



CENTRAL STAFF PERFORMANCE MANAGEMENT POLICY

Contents

Section	Description	Page No.
1.	Purpose	3
2.	Application	3
3.	Pay Progression for Central Staff	3
4.	The Performance Management Period	3
5.	Appointing Appraisers	4
6.	Setting Objectives	4
7.	Reviewing Performance	5
	7.1 Development and Support	5
	7.2 Staff Experiencing Difficulties	6
8.	Transition to Capability Procedure	6
9.	Annual Assessment	7
10.	Appeals	7
11.	General Principles Underlying the Policy	7
	11.1 ACAS Code of Conduct for Disciplinary and Grievance Procedure	7
	11.2 ACAS Guidance – How to manage Performance	8
	11.3 Consistency of Treatment of Fairness	8
	11.4 Sickness	8
	11.5 Grievance	8
	11.6 Confidentiality	8
12.	Monitoring and Evaluation	8
13.	Retention of Records	9
14.	Access to Documentation	9
Appendices		10
	Appendix 1 - Organisational Structure Chart Reach South	10
	Appendix 2 - Flowchart of Performance Management 2015-2016	11
	Appendix 3 - Objective Setting Document	13
	Appendix 4 - Appraisers Assessment Form against Current Objectives	14
	Appendix 5 - Self Assessment Form Against Current Objectives	18
	Appendix 6 - Nominated Individuals Assessment Form	21
	Appendix 7 - Pay Progression Recommendation Form	24
	Appendix 8 - Pay Decision Appeal Process	27

1. PURPOSE

This policy sets out the framework for a clear and consistent assessment of the overall performance of Central Reach South staff, including the Chief Executive within Reach South Academy Trust. Performance Management within Reach South will be a supportive and developmental process designed to ensure that all central staff have the skills and support they need to carry out their role effectively. It will help to ensure that staff are motivated and able to continue to improve their professional practice and to develop in their field. The policy will support each individual's development within the context of the Trust Development Plan, the Team Development Plan and within the Trust ethos and touchstones. If there are any serious concerns raised about a member of central staff's performance that cannot be addressed and resolved through the performance management process, there will be consideration of whether to commence the capability procedure.

2. APPLICATION

The policy applies to the Chief Executive and all central staff employed by the Trust except those subject to the formal Capability Procedure (please see separate Capability Policy).

The Performance Management policy must always be applied fairly and in accordance with employment law and Reach South Equalities policies. The application of this policy will not directly nor indirectly discriminate against members of staff on the grounds of their gender, age, disability, gender re-assignment, marital or civil partnership status, pregnancy, maternity status, race (including colour, nationality and ethnic or national origins), religion or belief, or sexual orientation.

The application of this policy will not directly nor indirectly discriminate against members of staff on the grounds of trades union membership or activities

3. PAY PROGRESSION FOR CENTRAL REACH SOUTH STAFF

The recommendation made by the appraiser will be included on the Pay progression recommendation/outcome form (see Appendix 7) and will be based on the assessment of their overall performance against the agreed objectives. The recommendation made by the appraiser will be passed to the Directors and it will be for that body to consider recommendations and make determinations about pay, with input from the Appraiser where necessary. The relevant body will ensure that decisions on pay progression are made by 31st January with effect from 1st September.

4. THE PERFORMANCE MANAGEMENT PERIOD

The Performance management period will run for 12 months from December to December for Central staff.

Any staff who are on a fixed term contract of less than one year will have their performance managed in accordance with the principles underpinning this policy. The length of the period will be determined by the duration of their contract.

There is flexibility to have a longer or shorter appraisal period based on when staff begin or end employment with the trust.

Where a member of central staff transfers to a new post within the Trust, part-way through a cycle, Directors shall determine whether the cycle shall begin again and whether to change the appraiser.

5. APPOINTING APPRAISERS

The Chief Executive will be professionally appraised by a panel from the Trust Board.

All other staff will be appraised by their line manager. Account will be taken of the number of staff any one person appraises. A member of staff may request an alternative appraiser to Directors (via the Head of HR) in writing. Where possible, a suitable alternative appraiser will be offered. The decision of the Directors will be final.

Where it becomes apparent that the appraiser will be absent for the majority of the performance management cycle, Directors will delegate those duties to another suitable manager for the duration of that absence.

6. SETTING OBJECTIVES

Between 3 and 5 objectives will be set for any member of central staff.

Objectives for each member of staff will be set before, or as soon as is practicable after, the start of each performance management period.

The objectives for each member of central staff, will, if achieved, contribute to the objectives outlined in the Trust Development plan and in particular for their own team.

During the objective setting meeting, the following should be discussed:

Setting of objectives for the next year through a review of the Current objectives and Trust Development plan. This should be done in partnership. If agreement through partnership is not possible, the appraiser will set the objectives based on the above. Rigorous, aspirational and achievable targets need to be set that fit in with the whole Trust targets.

A discussion about what is going well, focusing on evidence.

An Objective statement and Action plan for the following performance management cycle.

The objectives set for each member of staff will:

Be Specific, Measurable, Achievable, Realistic and Time-bound

Be Appropriate to the individual's role and level of experience.

Be Fair and equitable. This will be in relation to other members of staff with similar roles/responsibilities and will also be sensitive to each individual member of staff's circumstances. Objectives will also be consistent with the Trust's strategy for achieving a reasonable work/life balance for all staff. The Trust will be mindful that resources will need to be made available for the implementation of this policy, particularly in relation to training and accessibility.

Objectives may be revised, and reasonable adjustments made, if there is a significant change in circumstance, e.g. a change of job role, long term sickness, maternity leave, or disability. If objectives for an individual are changed then these will need to be referred back to the Appraiser and Appraisee before being implemented.

Appraisers and appraisees will be clear as to what success will look like and how progress will be measured. This means that the agreed objectives will contain a description of what success may look like. The appraiser and appraisee will seek to

agree the objectives and objectives may be revised if circumstances change. Should the objectives not be agreed, the final decision on allocation of objectives rests with the appraiser.

Appraisees may, at any point, append their comments alongside their objectives.

7. REVIEWING PERFORMANCE

7.1 DEVELOPMENT AND SUPPORT

Performance Management is a supportive process which will be used to inform continuing professional development. It will be carried out in partnership between members of staff and appraisers in order to support individuals to aspire to and meet their objectives and to facilitate their career progression. All appraisers within Reach South should have received approved appraisal training which is based on the quality of the appraisal process as a supportive process. Professional development will be linked to Trust priorities and to the ongoing professional development needs and priorities of individuals. Performance Management performs the dual function of driving the Trust forwards and supporting and developing its valuable staff.

To this end, the Trust's CPD programme will be informed by the training and development needs identified as part of the Performance Management process for all its staff. The Trust Board Finance Committee will ensure in the budget planning, that, as far as possible, resources are made available in the Central budget for appropriate training, and support agreed for appraisees, maintaining access on an equitable basis.

An account of the training and development needs of central staff including the instances where it did not prove possible to provide any agreed CPD, will form a part of the CEO's annual report to the Trust Board about the operation of the Performance Management Process in the Trust.

With regard to the provision of CPD in the case of competing demands on the central budget, a decision on relative priority will be taken with regard to the extent to which:

- a) The training and support will help the Trust to achieve its priorities; and
- b) The CPD identified is essential for an appraisee to meet their objectives.

Account will be taken in a review meeting of where it has not been possible for individuals to fully meet their performance criteria because the support recorded in the Objective planning statement has not been provided.

7.2. STAFF EXPERIENCING DIFFICULTIES

Where, during the Performance Management cycle, there is clear evidence of serious concerns about any aspects of the individual's performance, the appraiser will arrange to meet formally with the member of staff giving at least 5 days' notice. Prior to the meeting the appraiser will provide the member of staff with clear written feedback about the nature and seriousness of the concerns.

At the meeting the individual and the appraiser will;

- Consider the evidence of serious concerns;
- Give the member of staff the opportunity to comment and discuss the concern; this discussion will include the contextualisation of the concerns, for example, external influences.
- Wherever possible, agree any reasonable and constructive further action

required that will be offered in the form of a support programme;

- Make clear how, **and by when**, the appraiser will review progress (it may be appropriate to revise objectives and it will be necessary to allow sufficient time for improvement. The amount of time will depend on the seriousness of the concerns but will not be less than 8 weeks except in exceptional circumstances.
- Explain the implications and the process if no – or insufficient – improvement is made

This meeting and any further support and guidance given will be with the aim that the member of staff's performance improves and the need to move into formal capability procedures is avoided. Members of staff are entitled to bring a trade union representative or work place colleague to the meeting as this is the best opportunity to avoid the matter becoming formalised.

Where sufficient progress is made such that the individual is performing at a level that indicates that there is no longer a possibility of capability procedures being invoked the member of staff should be informed of this at a formal meeting with the appraiser. Following this meeting, the Performance Management process will continue as normal. The outcome will be provided in writing to the member of staff.

8. TRANSITION TO CAPABILITY

If the appraiser is not satisfied with progress following the agreed additional support and time frame, they will report this to the Chief Executive and Head of HR.

Within 5 working days the Head of HR / Relevant Director will write to the appraisee inviting them to a formal capability meeting, with at least 5 working days' notice. The notification will include:

Sufficient information about the concerns about performance and their possible consequences to enable the employee to prepare to answer the case at a formal capability meeting

Copies of any written evidence connected to the concerns

The details of the date, time and place of the meeting

Advice to the employee of their right to be represented/accompanied by a trade union official or work colleague.

The names of those who will be at the meeting and their role

An outline of possible courses of action

A copy of the Capability Policy

Wherever possible the time and date of meeting should be agreed with the employee and their representative

The process to be followed is set out in detail in the capability procedure

Following the meeting the outcome will be confirmed in writing by the Head of HR / Relevant Director within 5 working days

9. ANNUAL ASSESSMENT

At the end of the performance management cycle a formal review meeting will be held where the appraiser and appraisee will discuss achievements, any areas for improvement and professional development activities.

The assessment meeting is the end point to the annual appraisal process, but performance and development priorities will be reviewed and addressed on a regular basis throughout the year and in particular at the Mid cycle review meeting. This is to ensure there are no surprises at the annual assessment meeting.

The annual assessment meeting will be run in accordance with this policy. Appraisers should have attended appraisal training, and will have discussed the running of the annual assessment meeting with their appraisee in advance.

The purpose of the review meeting will be to:

Assess the extent to which the appraisee has met their objectives

If necessary, identify the need for additional support, training or development and how this will be met.

A recommendation on pay progression

The Appraiser is responsible for submitting the pay recommendations to Directors for approval. For recommendations regarding the CEO's pay progression, the Panel from the Trust Board is responsible for submitting the recommendation to the Trust Board Remuneration Committee. For Directors, the CEO is responsible for submitting the recommendation to the Trust Board Remuneration committee.

(NB – The final pay recommendation needs to be made by 31st January. It will therefore be necessary for the appraisal review to be concluded in good time to ensure that this will be accomplished.

The Pay progression recommendation form (to be used in compliance with this policy) (Appendix 7) will form part of the written appraisal report.

Good progress towards the achievement of a challenging objective will be assessed favourably.

The member of staff will receive as soon as practicable following the end of each appraisal period, a written appraisal report, which will have been drawn up during the discussion between the reviewer and individual at the meeting. The member of staff will have the opportunity to comment on the appraisal report in writing. There will be space on the report for the appraisee to record any comments.

The appraisal review statement at the end of the cycle must be the only source of evidence individuals require to support pay progression.

10. APPEALS

Appraisees have a right of appeal against any of the entries in the written appraisal report or any procedural issues arising from the Appraisal procedure, including the Appraisers pay recommendation. If the appeal is against the pay progression /determination it should be carried out under the Pay appeals procedure (Appendix 8) The Grievance procedure should be used If a member of staff wishes to exercise their individual right of appeal against the content or misapplication of the Appraisal process and Policy.

11. GENERAL PRINCIPLES UNDERLYING THE POLICY

11.1. ACAS Code of Practice on Disciplinary and Grievance Procedures

The conduct of the formal capability stage will be undertaken in accordance with the provisions of the ACAS Code of Practice.

11.2. ACAS Guidance – How to manage performance

11.3. Consistency of Treatment and Fairness

The Trust Board is committed to ensuring consistency of treatment and fairness and will abide by all relevant equality legislation.

11.4. Sickness

If long term sickness absence appears to have been triggered by the commencement of monitoring or the implementation of a Support Plan, the case will be dealt with in accordance with the Trust's absence policy and will normally be referred to the Occupational Health Service to assess the member of staff's health and fitness for continued employment and the appropriateness or otherwise of continuing with formal procedures. In some cases it may be appropriate for formal procedures to continue during a period of sickness absence. However, the views of an OH Physician will always be taken into account before a decision is reached.

11.5. Grievances

Where a member of staff raises a grievance regarding the appraisal process, the appraisal process may be temporarily suspended in order to deal with the grievance.

11.6. Confidentiality

The appraisal process will be treated with confidentiality. In particular the Appraisal Review statements are confidential to the Directors, Head of HR, appraiser and the appraisee.

However, the desire for confidentiality does not override the need for Directors, HR and Trust Board to quality assure the operation and effectiveness of the appraisal system. The Directors will review all individual's objectives and written appraisal records personally in order to check consistency of approach and expectation between different appraisers. Information will be anonymised for the purposes of the Trust Board and the Trust's monitoring of the operation and effectiveness of the system.

12. MONITORING AND EVALUATION

Reach South will monitor the operation and effectiveness of the Performance Management process arrangements. The CEO will provide the Trust Board with a written report on the operation of the Trust's Central staff Performance Management (and capability) policies annually. The report will not identify any individual by name. It will include an assessment of the impact of these policies on:

- Race
- Sex
- Sexual orientation
- Disability
- Religion and belief
- Age
- Part-time status
- Maternity and pregnancy
- Caring responsibilities

The policy will be reviewed and amended (where necessary) annually by Reach South.

13. RETENTION

Reach South HR will ensure that all written Performance Management records are retained in a secure place for six years and then destroyed.

14. ACCESS TO DOCUMENTATION

All staff will have access to documentation relating to Trust Development and any other documents and procedures to which this policy relates. These will be available on sharepoint.

Appendix 1 - Reach South Organisational Structure Chart

Appendix 2 - Flowchart Performance Management

Letter out to all Reach South HQ staff (not SSC) to inform them of PM arrangements for December by 10 November each year



Timetable populated for all Reach South central staff PM review meetings (must all be scheduled by 31 December each year) Appraisers to arrange meetings and to send [HR@Reach South.org](mailto:HR@ReachSouth.org) details of dates as arranged



Appraiser for each member of staff complete forms for their appraisees and nominates 4 other individuals to input into the performance management assessment of their appraisees. (if not the appraiser 1 must be either SL or CP, 1 peer, 1 managed if relevant and 1 with external view)



Individual members of staff sent self-assessment forms by their appraisers a minimum of 2 weeks in advance for them to complete and submit to their appraiser a minimum of 1 week prior to PM meeting)



List of nominated individuals sent to Directors for approval a minimum of 2 weeks before the PM meeting



Approved list sent to appraisee with the right to appeal particular individual (if appeal is lodged the decision to replace lies with appraiser with approval from Directors)



Nominated individual assessors informed of their role in appraisee's performance management (sent form to complete by appraiser with date for submission **(to the appraiser)** 1 week prior to Performance review meeting)



Appraisal review meeting takes place – discussion around performance against current objectives and agreed development objectives for the year



Appraiser completes the Pay Progression Recommendation form (if relevant and subject to remuneration committee determination) and submits to Directors for approval cc'ing Director of HR



Following Directors' approval appraisee is informed in writing within 10 days of PM review meeting of the pay determination with a right to appeal using the R2 pay appeals procedure. (Where relevant and subject to remuneration committee determination)



Reach South HR and Payroll informed of pay determination with all increases backdated to 1 September (where relevant and based on the outcome of remuneration committee)



Copies of paperwork scanned and sent to HR@Reach South.org



Timetable of interim PM review meetings populated (Appraisers to arrange and inform HR@Reach South.org by 31 January for meetings to take place before (Easter Break)

Appendix 3 - Objective Setting Document

Objectives	Success Criteria with milestones	Mid Cycle Review comments on progress to meeting objectives	CPD needs and proposed actions
Objective 1:			
Objective 2:			
Objective 3:			
Objective 4:			
Objective 5:			

Appendix 4 - Appraiser's Assessment Form against Current Objectives

- This evaluation form is provided to enable staff to contribute a personal perspective or additional information to the review process;
- Information supplied on this form will be shared with appraisee in the review meetings.

	
Name of member of staff	
Job Title	
Appraiser (Name and Job Title)	
Date	

Performance Management

Agreed appraisal objectives	Objective partially met (refer to supporting evidence to show progress towards the objective)	Objective fully met (refer to supporting evidence)	Objective exceptionally met (refer to supporting evidence)	Objective not met Please give reasons
1				
2				
3				
4				
5				

General comments – please use this box to make general comments regarding the performance of this member of staff

Please include feedback on the following areas in particular:

- 1. How well you feel this individual operates within Reach South touchstones and value system?**
- 2. Whether you feel this individual gives clear feedback?**
- 3. What you feel is the most successful aspect of this individual's work within Reach South?**
- 4. What you feel would make this individual's performance in 2015/2016 even more successful?**

Professional Development

	<p><i>Please refer here to relevant evidence of experience, knowledge and skills gained during the current appraisal cycle. (does this correspond to development / training needs identified during the previous appraisal cycle)</i></p>
<p>Professional development opportunities and experience</p>	

	Signature	Date
Appraiser		
Appraisee		

Appendix 5 - Self-Assessment Form against Current Objectives



Name of member of staff	
Job Title	
Appraiser (Name and Job Title)	
Date	

Performance Management

Agreed appraisal objectives	Objective partially met (refer to supporting evidence)	Objective fully met (refer to supporting evidence)	Objective exceptionally met (refer to supporting evidence)	Objective not met Please give reasons
1				
2				
3				
4				
5				

Professional Development

	<i>Please refer here to relevant evidence of experience, knowledge and skills gained during the current appraisal cycle. (does this correspond to development / training needs identified during the previous appraisal cycle)</i>
Professional development opportunities and experience	

	Signature	Date
Appraisee		
Appraiser		

Appendix 6 - Nominated Individual's Assessment Form

NB this form must be returned to the Appraiser

	
Name of member of staff	
Job Title	
Name and Job Title Relationship to appraisee	
Date	

Performance Management

Objectives (this must be pre populated by Appraiser)	Partially met (refer to supporting evidence)	Fully met (refer to supporting evidence)	Exceptionally met (refer to supporting evidence)	Not met Please give reasons
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

General comments – please use this box to make general comments regarding the performance of this member of staff

Please include feedback on the following areas in particular:

- 1. How well you feel this individual operates within Reach South touchstones and value system?**
- 2. Whether you feel this individual gives clear feedback?**
- 3. What you feel is the most successful aspect of this individual's work within Reach South?**
- 4. What you feel would make this individual's performance in 2016 even more successful?**

	Signature	Date
Name		
Job Title		

Appendix 7 - Pay Progression Recommendation/ Outcome Form – Reach South Staff

	
Name of member of staff	
Job Title	
Appraiser (Name and Job Title)	
Date	

Performance Management

Agreed appraisal objectives	Objective partially met	Objective fully met	Objective exceptionally met	Objective not met
1				
2				
3				
4				
5				

Professional Development

	<i>Please refer here to relevant evidence of experience, knowledge and skills gained during the current appraisal cycle. (does this correspond to development / training needs identified during the previous appraisal cycle)</i>
Professional development opportunities and experience	

Recommendation on pay progression

<i>This recommendation is made with regard to the results of the most recent appraisal/s</i>		
I recommend salary progression	Up one pay point of salary scale	Up two pay points of salary scale
I do not recommend salary progression for the following reasons		

	Signature	Date
Appraisee		
Appraiser		
Chief Executive		
External advisor if applicable		

Appendix 8 - Pay Decision Appeal Process

As part of the Performance Management process, a written pay recommendation is made by the appraiser using the pay recommendation form (see Appendix 7). Once the outcome of the recommendation has been determined by the relevant body as outlined in this policy, the member of staff will receive written confirmation of the determination, with, where applicable, the basis on which the decision was made. If the member of staff is not satisfied with the pay recommendation they may appeal the decision. The appeals procedure set out below including the formal Appeal Hearing procedure, satisfies the dispute resolution requirements of employment law (i.e. Part 4 of the Trade Union and Labour Relations (Consolidation) Act, 1992) and the ACAS Code of Practice.

A member of staff may appeal against any determination in relation to his/her pay or any other decision taken by the relevant body that affects his/her pay.

The list below, though not exhaustive, contains the usual grounds for appeal are that the individual or committee by whom the decision was made include;

Failed to take proper account of relevant evidence

Took account of irrelevant or inaccurate evidence

Was biased; or otherwise unlawfully discriminated against the employee.

Procedure

Reach South Academy trust intends that the Appeals procedure will be undertaken impartially, robustly and in a timely fashion.

Informal stage

Wherever possible, the Trust will endeavour to resolve any issues of dissatisfaction regarding the pay determination prior to them being referred to a formal appeal procedure. This will be done by offering the member of staff the opportunity to meet and discuss the issue in full with the CEO.

If it is the CEO who is dissatisfied with their pay determination, they will be offered an opportunity to meet and discuss the issue in full with the Chair of the Trust Board and to present further evidence where they consider it appropriate.

However, where a member of staff remains dissatisfied with a matter relating to their pay they have a right to pursue a formal appeal to the Trust Board, using the following arrangements.

The order of proceedings

The employee receives written confirmation of the pay determination with, where applicable, the basis on which the decision was made.

If the employee is not satisfied, they endeavour to resolve this by discussion of the matter informally with the CEO within 10 working days of the determination being received.

If the employee is still not satisfied with the outcome, following informal discussions, then they will follow the formal process set out below.

The member of staff must set down in writing the grounds for questioning the pay decision (which must relate to the grounds set out above) and send it to the CEO on behalf of the Directors within 10 working days of the notification of the decision being appealed against or of the outcome of the discussion referred to above.

Directors (or Chair of Remuneration Committee where appropriate) should set up a hearing within 10 working days of receipt of the written grounds for questioning the pay determination. The hearing will provide the opportunity for the person/people who made the determination to consider the appeal and for the member of staff to make representations in person. The member of staff (at any formal appeal or hearing) is entitled to be accompanied by a colleague or representative from a trade union or professional association. The hearing will allow both parties to explain their cases.

Following the hearing, the member of staff should be informed in writing of the hearing's decision, and of their right of appeal if they are not satisfied with the outcome.

Each step of this process will be taken without unreasonable delay. The timing and location of the formal hearing will be reasonable. Any alterations to the timescale will be mutually agreed with all parties.

If the member of staff wishes to appeal the outcome of the first hearing, they should do so in writing to the CEO (or Chair of Remuneration Committee where relevant) within 10 working days of receiving notification of the outcome of the hearing. Any appeal should be heard by a panel of 3 Trustees who were not involved in the original determination, and should normally occur within 20 working days of receipt of the written appeal notification. The member of staff will be invited to make representation in person, and, as stated above, is entitled to be accompanied by a colleague or representative from a trade union or professional body. The decision of the appeal panel will be given in writing and, where the appeal has been rejected, will include a note of the evidence considered and the reasons for the decision. The decision of the appeal panel is final, and there is no recourse to the staff Grievance procedure.

It is recommended that the Trust Board take advice from HR on the use of appeal procedures. The procedure for the appeal hearing is set out below:

The (previously agreed) chair of the panel will introduce attendees and set out the process to be followed for the appeal hearing

The appellant or their representative will outline the grounds for their appeal;

The panel (of 3 as set out above) will then have the opportunity to question the appellant or their representative;

The Chair of the relevant body responsible for making the original determination and who heard the initial hearing under the formal procedure) will be called to present his/her case responding to the issues raised and outlining the reasoning for the original decision;

The panel will have the opportunity to question the Chair in relation to this information provided;

The appellant or their representative may respond to the Chair's case and present a brief summing up;

Both parties will then withdraw whilst the panel considers the information;

The outcome of the appeal will be confirmed in writing within 5 working days;

The decision of the panel hearing an appeal shall not be subject to any further review under the trust's Grievance procedure.

Note: all paperwork for the appeal hearing should be received by the chair of the panel at least 2 working days before the hearing.

The modified procedure

Where a member of staff has, whilst employed by the Trust, lodged an appeal against a pay determination, but has subsequently left the Trust's employment before any appeal hearing is heard, the following modified procedure will be observed:

- The member of staff must have set out details of their appeal in writing
- The member of staff must have sent a copy of their appeal to the Chair of the HR Sub- Committee of the Trust Board.
- The chair of the HR Sub-Committee of the Trust Board will consult with relevant Trust personnel and provide the member of staff with an appropriate written response on behalf of the Trust.