

# Kentmere Academy and Nursery

## Unsatisfactory work performance policy



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# UNSATISFACTORY WORK PERFORMANCE PROCEDURE FOR STAFF

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## INTRODUCTION

1. This procedure for handling unsatisfactory work performance is agreed between Rochdale Metropolitan Borough Council - the Local Education Authority, and the recognised Teachers' Associations/Trade Union representatives and is recommended for adoption by the Governing Bodies of schools with delegated powers of Local Management. This procedure is consistent with the employment powers granted to Governing Bodies by the Education Act 1996, Education Act 2002, with the Articles of Government of individual schools and the scheme of Local Management.
2. Governing Bodies of community and voluntary controlled schools with delegated powers are recommended to adopt this procedure. Governing Bodies of voluntary aided and Foundation schools are required to adopt either an appropriate diocesan procedure, this procedure or draw up their own for formal consultation with the recognised Teachers' Associations/Trade Union representatives.
3. In this procedure, lack of capability is defined as a situation in which an employee fails consistently to perform his or her duties to a professionally acceptable standard. This procedure does not deal with lack of capability due to ill-health, nor with misconduct, which may be defined as an act or omission by the employee which is considered to be unacceptable professional behaviour. Separate procedures exist and have been adopted by Governing Bodies to deal with such matters.
4. This procedure shall apply equally to Headteachers as it applies to their members of staff. The LEA may make reports to the Chair of Governors where it has serious concerns about the discharge of the Headteachers performance.
5. Where there is reference within this procedure to the Executive Director, this may be the Executive Director or his/her nominated representative.

## Equality

Wardle Trust aims to regularly review all the policies and procedures we operate to ensure there are no negative equality impacts.

## PURPOSE

6. The purpose of this procedure is:
  - (i) to encourage and support improvement where an employee is failing to carry out the duties of his/her post or to achieve a standard of work required by a reasonable employer; and
  - (ii) to ensure consistent and fair treatment for all employees with respect to action taken in response to situations of unsatisfactory performance.

## CONFIDENTIALITY

7. Throughout this procedure, employees are entitled to confidentiality. It therefore follows that any discussions that take place at meetings are confidential to the individuals concerned, but action plan targets will, if necessary, be passed to those responsible for ensuring action on them is taken.
8. The Headteacher, at his/her discretion, may inform the Chair of Governors that matters relating to the unsatisfactory work performance of an employee are being addressed through this procedure. However the employee should not be named.
9. No other members of the Governing Body should be informed except at the specific stages highlighted in the formal procedure.

## IDENTIFICATION AND SUPPORT

10. It is essential that professional performance problems are clearly identified and given appropriate consideration and support at the earliest possible stage. The nature of the problem, its level of seriousness and cause(s), must be investigated and identified by structured information gathering and systematic recording.
11. Following the investigation and assessment, a decision must be made as to whether to take no further action; give informal support; or arrange a formal recorded interview which requires action under the formal **unsatisfactory work performance** procedure.
12. Employees' subject to this procedure should be advised to seek the support of their Teacher Association/Trade Union representative at the earliest opportunity.
13. Where a Headteacher appears to be under performing the Chair of Governors must make arrangements to support the Headteacher in line with the procedure. The Chair of Governors should work closely with a LEA Officer appointed by the Head of School Services on behalf of the Executive Director.

## NEWLY QUALIFIED TEACHERS

In a few particularly serious cases, it may become apparent that the education of the children being taught by an NQT is being seriously affected. In such instances the Headteacher may wish to consider instigating a capability procedure at any stage before the end of the induction period, which may lead to dismissal before the end of the induction period. If this is the case, for as long as the NQT remains at the school the induction procedure continues in parallel with the capability procedure. Before instigating a capability procedure, it is important that the Headteacher is assured that the following has taken place:

- The NQT's performance has been monitored.
- The NQT has been clearly advised about the aspects of their practice which are causing concern and understands the improvements which are expected.
- A reasonable and time-limited period (at least four weeks) of careful and structured support/training, monitoring, evaluation and evidence gathering has taken place, giving the NQT an opportunity to improve.

- The NQT has been given an informal warning that failure to improve may lead to entry to the formal capability procedure and that this may lead to dismissal.

If an NQT is dismissed on grounds of capability (**unsatisfactory work performance**) before the end of the induction period, they may seek to complete induction at another school. The Headteacher and Appropriate Body will, however, need to pass on any induction records and documentation to the new school and Appropriate Body.

## INFORMAL SUPPORT

14. Before reaching the formal stage, Headteacher/Nominated Person/Chair of Governors shall, as part of their management responsibilities, have drawn the employee's attention informally to the ways in which it is alleged that the employee's performance is deficient; giving the employee the opportunity to comment on the allegation. This discussion should be briefly recorded and copies given to the employee and kept by the Headteacher/Nominated Person/ Chair of Governors. Employees should be aware that this informal action is part of the **Unsatisfactory Work Performance** Procedure. Following this recorded discussion the Headteacher/Nominated Person/Chair of Governors will make opportunities available to the employee for further advice, support and training. Where appropriate the Headteacher/ Nominated Person/Chair of Governors may put the employee under the direct supervision of another competent and experienced employee and allow a reasonable time for improvement. This timescale should be no less than ½ term and no more than 1 term in duration.

15. If performance improves to an acceptable standard as a result of the informal action then no further action should be taken.

## RIGHTS OF REPRESENTATION

16. Before consideration is given to taking action under this **unsatisfactory work performance** procedure, the employee will be informed in writing of the grounds for invoking the procedure, and of the right to have the opportunity of stating his/her case in person to the Headteacher/ Nominated Person/Chair of Governors and to be represented at a **unsatisfactory work performance** interview or a **unsatisfactory work performance** hearing by an official of one of the recognised Teachers' Associations, Trade Union representative or work colleague. If these rights have not been afforded to the employee any action taken as part of this procedure will be deemed to be void and any record made will be expunged.

17. No formal action shall be taken against a employee who is an accredited representative of one of the recognised Teachers' Associations/Trade Union until the circumstances of the allegation have been discussed.

(i) in the case of a school representative or local officer, with the local secretary; or in the case of a local secretary, with a full-time official of the union.

## TIMESCALE

18. The timescale adopted will be in accordance with the seriousness of the lack of capability of the employee. Consideration needs to be given to whether the problem is specific or a broader professional difficulty; whether it is of very recent concern or spanning a longer period of time. Normally, the period given for improvement will be no more than a period equivalent to two terms after the date of entry into the formal procedure. The period of assessment may be shortened if justified, for example, where it becomes clear that an acceptable level of improvement is beyond the ability of the person assessed, or where there is a lack of co-operation with reasonable measures to achieve improvement. In extreme cases where the education of pupils is jeopardised the Headteacher/Nominated Person/Chair of Governors may decide, after consultation with the Executive Director, that the period given for improvement after the date of a formal warning will be no more than four weeks.

### Fast Track

An **extreme** case would be where the performance of an employee may be such that there is a breakdown in his/her ability to effectively carry out his/her duties and the education/health & safety of pupils may be jeopardised. Examples of this might be where an employee's classroom control is so poor that no order can be established to enable teaching to take place, or where all/ majority of the children under an employee's care fail to progress in that employee's lesson.

An extreme case can only be determined in consultation with the LEA.

Under these circumstances, the following action may have to be considered:-

- to issue a **final written warning** even where no previous warnings exist.

Immediately following the issue of a final written warning consideration will need to be given:-

- to implementing a period for improvement which will be **no more than four** weeks.

Within this timescale there will be a need for structured support;

### OR

- **to suspend** the employee from duty. The employee will be suspended on full pay. Where there has been no improvement following the four week period the employee will be **suspended**.

## SUSPENSION

19. The Headteacher/Nominated Person/Chair of Governors and the Governing Body have the power to suspend on full pay if it is deemed necessary

In any **unsatisfactory work performance** procedure involving suspension the Headteacher/Nominated Person/Chair of Governors or a Committee of the Governing Body will consider possible disciplinary action which may include dismissal. This will be dealt with in accordance with the attached schedule, **Appendix 1**.

An employee may be suspended from duty for a period not exceeding 21 working days. Within 21 days of the original suspension a Committee of the Governing Body will decide:-

- to continue the suspension and refer the employee to a disciplinary committee of the Governing Body; **OR**
- to revoke the suspension.

Any suspension must immediately be reported in confidence to the Chair of the Governing Body and the Executive Director.

### ILL-HEALTH

20. If issues of ill-health arise during the course of this procedure and last for longer than 2 weeks, or involve 3 or more periods of absence, the matter may, after consultation with the Executive Director, be referred to the Authority's Occupational Health Physician for prognosis relating to the individual's health and fitness for continued employment.

Short absences should not delay any part of the formal stage of the **Unsatisfactory Work Performance Procedure**. Reasonable steps should be made to enable the employee to attend evaluation meetings, but where the employee is unable to attend the meeting may proceed in the employee's absence if delay would otherwise compromise the maximum time set aside for the procedure. If the employee does not attend the evaluation meetings due to absence a full account of the evaluation should be provided in a letter to the individual confirming the decision taken.

Counselling should be offered as a matter of course to employees who are going through the Unsatisfactory Work Performance Procedure.

### FORMAL STAGE

21. If informal steps taken to improve a employee's performance have not resulted in acceptable improvements then the Headteacher/Nominated Person/Chair of Governors, after consultation with the Executive Director, or nominated representative, should organise a formal recorded interview. In order to have an informed view it may be necessary for the Executive Director to arrange a period of observation of the employee concerned and/or discussion.

22. The Headteacher/Nominated Person/Chair of Governors will require the employee to attend a formal recorded interview to consider a report containing details of his/her investigation and assessment, and where appropriate giving details of steps taken previously to encourage improvement. The employee will be given at least 7 calendar days' notice of the meeting and shall receive a copy of this procedure and the written report.

23. The employee may be accompanied at the interview, if he/she wishes, by a Trade Union/Teacher Association Representative or a work colleague. If requested by either side a representative of the Executive Director may also be present to give guidance and advice on procedures.

24. At the meeting, the Headteacher/Nominated Person/Chair of Governors will discuss the report with the employee and provide them with the opportunity to comment. If the Headteacher/Nominated Person/Chair of Governors is satisfied that the concerns about capability are well-founded he/she shall issue the employee with an appropriate warning. The decision on which level of warning to issue will depend on the seriousness of the problem. The Headteacher/ Nominated Person/Chair of Governors will advise that failure to improve performance to the standard required will result in further action in accordance with this procedure.

25. The Headteacher/Nominated Person/Chair of Governors will state/re-state the standard of work required and ensure that the employee understands the standards required. A formal action plan will be drawn up by the Headteacher/Nominated Person/Chair of Governors to assist the employee to achieve the required standards. The plan will, wherever possible, be drawn up in partnership with the employee and will normally include the establishment of targets and/or performance standards, together with an appropriate support programme and structured

timescales. The Headteacher/Nominated Person/Chair of Governors may decide in extreme cases, after consultation with the Executive Director, to begin the procedure at a more advanced stage.

26. Within seven calendar days of the interview, the Headteacher/Nominated Person/Chair of Governors will provide the employee and his/her representative with:-

- (i) Confirmation of the appropriate warning.
- (ii) a copy of the notes of the meeting for agreement; and
- (iii) a written copy of the action plan setting out clearly:
  - \* the targets/performance standards to be attained,
  - \* the support and resources to be made available;
  - \* details of how progress will be monitored and by whom; and \* the timescale for the review meeting.

The Headteacher/Nominated Person/Chair of Governors will send a copy of the confirmation to the Executive Director who will keep a copy on the employee's personal file.

27. Notification of such action will constitute 'the date of entry into the formal procedure'.

### FIRST REVIEW MEETING

28. The Headteacher/Nominated Person/Chair of Governors will give seven calendar days' notice of the review meeting and give the employee and his/her representative a copy of a monitoring report to enable a full and frank discussion about performance to be made at the meeting. If requested by either side a representative of the Executive Director may also be present to give guidance and advice on procedures.

29. At this meeting, progress in achieving targets/performance measures, previously identified, will be discussed and assessed.

30. If performance has improved to an acceptable standard then no further action will be taken.

31. If the employee's performance is still deficient, the Headteacher/Nominated Person/Chair of Governors shall issue the employee with an appropriate written warning, and indicate that failure to improve performance to the standard required will result in further action in accordance with this procedure.

32. Within seven calendar days of the interview the Headteacher/Nominated Person/Chair of Governors will provide the employee and his/her representative with:

- (i) Confirmation of the appropriate warning.
- (ii) a copy of the notes of the meeting for agreement; and
- (iii) a written copy of the up-dated action plan setting out:
  - \* targets/performance standards to be attained,
  - \* any further support and resources to be made available,
  - \* details of how progress will be monitored,
  - \* the timescale of the review meeting.

The Headteacher/Nominated Person/Chair of Governors will send a copy of this confirmation to the Executive Director who will keep a copy on the employee's personal file.

### SECOND REVIEW MEETING (if applicable)

33. The Headteacher/Nominated Person/Chair of Governors will give seven calendar days' notice of the second review meeting and give the employee and his/her representative a copy of the monitoring report to enable a full and frank discussion about performance to be made at the meeting. Progress in achieving targets/ performance measures previously identified will be discussed and assessed. If requested by either side a representative of the Director of Education may also be present to give guidance and advice on procedures.
34. If performance has improved to an acceptable standard then no further action will be taken.
35. If the employee's performance is still deficient the Headteacher/Nominated Person/Chair of Governors shall issue the employee with an appropriate written warning. At this stage this will normally be a final written warning, and indicate that failure to improve performance to the standard required will result in further action, which may include a recommendation that could result in dismissal. The Headteacher/Nominated Person/Chair of Governors may, in consultation with those members of the Governing Body who have power to make appointments, consider offering the employee a different balance of duties or alternative employment within the school, and explain to the employee that this may be the only alternative to a capability hearing before the Governing Body. To be suitable employment, such employment does not necessarily have to be equivalent employment, particularly in the case of a promoted employee who may be offered a post at a lower level.
36. Within seven calendar days of the interview the Headteacher/Nominated Person/Chair of Governors will provide the employee and his/her representative with:
  - (i) confirmation of the appropriate written warning. At this stage this will normally be a final written warning;
  - (ii) a copy of the notes of the meeting for agreement; and
  - (iii) a written copy of the up-dated action plan setting out:
    - \* targets/performance standards to be attained,
    - \* any further support and resources to be made available, \* details of how progress will be monitored, \* the timescales of the final review meeting.

The Headteacher/Nominated Person/Chair of Governors will send a copy of this confirmation to the Executive Director who will keep a copy on the individual's personal file.

### FINAL REVIEW MEETING

37. The Headteacher/Nominated Person/Chair of Governors shall give seven calendar days notice of the final review meeting and give the employee and his/her representative a copy of the monitoring report to enable a full and frank discussion about performance to be made at the meeting. If requested by either side a representative of the Executive Director may also be present to give guidance and advice on procedures.
38. If performance has improved to an acceptable standard then no further action will be taken.

39. If the employee's performance is still deficient, and no suitable alternative employment is available, or if the individual refuses to accept the offer made, the Headteacher/Nominated Person/Chair of Governors shall refer the matter to a Capability Hearing of the Governing Body.

## APPEALS

40. An employee who has been issued with a formal written or final warning will have the right of appeal to an Appeals Committee, consisting of at least three members of the school's Governing Body, not including the Headteacher/Nominated Person/Chair of Governors (the Appeal Hearing will be conducted in accordance with the attached Schedule). The lodging of an appeal should not delay the improvement process and the timescales determined at the formal recorded interview.

## UNSATISFACTORY WORK PERFORMANCE (CAPABILITY) HEARING

41. The Capability Hearing will be before a Committee consisting of at least three members of the school's Governing Body (where this number is not reasonably practicable it can be reduced to two), not including the Headteacher/Nominated Person/Chair of Governors (the **Unsatisfactory Work Performance** Hearing will be held in accordance with the attached Schedule). The membership of the Committee will be drawn from members of the Governing Body who, as far as is practicable, have not been involved in any related proceedings. No details of the performance problems shall be given to any member of the Committee prior to the hearing.

42. Following the **Unsatisfactory Work Performance** (Capability) Hearing the decision of the Committee shall be one of the following:

To find that the work performance problems have/have not improved, in whole or in part; and

- (i) resolve that no further action be taken; or
- (ii) extend the final warning if the committee feels there is still the possibility that satisfactory improvement may shortly occur;
- (iii) determine that the employee cease to work at the school.

43. The decision of the Committee will be confirmed by the Clerk to the Governing Body, to the employee in writing, and a copy sent to the Executive Director who will keep a copy of the employee's personal file. The employee will be informed in this notification of his/her right to appeal.

## APPEAL HEARING

44. The employee will have a right of appeal against a decision of the Disciplinary Committee, to be lodged with the Clerk to the Governing Body within 7 calendar days, to a Appeals Committee, to be drawn from members of the Governing Body (the Appeal Hearing will be conducted in accordance with the attached Schedule).

45. The Appeals Committee, having heard the appeal, shall have the power to allow, or disallow, the appeal. In allowing an appeal the Appeals Committee may:-

- (a) resolve that no further action be taken; or
- (b) substitute a lesser penalty, i.e. extend the final warning where the committee feels that satisfactory improvement may shortly occur.

46. If an appeal is not lodged, or is disallowed, and the decision was that the employee should cease to work at the school, the Clerk to the Governing Body will notify the Local Education

Authority, in writing, who will give the employee such notice terminating his/her contract of employment with the Authority as is required under the contract.

47. Participation in a Committee hearing, at any stage, does not debar Governors from being involved in a hearing at a subsequent stage, so long as there is no duplication of the Governors at the **Unsatisfactory Work Performance** (Capability) Hearing before a Disciplinary Committee and the Appeals Committee hearing.

### FURTHER HEARING

48. If the result of a **unsatisfactory work performance** (capability) hearing before the Committee or an Appeal Committee is a decision to extend a final warning then at the end of the review period the matter will be referred back, for consideration, to a **unsatisfactory work performance** (capability) hearing before a Committee.

### CLEARING OF RECORDS

49. Where performance improves to an acceptable standard or a Appeals Committee resolves that no further action be taken, any warnings held on file will be expunged.

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## Appendix 1 SCHEDULE

### PREAMBLE

1. This Schedule sets out the procedures to be followed at a hearing or an appeal hearing held as part of the **Unsatisfactory Work Performance** (Capability) Procedure for employees within schools with delegated powers of Local Management.
2. Arrangements for a hearing/appeal hearing before a Committee of the Governing Body will be made by the Clerk to the Governing Body. The Executive Director, or nominated representative, will have the right to attend all meetings of such Committees in order to offer advice for the Committee's consideration. Arrangements for a hearing/appeal hearing will be made within fourteen calendar days of the appeal being lodged or notice of the hearing being given.
3. At a hearing/appeal hearing an employee may be represented by one of the recognised Teachers' Associations, Trade Union representative or work colleague.

### PROCEDURE

4. The Clerk will arrange a suitable date for the hearing/appeal and will give at least fourteen calendar days notice of the date to both parties.
5. Copies of all documents to be referred to at the hearing/appeal hearing, and lists of all witnesses to be called, will be submitted to the Clerk, and to the other party, no later than seven calendar days before the date arranged for the hearing/appeal hearing. The Clerk will distribute copies of the documents and lists of witnesses to the members of the Committee on the day of the hearing/ appeal hearing.
6. At the hearing/appeal hearing the Headteacher/Nominated Person/Chair of Governors, will outline the allegations in the presence of the employee concerned, and will have the right to call witnesses. The employee, or his/her representative, will have the opportunity to ask

questions of the Headteacher/Nominated Person/Chair of Governors, or any witnesses called.

7. The employee, or his/her representative will respond to the allegations in the presence of the Headteacher/Nominated Person/Chair of Governors and will have the right to call witnesses. The Headteacher/Nominated Person/Chair of Governors will have the opportunity to ask questions of the employee, his/her representative or any witnesses called.
8. The Committee may ask questions at any time of either party or any witnesses called.
9. The Headteacher/Nominated Person/Chair of Governors and the employee, or his/her representative, will have the opportunity to sum up their case, if they so wish.
10. Following the summing up both parties will withdraw. The Committee will deliberate in private, only recalling the Headteacher/Nominated Person/Chair of Governors and the employee, and their representatives, to clarify points of uncertainty in the evidence already given. If such a recall is necessary, both parties will return to the hearing/appeal hearing, even if only one party is concerned with the point raised.
11. The Committee will announce its decision, with reasons, to both parties, either personally, or in writing. If personally, the decision will be confirmed in writing by the Clerk within seven calendar days.
12. During the hearing/appeal hearing the decision of the Chair of the Committee as to procedure and which matters are of relevance to the proceedings will be final.

#### Model Letter 1

### Letter to member of staff inviting them to an informal meeting to discuss initial concerns about work performance

Dear *(Name)*

#### **Informal Meeting in relation to your Work Performance.**

Further to our recent discussions on *(date)* and *(date)* at which I raised concerns relating to your work performance, I would like to invite you to an informal meeting in order that we can discuss these concerns in more detail.

My concerns are as follows:

- 
- 
- 

At the meeting we will agree an action plan to support you through a monitoring period. At this meeting we will also agree a review date.

At the end of the agreed monitoring period, I will review that progress that you have made and write to you again. I may feel it is necessary to refer the matter to the appropriate body in line with the disciplinary procedure in order that a formal disciplinary hearing may be held. This may ultimately lead to your dismissal.

You are entitled, if you wish, to be accompanied by your Teachers Association/Trade Union representative or a work colleague.

I enclose a copy of the School's Unsatisfactory Work Performance Procedure for your information. If there is any aspect of this procedure which you do not understand, please contact me.

Yours sincerely

Headteacher/Nominated Person/Chair of Governors

**Model Letter 2**

### **Letter to member of staff to confirm initial concerns about work performance**

Dear *(Name)*

#### **Informal Support in relation to your Performance**

As a result of our meeting on *(date)* at which we discussed some concerns I have about your performance, in particular that *(give brief details)*, I would like to take this opportunity to set out in writing the plan of action we have agreed.

*(Give details of any arrangements for monitoring that have been agreed, including the length of the monitoring period and by whom the monitoring will be carried out; details of any training, support and counselling that will be provided).*

I hope this period of support will enable your performance to improve to a satisfactory level. Please do not hesitate to discuss any concerns you have with the training and support during this period of monitoring with me or to put forward suggestions as to how you think it could be improved. Your opinion is valued.

At the end of the agreed period, I will review the progress you have made and will write to you again. I enclose a copy of the school's **Unsatisfactory Work Performance** Procedure for your information. **I may feel it is necessary to refer the matter to the appropriate body in line with the disciplinary procedure in order that a formal disciplinary hearing may be held. This may ultimately lead to your dismissal.** If there is any aspect of this Procedure which you do not understand, please contact me.

Yours sincerely

(Headteacher/Nominated Person/Chair of Governors)

**Model Letter 3**

## REVIEW MEETING

Letter to employee to confirm outcome of initial period of observation and assessment where no further action is necessary

Dear *(Name)*

### Review Meeting- Informal Support in relation to your Performance

Further to my letter dated *(date)*, in which I confirmed the details of our agreed action plan, I now write to confirm my conclusions having reviewed your performance over that period.

I am pleased to confirm that you are now working at an appropriate level of capability. If you agree it would be helpful, I suggest that you continue to receive additional training and support *(give details)* for a further *(state number)* of weeks. Please arrange a mutually convenient time for us to discuss this.

Yours sincerely

(Headteacher/Nominated Person/Chair of Governors)

Model Letter 4

## REVIEW MEETING

Letter to employee to confirm outcome of initial period of observation and assessment, where further action is necessary

Dear

### Formal Interview relating to Work Performance

As you will be aware informal support in relation to your work performance took place between *(start date)* and *(review date)* in an attempt to secure an improvement in your work performance. Unfortunately, I consider that your work performance is still deficient in a number of key areas and therefore, it is necessary for the matter to be dealt with on a formal basis in accordance with the formal procedures for Handling Unsatisfactory Work Performance. Details relating to the work performance issues will be forwarded to you by \_\_\_\_\_/are enclosed.

You are required to attend a meeting on *(date)* at *(venue)* at *(time)* am/pm. You are entitled, if you wish, to be accompanied by your Teachers' Association/Trade Union representative or a work colleague

I enclose a copy of the school's procedure for Handling Unsatisfactory Work Performance for your information. **I may feel it is necessary to refer the matter to the appropriate body in line with the disciplinary procedure in order that a formal disciplinary hearing may be held. This may ultimately lead**

**to your dismissal.** If there is any aspect of this procedure which you do not understand, please do not hesitate to contact me.

Yours sincerely

(Headteacher/Nominated Person/Chair of Governors)

**Model Letter 5**

### **Decision to impose a formal warning**

Dear *(name)*

### **Formal Unsatisfactory Work Performance Procedure**

This letter refers to our meeting on *(date)* which was held in accordance the procedure for Unsatisfactory Work Performance.

The initial period of monitoring and observation that we agreed revealed that *(give brief details)*. We discussed these results at the meeting together with the reasons for your under performance *(give details)*.

I confirm that, having listened very carefully to all the evidence presented, I have concluded that your performance has failed to improve to the extent that it is necessary to impose a written/final warning on you.

The written/final warning will remain in force for a period of *(insert details)* from the date of this letter. At the end of that time, if your performance has improved to and been maintained at a satisfactory standard, it will be removed from your personal file.

The shortcomings in your current level of performance that have been identified are that *(give details)*. To help you improve, we have agreed a programme of regular observation, evaluation, training and support. *(Give full details)*.

The outcomes that we have agreed you will aim for are: *(give details)*

A review meeting will take place on *(date & time)* to evaluate your performance. If at any time during the observation period, your performance deteriorates or new evidence emerges to suggest a more serious problem, a decision may be taken to impose a final written warning on you.

You have a right of appeal against my decision to the Clerk to Governors. Should you choose to exercise this right of appeal, you should notify, in writing, within 10 calendar days of receipt of this letter. If you are to be represented at the Appeal, the name and address of your representative should be given in your letter.

If there is any part of this process that is not clear to you, please contact me for clarification.

A copy of this letter is enclosed for your representative.

Signed: Sarah Isberg

Sarah Isberg (headteacher)

Date: September 2016

Agreed by the Governing Body: September 2016

Review September 2018