

Education and Learning
Procedures and Guidelines

**CODE OF PRACTICE
ON PRINCIPAL TEACHER AND
DEPUTE HEADTEACHER COMPETENCE**

**PROCEDURES FOR DEALING WITH
UNDERPERFORMANCE**

2022

1 INTRODUCTION

This document provides guidance in dealing with underperformance in Principal Teachers and Depute Headteachers. It defines competence in terms of the Standard for Middle Leadership (SML) by linking to the professional actions of Principal Teachers and Deputes. It explains the steps in the process for dealing with cases of short lived underperformance and long running underperformance.

2 DEFINITION OF PRINCIPAL TEACHER / DEPUTE HEADTEACHER COMPETENCE

2.1 The role of the Principal Teacher

Subject to the policies of the school and the council, the duties of principal teachers are to perform such tasks as the Headteacher shall direct. These should give reasonable regard to overall teacher workload related to:

- (a) responsibility for the leadership, good management and strategic direction of colleagues;
- (b) curriculum development and quality assurance;
- (c) contributing to the development of school policy in relation to the behaviour management of pupils;
- (d) the management and guidance of colleagues;
- (e) reviewing the CPD needs, career development and performance of colleagues;
- (f) the provision of advice, support and guidance to colleagues;
- (g) responsibility for the leadership, good management and strategic direction of pastoral care within the school;
- (h) assisting in the management, deployment and development of pastoral care staff;
- (i) implementation of whole school policies dealing with guidance issues, pastoral care, assessment and pupil welfare; and
- (j) working in partnership with colleagues, parents, other specialist agencies and staff in other schools as appropriate.

2.2 The role of the Depute Headteacher

The role of a Depute Headteacher is to assist and, where necessary, to deputise for the Headteacher in the conduct of the school's affairs.

2.3 The Standard for Middle Leadership

The Standard for Middle Leadership will act as a reliable and consistent benchmark against which middle leaders are expected to perform.

3. THE INSTIGATION OF THE PROCEDURES

Holding an informal discussion can resolve many issues in the first instance.

Competence is defined in terms of the performance of the duties of a Principal Teacher or Depute Headteacher (hereafter middle leader) and the Standard for Middle Leadership (SML).

A middle leader may be considered as underperforming if they fail to meet the leadership and management capabilities as detailed within the SML.

Should there be concerns about the performance of a middle leader as outlined within the SML, a senior management team representative will determine the nature and causes of the underperformance and act accordingly. A decision will be made at this point whether it is an issue which should be considered as an issue of competence or one relating to professional conduct.

It would be deemed good practice for the manager to inform the teacher that should they be a member of a trade union, then they should consider informing their school representative; or in the case of a school representative, the manager should inform their local area representative.

4. CONDUCT AND DISCIPLINARY

Should the senior management team representative determine the issue may be one of inappropriate professional conduct or gross misconduct then the Authority's disciplinary procedures must be followed.

The GTC(S) Code of Professionalism and Conduct sets out the key principles and values for registered teachers which include Middle Leaders, ensuring the boundaries of professional behaviour and conduct are clear. <http://www.gtcs.org.uk/web/FILES/teacher-regulation/copac-0412.pdf>.

5. PROCEDURES FOR DEALING WITH UNDERPERFORMANCE

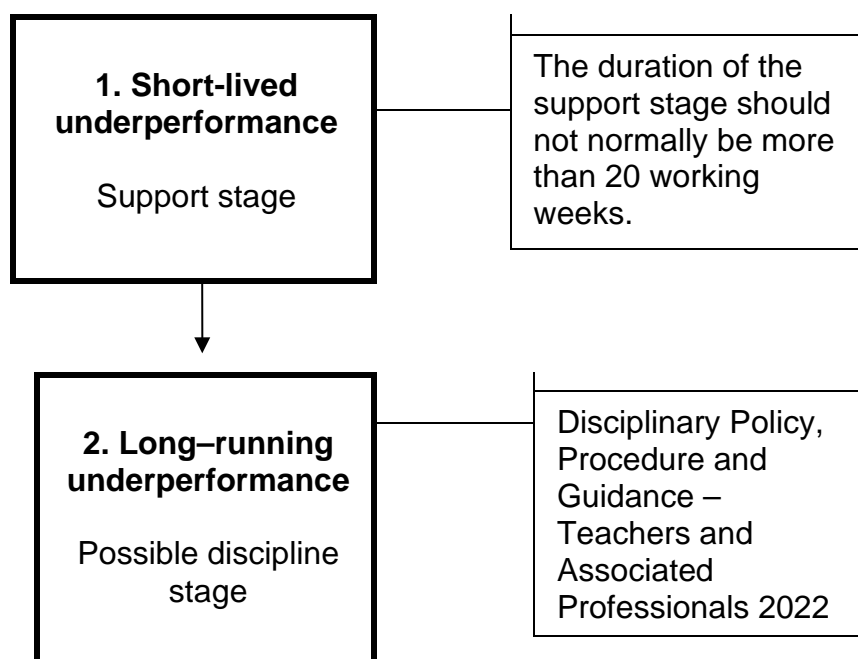
These procedures assume that the middle leader has been performing at a competent level up to the point at which temporary underperformance is first identified. Throughout this guidance, there is the assumption that underperformance relates to leadership and management activities and as such, there is no reference made to teaching ability or the Standard for Full Registration.

There are two stages in the procedure for dealing with middle leader underperformance.

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Schools' Manager - People

Agreed by LNCT on 14 May 2013
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FIG 1: STAGES IN THE PROCESS



Stage 1

In stage one it is assumed that the issue is one of short-lived underperformance. Short-lived underperformance can be caused by many different factors such as illness, personal circumstances, lack of understanding of current methodology, loss of confidence or external factors beyond the control of the middle leader.

Stage 2

Long-running underperformance is the term used to describe the issue when the discipline stage of the procedure is implemented. By this stage, although support, guidance and professional development opportunities have been offered to the middle leader, these have not resulted in the improvements to the level defined in the SML.

At this stage, where a middle leader's performance is such as to give rise to serious concern, disciplinary action may be taken by the authority in accordance with Dumfries and Galloway Council's [Disciplinary Policy, Procedure and Guidance - Teachers and Professionals 2022](#).

The staged process for underperformance is summarised in Fig 2.

Stage 1: Support

- (a) The support stage does not form part of the employer's formal disciplinary procedures.
- (b) It is assumed, at this stage, that the issue is still one of short-lived underperformance.
- (c) Middle leader are encouraged to invite a colleague or a representative from their Professional Association to accompany them to any meetings.
- (d) At the first formal meeting to consider these issues there should be a professional dialogue between the middle leader and the senior management team representative to discuss identified areas of underperformance.

During this discussion the middle leader should be encouraged to participate fully in identifying the causes of the underperformance and suggesting possible solutions.

Advice and guidance should be offered to support improvement which may include a planned programme of professional development. Possible support may include some or a combination of the following professional learning strategies:

- review/evaluate current practice related to remit;
- update/refresh knowledge and understanding;
- review guidelines, literature and documentation;
- more detailed planning;
- a period of mentoring;
- peer support;
- participate in relevant professional learning opportunities.

(e) At the conclusion of the first discussion the senior management team representative will summarise:

- the specific aspects of the SML which are to be addressed;
- the proposed mechanisms which will be put in place to support the middle leader;
- the professional development which will be undertaken;
- the improvements to be made;
- the timescales over which the targets are to be met;
- agreed dates for an **interim and final review meeting**.

Depending on the context of the situation a reasonable length of time should be given for the middle leader to reach the required Standard. This time is normally no longer than 20 working weeks.

(f) The purpose of the **interim meeting** is to consider progress towards the targets agreed at the first discussion. Further support may be offered to the middle leader to achieve the improvements required.

(g) The **final review** meeting will be held to assess the degree of improvement against the required standard. Within five working days of the final review meeting, the middle leader will receive a formal notification of the outcome.

Two outcomes are possible:

Outcome 1:

Where improvements have been achieved to the required Standard, no further action will be taken. The proceedings will be deemed to be complete. The middle leader should be informed of this decision in writing by the senior management team representative.

It is not expected that there will be a repeat referral under these procedures within a short timescale.

Outcome 2:

Where improvements have not been achieved to the required Standard, the middle leader should be informed that Stage 2 of the procedure will be implemented. This decision and the underpinning reasons should be communicated to the middle leader in writing by the senior management team representative.

Stage 2: Long-running underperformance

(a) A comprehensive statement should be produced by the senior management team representative indicating:

- Details of the middle leader's alleged failure to perform their leadership role at the Standards described.
- Clear identification of the aspects of the SML which it is alleged are not met to the required Standards.
- Details of the support mechanisms and professional development offered to the middle leader.
- The duration of Stage 1.
- The middle leader's performance at the start of the support stage.
- The middle leader's performance at the end of the support stage.

(b) The above information will be passed to the Disciplining Officer by the senior management team representative for subsequent stages in the employer's formal disciplinary proceedings.

Potential outcomes from Stage 2 are detailed in the [Disciplinary Policy, Procedure and Guidance - Teachers and Professionals 2022](#)

FIG 2: STAGED PROCESS FOR DEALING WITH UNDERPERFORMANCE

