



King's Group Academies

PERFORMANCE SUPPORT POLICY AND PROCEDURE

Approved by:	Trustees	Date:	Feb 2026
Maintained by:	KGA People Team	Next review due:	Feb 2027



Contents

Aim	3
Scope	4
Equality and Inclusion Statement	4
When to Use this Policy	4
Practical Identification Framework – Threshold for Initiating Formal Capability Procedures	5
Clarification of Threshold	5
Use of Performance Support	5
Right to be Accompanied	5
Informal Support Stage	6
Remaining at Informal Stage:	6
Progression from Informal to Formal Stage:	6
Safeguards Before Progression	6
The Formal Procedure	7
Notice of Meetings	7
Postponements	7
Document Exchange	7
Witnesses	8
Formal Confirmation of Decisions	8
Monitoring Periods	8
Currency of Notice to Improve	8
Dismissal	8
Appeals	8
Overlapping Procedures	9
Trade Union Representatives	9
Employees with Disabilities	9
Management of Policy	9
Appendix - Guidance for Managers	10
Key Principles for Meetings	10
Setting SMART Targets	10
“Significant Impact Test” (for Progression to Formal Stage)	11



Aim

This policy provides a framework to identify the reasons for underperformance and address any concerns surrounding performance constructively, ensuring employees are given the necessary support to meet the required performance standards while maintaining fairness and consistency. However, employees are responsible for co-operating with their line manager in improving their performance and attending meetings under this policy. Where necessary, it also outlines steps for formal action, up to and including dismissal, when sustained improvement is not achieved.

Scope

This policy applies to all KGA employees, except staff within their probationary period. Where performance issues are identified during an employee's probationary period, these will be dealt with under the probationary policy

Procedural variations apply for the Principal/Headteacher or Chief Executive Officer, with meetings conducted by appropriate governance representatives (e.g., Chair of Governors/Trustees), supported by a relevant People Partner. This is the only procedural variation for any employees within these roles.

Equality and Inclusion Statement

King's Group Academies is committed to creating an inclusive working environment where everyone is treated with dignity and respect, reflecting our values of honesty, faith and courage. We are committed to fostering a culture of fairness and inclusion and do not tolerate discrimination, harassment or victimisation on the basis of any protected characteristic as defined by the Equality Act 2010.

We recognise and value diversity and are committed to ensuring that all individuals feel respected, supported and able to contribute fully. This policy has been developed and will be applied in a way that is fair, consistent and inclusive, taking account of individual needs where appropriate.

This policy is not contractual and may be amended through the normal Trust procedures.

When to Use this Policy

Early intervention is key to addressing underperformance. Concerns should be raised as part of the performance management or appraisal process, with the Performance Support Policy and Procedure initiated only when other mechanisms fail to resolve the issues. It may also apply in cases of significant or immediate performance concerns where the performance has fallen materially below the standards the colleague has previously been able to meet. The key is to focus on patterns, evidence and impact, not an isolated bad day.

This can be identified through observation evidence i.e. has lesson quality dropped compared to previous terms, weaker classroom management, unclear instructions, lower student progress, deadlines increasingly missed, reduced engagements, less responsive to students, parents or colleagues, more frequent complaints against them, increased errors in administrative tasks or failure to complete documentation.

If, after following the previous stages of this policy, performance standards are still not met, dismissal may be considered.

In instances of misconduct such as a deliberate failure on the part of the employee to perform to the standards of which they are capable, these will be handled in accordance with the Disciplinary Policy and Procedure. In cases where underperformance is related to sickness, consideration will be given to



how their health is affecting the employee's ability to do their job to the required standard and the Managing Absence Policy will be applied, either on its own or in conjunction with this policy, as appropriate and may lead to a referral to occupational health to assess the employee's fitness to work before any written warnings are issued

Practical Identification Framework – Threshold for Initiating Formal Capability Procedures

Formal capability procedures will be initiated where there is clear evidence that a member of staff's performance is having a significant and demonstrable impact on the organisation's ability to deliver high-quality education, or to safeguard and promote the health, welfare, or educational outcomes of pupils.

Before any referral to formal capability procedures is made the following will apply:

- The concerns must relate to sustained underperformance that goes beyond isolated incidents or short-term difficulties.
- There must be evidence that the impact of the performance concerns is serious, measurable, and affecting pupils, colleagues, or the wider organisation (See Significant Impact Test in appendix).
- Consideration must be given to whether appropriate support, guidance, and informal interventions have been offered and implemented.
- The staff member must have been made aware of the concerns and given a reasonable opportunity to improve.

Clarification of Threshold

Capability procedures will not be used where concerns can reasonably be addressed through professional development, mentoring, informal support, or adjustments to working practices.

Use of Performance Support

The Performance Support Policy is intended to provide a structured, supportive framework to help staff improve.

A simple way to assess underperformance is through data reviews of outcomes, attendance and missing deadlines or through observations which provide structured feedback and through pattern analysis, which means over a period of weeks and not one-off events.

Underperformance is confirmed when there is sustained evidence, across multiple measures, with clear impact on student's, teaching and quality of learning, or impact on colleagues and quality of work delivery in the case of support staff.

Right to be Accompanied

Employees have the right to be accompanied at all formal meetings within the procedure.

If the chosen companion is unavailable on the date of the meeting, the employee may request an alternative date within 5 working days of the original date. If the companion is not available within 5 working days, an alternative date will be offered where reasonable. Where this is not practicable, discussion will take place to agree a suitable way forward.

The employee's companion can be:

- A work colleague.
- Trade Union Representative.



The name of the companion attending any formal meeting should be notified to the Principal/Headteacher/Line Manager no later than three working days prior to the formal meeting.

Informal Support Stage

Before formal action, managers should discuss performance concerns in a supportive, informal meeting. They should:

- Provide clear feedback on performance shortfalls, confirming how the underperformance has been identified such as observations and / or line manager feedback in 1-2-1s and reviews.
- Establish any causes for the poor performance (any extenuating circumstances such as ill health or issues at work the line manager is not aware of) and discuss how this is impacting the colleague.
- Agree on a support plan that includes specific SMART objectives, success criteria, and timelines (typically 6–8 weeks).
- Offer training, coaching, or mentoring as appropriate.
- Explain the potential consequences of not achieving the required improvements in performance.

Progress will be reviewed at the end of the agreed review period, and if satisfactory progress is made towards achieving the targets then these notes will only be used for the purposes of reviewing the standards and expectations / targets set during the informal stage of the procedure.

Remaining at Informal Stage:

A staff member will remain within informal support where:

- There is evidence of progress or partial improvement, even if not yet fully meeting expectations.
- The impact on pupils or the organisation remains limited and not significant.
- Further support is likely to lead to the required standard within a reasonable timeframe.

Progression from Informal to Formal Stage:

Progression to formal capability procedures may occur where the following criteria are met:

- Insufficient improvement: The staff member has not made adequate progress despite appropriate support, clear targets, and reasonable time to improve.
- Clarity of expectations: Expectations, success criteria, and consequences have been clearly communicated and documented.
- Support provided: Appropriate interventions (e.g. coaching, mentoring, training, adjusted workload where appropriate) have been offered and implemented.
- Sustained concerns: Underperformance is ongoing and not attributable to short-term or exceptional circumstances.
- Significant impact test is met (see appendix): There is clear evidence that the performance is now having a significant and demonstrable impact on pupils' progress, learning, or outcomes; and/or the health, safety, or welfare of pupils; and/or the organisation's ability to deliver education effectively.

Safeguards Before Progression

Before moving to formal capability, the line manager must confirm that:

- The staff member has been given written feedback and clear improvement targets.
- A reasonable timeframe for improvement has been allowed (normally within a term where appropriate).
- Any relevant contextual factors (e.g. health, workload, personal circumstances) have been considered.
- The decision has been reviewed and authorised at an appropriate senior level



The Formal Procedure

Employees will be formally notified in writing when their performance is managed under this policy.

Stage	Purpose	Outcome	Chair
Stage 1–Formal Meeting	Discuss performance shortfalls, set objectives, and agree on a monitoring period.	Written notice to improve or return to informal support/appraisal process.	Principal/Headteacher/Line Manager
Stage 2–Formal Review Meeting	Review progress and decide next steps.	Final written notice, extended monitoring, or return to informal support/appraisal process.	Principal/Headteacher/Line Manager
Stage 3–Decision Meeting	Evaluate progress and decide on employment continuation.	Dismissal with notice, or return to informal support/appraisal process.	Panel (Governors/KGA Officer–the panel should have had no involvement in the previous stages.)

These would normally be followed sequentially, however there are certain circumstances where it would be appropriate to initiate the Performance Support Policy at a later stage, this includes:

- Where a notice of improvement is still ‘active’ and the employee’s performance lapses during this period; OR
- Where there is a significant or sudden drop in performance that jeopardises the education of children.

In cases where it is not clear where the procedure should commence, advice should be sought from the relevant People Partner

Notice of Meetings

Where possible the date of the Formal Review meeting and Final review meeting should be set in advance, but in any case, at least 5 working days written notice should be given of attendance at any formal meeting under the procedure.

The notice of the meeting must contain sufficient information about the concerns, and their possible consequences to enable the employee to prepare their response.

Postponements

A postponement may be requested in advance of the meeting and providing the reasons for the request are reasonable this will be agreed to. Only one postponement will be allowed.

In the event that the employee fails to attend the meeting or chooses not to attend the meeting, the matter may be considered and decided in their absence.

Document Exchange

Any documentation to be considered at any formal meeting must be sent to the employee with the invitation to attend the meeting.



If the employee wishes to submit documentation to be considered this should be submitted no later than 3 working days prior to the meeting.

Witnesses

In certain circumstances it may be appropriate for the Principal/Headteacher/Line Manager, or the employee to call witnesses to attend the hearing. Where this is the case, the Principal/Headteacher/Line Manager shall notify the names of the witnesses they intend to call in the invitation to attend the meeting. Where the employee wishes to call their own witness the name of the witnesses should be notified in writing no later than 3 days before the meeting.

Formal Confirmation of Decisions

The formal decision of the meeting and a copy of the notes of the meeting must be confirmed in writing to the employee within 5 working days of the meeting being held. (see below for special provisions relating to dismissal).

Monitoring Periods

The length of a monitoring period is expected in most cases, to be between 6 to 8 weeks per monitoring period, with the aim of completing the procedure, normally within a term (where appropriate) of commencing the process.

Currency of Notice to Improve

If, at the end of their monitoring period, the employee has achieved the required standard, formal performance support procedures will be discontinued and the employee will return to the normal appraisal process. The employee should be notified formally in writing of this.

However, the notice to improve will remain 'live' for a period of:

- 6 calendar months (written notice to improve) or
- 12 calendar months (final notice to improve)

Should the employee's performance lapse during this period they will return to the Performance Support Policy and Procedure, at the stage they left it.

Dismissal

The Decision Meeting information will be included in writing to the employee for any decision of dismissal.

For a dismissal, the outcome and the following information will be announced.

- Specify the poor performance issue.
- Notification of dismissal.
- The reason(s) for dismissal.
- Details of mitigation/special circumstances considered.
- The right of appeal, including how the appeal can be lodged and any associated timescales.
- Where applicable, state that due to the outcome of the hearing, a referral will be made to the DBS.

Appeals

There is the right of appeal at all stages of the formal Performance Support Policy and Procedure.

In the case of dismissal, the employee has the right to appeal against any such dismissal to a Panel of no fewer than two Governors and a KGA Trust representative, none of whom should have been members of the panel at the Stage 3 meeting.



Employees wishing to appeal against a notice to improve or dismissal, must submit their appeal in writing, stating the grounds for their appeal, within 5 working days of receiving written confirmation of the decision to the Governance Partner of the Local Governing Body.

The Governance Partner to the Local Governing Body will make arrangements for the appeal meeting to be held within 10 working days of receiving the employee's letter.

The Appeal Panel cannot increase the level of the notice to improve.

Overlapping Procedures

In certain circumstances an employee may have a difficulty that is covered by two policies (for example, Grievance); or another difficulty arises during the application of one policy (e.g. sickness absence). In these circumstances the meetings required could be combined to ensure that the issue is dealt with in its entirety rather than viewed in isolation. This decision will be made by the performance support lead in collaboration with your People Partner. The aim should be to focus on resolving the difficulty, ensuring that the essential elements from each procedure have been included in order to minimise the number of meetings and correspondence.

Sickness Absence or Grievances will not necessarily mean the Performance Support Performance Policy and Procedure is suspended, each individual case will be examined on its merits and timescales may be amended accordingly.

Your People Partner can provide advice in these circumstances.

Trade Union Representatives

No formal action will be taken under this policy against an accredited representative of a trade union, until the circumstances of the case have been discussed with a full-time official of the trade union concerned.

Employees with Disabilities

Considerations will be given as to whether poor performance may be related to a disability under the Equality Act. Where this is the case, care will be taken to avoid discrimination arising from the disability.

Consideration will be given as to whether reasonable adjustments could be made to the employee's duties, as well as possibly making adjustments to the application of the policy itself, if appropriate.

If an employee requires any reasonable adjustments to be made to enable them to fully participate in the performance management process, they should notify their Principal/Headteacher/Line Manager as soon as possible.

In the case of any formal meeting, any reasonable adjustments should be notified as soon as possible (and providing a minimum 3 working days' notice).

Management of Policy

The King's Group Academies Trustees have overall responsibility for the maintenance and operation of this policy. They will maintain a record of concerns raised and the outcomes. King's Group Academies policies will be reviewed regularly and will include an evaluation for impact on workload and working hours.



Appendix - Guidance for Managers

Key Principles for Meetings

The following principles may be helpful for Managers conducting informal or formal capability meetings to ensure that the meeting is constructive. The aim is to work together to ensure performance is improved within a support and constructive working relationship.

- Approach it positively and calmly
- Establish the facts and make sure the information is accurate
- Prepare before you meet, and be clear about your key points and desired outcomes
- Set out the structure of the meeting
- Be open, honest and unambiguous
- Be sensitive as the employee may not know there is a problem
- Be factual and give actual examples, do not use generalisations or personal opinions - for example instead of saying you never meet your deadlines, say you have missed your deadlines 3 times already by (number of) days on each occasion
- Ask open questions and enable the employee to effectively self-reflect and identify solutions for their improvement
- Listen to the employee and take on board what they say
- Ensure a problem-solving approach, seek to identify all possible options and agree the best plan for improvement
- Check the employee has understood what the problem is, get them to tell you in their own words what has been said and record the agreed targets
- Plan when you will meet again then review and discuss the progress against each of the targets

Setting SMART Targets

Setting SMART targets gives a framework for clear and well-defined objectives. They should be set at the correct level to motivate – not so broad that they feel impossible to achieve, but not so small they are not challenging. Targets should be:

Specific – should be clear and explain exactly what standard of performance is expected and why it is important.

Measurable – Decide clear criteria for success. When you measure progress, it helps the employee to stay on track and reach their target dates. To determine if the goal is measurable ask questions which can be quantified, such as how many? How often? By when?

Achievable – Targets should be something which the employee is realistically able to work towards, given their workload and working days and times. Set goals which challenge and stretch but provide the support they need to achieve them.

A manager may also need to delegate some workload to other members of the team if an issue is that the employee feels overwhelmed by the amount they need to do. A manager may need to review all of the colleague's workloads and redistribute work fairly or conduct a workload review to compare what other colleagues in the same role (with similar skills, experience and length of service) are able to accurately achieve in the same timeframe to assess if the targets are realistic.

Relevant – Targets must be clearly linked to the job the employee is required to do.



Timely – Targets should have a deadline date. A commitment to a timeframe helps focus efforts on completion of the objective on or before the due date. This can also help to prevent objectives from being overtaken by other day to day workload.

“Significant Impact Test” (for Progression to Formal Stage)

The following (non-exhaustive) examples may indicate that the threshold for formal capability has been met:

- Persistent underperformance resulting in consistently poor pupil progress over time.
- Repeated failure to complete tasks to the appropriate standards and / or repeatedly missing deadlines
- Teaching or professional practice that places pupil welfare or safeguarding at risk.
- Continued failure to implement essential support strategies or follow agreed actions.
- A level of performance that negatively affects the functioning of a department or team.

Any meetings should be fully documented and a copy of the discussion must be provided to the employee for reference.