

**Three Counties Academy Trust**



# Teacher Capability Policy and Procedure

## #HR1

Last amended 9<sup>th</sup> December 2025

To be reviewed no later than January 31<sup>st</sup> 2028

## Statement of intent

At Three Counties Academy Trust (TCAT), we want to invest in our staff and provide them with a secure and long-lasting relationship as employees of TCAT. However, at times due to a shortfall in performance, there may be a requirement to conduct a capability exercise. This is seen as a supportive procedure aimed to return the staff member to the performance level expected of their role.

The purpose of this policy is to set out the framework and principles for the management of the capability process across TCAT academies and teaching members of the TCAT Central Team.

The aim of the policy is to set out a clear and consistent process for when any teacher including school leaders or the Executive Headteacher/CEO falls below the levels of competence expected of them, as set out in the relevant professional standards, job descriptions and overall performance expectations.

The policy should serve as a means for those with performance issues to be supported back to a good level of performance. Through the early application of this procedure, it should be possible to provide remedial support and guidance.

It is most important that staff (this includes all teaching staff and the Executive Headteacher/CEO) should be advised as soon as possible of a concern regarding their performance. Staff should be given pro-active and positive assistance from colleagues within TCAT as well as external improvement partner(s) (where applicable) at the early stages to identify, acknowledge and manage performance issues. It should also be acknowledged that staff performance may suffer as a result of health problems or family/home-related reasons. Consideration, in these circumstances, should be given to any practical support that TCAT can offer or the involvement of Occupational Health.

All parties should have due regard to maintain confidentiality during the procedure and, if in doubt, should seek advice on this from the Executive Headteacher/CEO or Human Resources. However, this does not override the need for the Executive Headteacher/CEO and Trust Board to quality assure the effectiveness of the procedure.

This policy is based on:

- The School Staffing (England) Regulations 2009 (regulation 8)
- The School Staffing (England) (Amendment) Regulations 2012
- The Education (School Teachers' Appraisal) (England) Regulations 2012 (the Appraisal Regulations)
- The DfE Appraisal and Capability Model Policy

To that effect, we subscribe to and use the Teacher Capability Policy and Procedures (HR001) as set out by our HR partners Hoople and used across the county of Herefordshire. The latest version of this policy will be the version used if and when need arises.

The latest (HR001) Teacher Capability Policy and Procedures can be obtained on request from the TCAT Central Team or from the Headteacher/Head of School and is the full and unabridged version as ratified by Hoople and adopted by the TCAT Trust Board.

***Please note, where Hoople can at times have not ratified a new version of a policy before their planned review date, we will always use the latest version available, even where that may fall outside date scope until Hoople have approved a replacement.***