the member of staff subject to this procedure is a trade union representative the trade union full time officer/official must be informed before the formal stage is engaged.

8. Timescales

8.1 Review periods, must be reasonable in length, depending on the nature of the targets and the stage of the process. In a job where there are few and simple tasks, a period of a few days may be reasonable, particularly where the capability issue relates to a task which is fundamental to the job. Where the job is more complex, and improvements cannot be assessed over a short period, a review period of several weeks or longer may be necessary.

8.2 The timescale for each stage will depend upon the nature of the unsatisfactory performance issue, the improvements identified as necessary and the support and development to be provided. Timescales should be sufficiently reasonable for the member of staff to demonstrate that they are capable of achieving and sustaining acceptable and improved levels of work performance.

8.3 The length of the review period at each stage may vary, taking into consideration the circumstances and complexity of each case and may be extended in accordance with this procedure. Subject to 8.1 as a general rule, review periods will normally be 6 – 8 weeks. A longer review period may be considered but unnecessary delay should be avoided.

8.4 Consideration should be given to an appropriate adjustment to the timescale in the event that the member of staff works part time.

8.5 **In the event that the underperformance of a member of staff**

a) places the pupil's education in jeopardy e.g. evidence exists to indicate that pupil performance has not improved / deteriorated; or

b) where performance has seriously deteriorated and staff/ pupils are placed at risk of harm e.g. classroom duties has failed to improve/deteriorated, health and safety issues

consideration may be given to fast tracking the procedure to stage two following the completion of a support plan.

9. The right to revisit the procedure

9.1 If at any stage during the procedure the member of staff consistently achieves the required standard and there is evidence to suggest that

this improvement is sustainable these procedures will conclude. The member of staff will be informed of this both verbally and in writing.

9.2 If, however, following this successful conclusion the member of staff fails to sustain the required standard of performance the capability procedure may re-commence as follows:-

Stage previous process concluded	Timescale (no more than)	Stage that process re-commences
Informal	60 working days	informal
Stage 1	130 working days	Stage 1
Stage 2	195 working days	Stage 2

9.3 The process will be followed in line with the particular stage.

9.4 In cases where performance has improved reference should be made to the above dates in correspondence to the member of staff. Any periods of sickness absence will be discounted for calculation of recommencement periods. E.g. if an employee is absent due to sickness period of 30 working days then the recommencement period will be extended for that length of time.

9.5 Where it is necessary to recommence the formal stages of this capability procedure on more than two occasions, nominated manager/headteacher may consider that there is sufficient cumulative evidence indicating serious performance issues that require the capability procedures to move to Stage 3 (Dismissals and Disciplinary Procedure).

10. Inability/ refusal to accept a capability issue exists

10.1 In some cases, the member of staff may not accept that a performance problem exists. Where this is the case, the nominated headteacher/manager should still:

10.1.1 caution the member of staff of the consequence of failing to reach required standards of performance;

10.1.2 determine the period within which improvement is expected;

10.1.3 set out the support the member of staff will be given to help them improve their performance.

10.2 If the member of staff refuses to accept and respond to offers of help, and performance does not improve to the level required, it may be necessary to consider referring the case to the Disciplinary Policy before the end of the review period.

11. Provision of a reference

11.1 It is the professional responsibility of the nominated manager/headteacher to comment in any employment reference provided to another establishment if a member of staff has been subject to the formal stages of the capability procedure at the time of their departure.

12. Education Workforce Council (EWC)

12.1 Cases where the employer has ceased to use the services of a member of staff registered with the EWC on grounds of capability or might have ceased to use those services had the Teaching Assistant not ceased to provide them, should be referred by the Authority directly to the EWC. There is a statutory obligation to make the referral in these cases.

12.2 In the event that a member of staff ceases to be employed by a governing body during stage 2 of the formal capability procedure the case will be referred to the EWC.

SECTION TWO -THE PROCESS FOR SUPPORT STAFF

13. Managing underperformance

13.1 The effective line management of support staff, will help prevent underperformance through early identification, support and intervention.

13.2 If a member of staff's performance is causing serious concern the nominated manager/headteacher will be expected to demonstrate that the following principles have been followed:-

- aspects of underperformance have been discussed with the member of staff ;
- expectations have been established;
- reasonable timescale for improvement agreed;
- suitable support has been agreed and provided;
- the member of staff's understands how progress is to be evaluated.

13.3 In the event that the required performance is not achieved having applied the principles outlined in 13.2 the nominate manager/headteacher should arrange to meet with the member of staff to review their progress at which the member of staff will be given the opportunity to be represented by their trade union representative or work colleague.

13.4 The purpose of this meeting will be to consider whether a support plan should be engaged. The nominate manager/headteacher should request that a HR adviser attends this meeting.

13.5 During this meeting the nominated manager/headteacher will discuss with the member of staff and provide evidence of the unsatisfactory performance making reference to the support, which has been provided. The member of staff and their representative will be given the opportunity to respond. Once all of the information has been discussed the nominate manager/headteacher will decide whether a support plan should be engaged.

14. Support Plan – Informal Stage

14.1 The agreed support plan should be in writing and: -

- define the performance issues;
- establish expectations;
- identify a reasonable timescale for improvement;
- confirm the support to be provided;
- identify how progress is to be evaluated

14.2 It is anticipated that the majority of capability related issues will be resolved promptly and informally at this level. However, the member of staff should be advised that failure to meet the expectations for improvement will result in the formal capability procedure being engaged.

14.3 An appropriate manager will be nominated to manage and oversee the program of support and monitoring processes. Whenever possible this person will be agreed with the member of staff and their TU representative. The member of the management team will be required during the mid term and end of stage review meetings to provide feedback to the nominated manager/headteacher on the member of staff's progress. Any information presented will be shared with the member of staff prior to the meeting.

14.4 At the end of the agreed timescale a meeting will be held to review performance. It is recommended that this meeting is attended by the nominated manager/headteacher, the member of staff, their trade union representative/colleague, the HR officer and a note taker. The nominated manager/headteacher will be expected to decide whether based on the evidence provided: -

14.4.1 performance has improved and expectations for improvement have been met, in which case no further action will be required. This will be confirmed in writing.

14.4.2 some improvement has been made, but the period of support may be extended to allow the member of staff additional time to address the outstanding concern(s).

14.4.3 that the member of staff has failed to achieve the level of improvement expected and as a consequence stage one of the capability procedure will be engaged.

14.4.4 teaching and learning is being jeopardised or performance has seriously deteriorated thereby placing staff/pupils or service delivery at risk of harm or failure. As a consequence the process will be fast tracked to stage two.

14.5 In the event that the required improvement has not been achieved and sustained and the nominated manager/headteacher decides to pursue options outlined in 14.4.3 or 14.4.4 above a date should be set for a further meeting to discuss and agree an action plan. The member of staff should be advised of their right to appeal this decision – see section 17.

15 Stage One – Formal Capability (Action Plan)

15.1 Stage one of the capability procedure will be engaged when:-

15.1.1 the nominated manager/headteacher has initiated a support plan and the expected level of performance has not been achieved; or

1.15.2 when the member of staff has within the last 130 working days been subject to stage one of the procedure which has led to improvement, however performance has subsequently deteriorated to an unsatisfactory standard.

15.2 Once a decision has been made to engage stage one of the formal procedure a meeting is arranged to discuss and where reasonably possible agree an **action plan**, which will assist the improvement of performance to the expected standard. This will entail:-

15.2.1 clearly identifying where and how work performance is below the expected standard;

15.2.2 provide the member of staff with a further opportunity to explain and explore the issues of their underperformance;

15.2.3 clearly establish expectations;

15.2.4 agree supportive strategies to be engaged which could be additional training, the appointment of a mentor, visits to other schools to observe good practice, peer observation, etc.

15.2.5 decide on methods of evaluation e.g. review of documentation, classroom observation, contribution to the development of pupils work inspection, audit reports, record keeping etc.; or as appropriate to the role and job description.

15.2.6 identify a timescale for improvement.

15.3 This meeting will be attended by:-

15.3.1 the headteacher;
15.3.2 the nominated manager if relevant;
15.3.3 the member of staff with their representative;
15.3.4 HR adviser;
15.3.5 any other person who has been involved in the process as agreed with the member of staff and their representative e.g. mentor;
15.3.6 note taker to minute the meeting.

15.4 Within 7 working days of the meeting copies of the minutes and the action plan should be circulated. The accuracy of these documents should be agreed following which a letter should be sent to the member of staff confirming the date, time and venue of the mid term and end of

stage review meeting and informing the member of staff of the consequences of failing to meet the required improvement.

Monitoring and review

15.5 Regular meetings should be held during this stage in order that the member of staff is kept informed of their progress.

15.6 It is suggested that a mid-term review meeting is held with the nominate manager/headteacher in attendance in order that the member of staff can be given an update on their progress. The mid–term review meeting will also provide the member of staff and/or their representative/colleague with an opportunity to raise any concerns that they may have to ensure that these can be addressed.

15.7 At the end of the agreed timescale a formal meeting will be held. Prior to the meeting all parties will be supplied with copies of documentation which will be referred to. This meeting will be attended by those persons outlined in paragraph 15.3.

15.8 The purpose of this meeting will be to review the action plan and assess whether expectations for improvement have been achieved. All parties in the meeting will be given the opportunity to comment on the progress to date to allow the nominated manager/headteacher to make a determination on the way forward.

15.9 During this meeting:

15.9.1 the nominated manager/headteacher will remind all parties of the standard of work performance expected from the member of staff and the area(s) under consideration. This will have been clearly set out in the action plan agreed at the beginning of the process;

15.9.2 the manager will be required to present the action plan and any relevant additional documentation.

15.9.3 the member of staff/representative or colleague will be provided with an opportunity to comment on the effectiveness of the support provided and the progress made.

15.10 Having considered all of the information and representations made the nominated manager/headteacher will be required to come to one of the following outcomes:-

15.10.1 performance has improved and a satisfactory standard achieved, therefore no further action will be necessary. The nominated manager/headteacher must inform the member of staff of the satisfactory outcome of the review in writing and send a copy of this letter to HR so that it can be placed on the member of staff's personal file. Failure to sustain the expected level of performance could result in the procedure being re-

engaged in accordance with paragraph 10 of this procedure. It should be noted here that it is the responsibility of the member of staff to maintain this level of performance without the need for close supervision or personal action plans beyond this process; or

15.10.2 where there is evidence of improvement however it is not sufficient to suspend the process – the nominated manager/headteacher may decide to extend stage one for a maximum period of 6 week period; or

15.10.3 where the evidence collected indicates that satisfactory performance has not been achieved the nominated manager/headteacher will progress to stage two of the procedure. The nominated manager/headteacher is required to confirm this decision in writing outlining the member of staff's right to appeal the decision (see section 17). In the absence of an appeal being lodged the letter should also invite the member of staff to attend a meeting in relation to stage two of the capability procedure.

16. Stage Two – Formal Capability

16.1 Once a decision has been taken to proceed to stage two a further meeting will be arranged to discuss and agree any changes to the action plan outlined in stage one (or to the support plan in the event that the process has been fast-tracked). This meeting should be attended by the nominated manager/headteacher, manager, member of staff and their representative or colleague, HR adviser and note taker.

16.2 The following issues should be considered and discussed during the meeting: -

16.2.1 review the action plan adopted during stage one and to amend as required.

16.2.2 ensure that the member of staff understands that this is the final stage of the process and the implications of continued failure to achieve and sustain levels of satisfactory performance could place their employment at risk.

16.2.3 agree dates for mid-term and final review meetings.

16.3 Within 7 working days of the meeting copies of the minutes and the action plan should be circulated. The accuracy of these documents should be agreed following which a letter should be sent to the member of staff confirming the date, time and venue of the mid term and end of stage review meeting and informing the member of staff of the consequences of failing to make the expected improvement.

Monitoring and review

16.4 The procedure to be adopted during the period of review for stage 2 is outlined in paragraphs 15.3 to 15.8

16.5 Having considered all of the evidence submitted and representation made the nominated manager/headteacher will be required to come to one of the following
outcomes: -

16.5.1 performance has improved and a satisfactory standard achieved, therefore no further action will be necessary. The nominated manager/headteacher must inform the member of staff of the satisfactory outcome of the review in writing and send a copy of this letter to HR so that it can be placed on the employee's personal file for a period of 2 years. Failure to sustain the required level of performance could result in the procedure being re-engaged in accordance with paragraph 10 of this procedure. It should be noted here that it is the responsibility of the member of staff to maintain this level of performance without the need for close supervision or personal action plans beyond this process; or

16.5.2 where there is evidence of improvement however it is not sufficient to suspend the process – the nominated manager/headteacher may decide to extend stage one for a further 6 week period ; or

16.5.3 where the evidence collected indicates that satisfactory performance has not been achieved the nominated manager/headteacher will progress the case to stage three of the procedure. The nominated manager/headteacher is required to confirm this decision in writing providing the member of staff with the opportunity to appeal their decision. In the absence of an appeal, the nominated manager/headteacher will request that the clerk to the governing body convene a meeting of the Staff Dismissals and Disciplinary Committee for a formal hearing. Consideration will be given at this hearing to the evidence, which has been gathered throughout the process and whether this warrants the termination with notice of the member of staff's contract of employment on the grounds of capability. .

16.6 At this time the Chair of Governors may need to consider the suspension from duty of the member of staff where necessary e.g. for the protection of children, staff or property or where the continued presence of the member of staff in the school could have a detrimental effect on the teaching and learning of the pupils or on service delivery. In such circumstances a suspension meeting should be conducted in accordance with the guidelines outlined in the School's Disciplinary and Dismissal Procedure for Schools. Advice should also be sought from the HR adviser.

17. Appeal against the progression of the capability process

17.1 Where a member of staff wishes to appeal the decision to progress their case to the next stage of the process, s/he must notify the nominated manager/headteacher in writing within five working days from the date that they receive the nominated manager's/headteacher's decision in writing. The member of staff must outline the grounds of their appeal.

1.72 An appeal should be heard promptly by the Chair of Governors or nominated Governor except where:-

- they have a conflict of interest;
- is otherwise compromised and unable to act impartially; or
- has previously heard an appeal.

In the event that any of the above circumstances apply arrangements will be made via the clerk to the governing body for another member of the governing body to be engaged or a consultant governor.

17.3 The member of staff will be given 7 working days' notice of the date, time and place of the meeting to consider the appeal.

17.4 The Chair of Governors or nominated Governor will be required to focus on the reason(s) given by the member of staff for their appeal. A member of Human Resources will also be present. The member of staff will be afforded the right of representation at this meeting in accordance with paragraph 7.

17.5 At the end of the meeting the Chair of Governors or nominated Governor will:

17.5.1 confirm the original decision and proceed to the next stage;
17.5.2 revoke the original decision with the intention of extending the period of review on the current stage; or
17.5.3 substitute a different decision.

17.6 The member of staff will be informed in writing of the decision as soon as possible, usually within one week of the appeal meeting. There will be no further right of appeal.

18. Stage Three - Referral to the Staff Dismissal and Disciplinary Committee of the Governing Body

18.1 In instances where the required improvement has not been reached having engaged the relevant stages of this procedure the case should be referred in its entirety to the Staff Dismissal/Disciplinary Committee of the Governing Body and a formal hearing should be held. The hearing should be attended by; -

18.1.1 members of the committee;

18.1.2 the nominated manager/headteacher (who will present the case);

18.1.3 the member of staff with their representative/colleague;

18.1.4 manager if relevant;

18.1.5 HR officer to advise the committee on aspects of procedure;

18.1.6 any other person considered relevant to the process;

18.1.7 clerk to the governing body who will take a record of the meeting.

18.2 The clerk to the governing body will arrange the hearing and the member of staff will be informed in writing, with not less than 7 working days notice of:

18.2.1 the date and time of the hearing;

18.2.2 the purpose of the hearing;

18.2.3 their right to be represented by a trade union representative or work colleague; and

18.2.4 the issue under consideration and the range of potential outcomes.

18.3 The Staff Dismissal/Disciplinary Committee and the employee must be provided with copies of relevant documentation, which has been gathered during the course of the procedure 10 days prior to the hearing. This documentation should provide evidence of: -

18.3.1 the process which has been followed and the area(s) where the member of staff has failed to meet a satisfactory standard of performance;

18.3.2 the consequences for the school/service area of the member of staff's under performance;

18.3.3 the support provided to assist the member of staff to meet the required level of performance.

18.4 Employee documentation must be provided 5 days prior to the hearing.

18.5 The procedure to be followed in convening and conducting this hearing will be as outlined in the school's Disciplinary Procedure.

19. Staff Dismissal and Disciplinary Committee Appeal Hearing

19.1 Where the outcome of the hearing results in a decision to dismiss, the member of staff must be advised that they have the right of appeal against this decision and, should they wish to exercise this right, they should write to the clerk to the governing body within 7 working days of receipt of the letter confirming the decision.

19.2 The member of staff/ representative/colleague must outline the grounds of their appeal.

19.3 An appeal should be heard promptly by the Staff Dismissal/Disciplinary Appeals Committee. The procedure to be followed will be as outlined in the school's Disciplinary Procedure.

19.4 Documentation to be used by the management case must be provided to the Committee and employee 10 days prior to the hearing.

19.5 Employee documentation must be provided 5 days prior to the hearing.

APPENDIX ONE - Roles and Responsibilities

The roles and responsibilities of the main participants are outlined below. The clear expectation is that all parties work together to seek to improve the performance of the member of staff.

Responsibilities of the Member of staff (who may be the subject of this procedure)

- cooperate with the procedure and agree performance objectives,
- cooperate with their line manager to achieve a satisfactory level of overall performance,
- take responsibility for their training and development and be proactive in seeking arrangements where needs have been identified,
- draw to the attention of their line manager any external factors that may be impacting adversely on their performance,
- make every effort to attend any meetings or hearings under this capability procedure,
- engage with the local authority's occupational health team or an appropriately qualified health professional if appropriate.

Role of the representative

- accompany their member at all stages of the capability procedure,
- support their member in presenting their evidence and seek clarification on any issues raised during the meeting,
- confer with their member, if necessary, during any meeting,
- represent their member if they are unable to be present,
- ensure that their member is familiar with the content of the capability procedures,
- make themselves available to meet the timescales defined within the
- procedure.

Role of the Headteacher (as manager)

- support and advise line managers who express concerns about the unsatisfactory performance of a member of staff,
- take appropriate action in the management of unsatisfactory performance,
- ensure standards of fairness, objectivity and consistency of treatment of staff in all cases,
- appoint, where appropriate, a designated member of staff to provide appropriate support,
- ensure that an appropriate programme of support and guidance is put in place for the member of staff whose performance is deemed to be unsatisfactory,
- seek the advice and support of the local authority (or the diocesan authority.
- ensure that the governing body's policies are enacted and the governing body is involved in the capability process at the appropriate stages.

Role of the manager

- ensure that the member of staff has received Information regarding their role and responsibilities,
- be conversant with the relevant policies ,of the school
- clearly communicate the standard of performance the school expects. take a considered approach in all cases when there are concerns about a member of staff's performance.
- provide evidence and advise the headteacher (or those delegated by the headteacher to administer the capability process) at all times during the process,
- seek further guidance from the headteacher (or those delegated by the headteacher to administer the capability process) where appropriate on any matter related to this policy and procedures.

Role of the Chair of Governors or Nominated Governor

- establish and maintain effective arrangements and good communications with the headteacher in relation to performance and school priorities and service delivery,
- where appropriate obtain local authority human resource management advice in the event of any concerns about staff underperformance.
- consult the local authority as necessary to secure sufficient governor capacity to support delivery of this capability procedure.

Role of the governing body

- be fully familiar with the relevant policies relating to performance management,
- ensure that the policies relating to unsatisfactory performance of members of staff are implemented and are working effectively alongside other relevant policies,
- ensure that all relevant policies are available to the member of staff and are reviewed on a regular basis,
- ensure that the appropriate committees of the governing body are
- established, and that governors are aware of their responsibilities and receive appropriate training to support them in their roles,
- to ensure adoption of the policy prior to the commencing any process.

Role of the clerk to the governing body

- to convene a meeting of the Disciplinary/Dismissals Committee if requested and circulate all appropriate documentation,
- to convene a meeting of the Disciplinary/Dismissals Appeals Committee if requested and circulate all appropriate documentation.

Role of the local authority

- to provide advice and support as appropriate to the nominated manager/headteacher and governing body when they are managing the unsatisfactory performance of a member of staff,
- ensure accessible high quality human resource management advice is available,
- exercise, as appropriate the right to attend all formal meetings of the governing body and its committees for the purpose of giving advice,
- exercise, as appropriate, powers of intervention in order to ensure the appropriate procedures are adopted and followed,
- deliver or commission appropriate training to equip the Chair of Governors and governing body to fulfil effectively their obligations under this procedure,
- to liaise with the governing body to ensure that there is sufficient governor capacity for implementation of the various stages of the capability and appeals processes.

APPENDIX TWO – Action Plan

Area for Improvement	Objective	Support to be provided	Criteria for Success	How improvement will be measured	Timescale for target

Employee Name : Manager Name:

Date : Date: