

## **Improving Performance Procedure**

This procedure is to be applied after the completion of an employee's probationary period and where an employee's job performance falls below the required standards, through no fault of their own. The procedure is not to be applied where poor performance is deliberate or a result of negligence, under which circumstances it should be treated as a conduct issue.

The primary purpose of the procedure is to help the employee improve performance to meet the required standards of their job. This may be through counselling, coaching, formal training or other support.

It should never come as a surprise to an employee that their performance is not meeting the required standards and it would not be acceptable for an employee to be placed on the formal procedure without perceived shortcomings in performance having been brought to their attention previously.

### **Informal Discussion**

If a manager believes that an employee's performance is falling below an acceptable standard, they should in the first instance discuss the matter informally. The manager should approach the issue with understanding, explaining their concerns and giving supporting evidence. If necessary the manager should arrange for appropriate training or coaching to be provided.

The employee should be encouraged to explain any other reason for their performance and where problems are due to personal, domestic or medical difficulties this must be taken into account. In such circumstances the employee should be encouraged to seek appropriate assistance such as occupation health, their own GP, work colleagues or the Union. Where there are no mitigating circumstances and there is no subsequent improvement in performance following this informal discussion, the manager should consider dealing with the matter formally.

At any stage consideration may be given to a move to another job in the same grade / salary group where appropriate.

### **Formal procedure**

At all meetings under the formal procedure the individual should be advised that they may be accompanied by their union representative or work colleague. Employees will be provided with all relevant documentation .pertainingpertaining to the case.

#### **First Stage**

Where no improvement has taken place after informal discussion a formal meeting should be arranged. At least 7 days notice of the meeting should be provided and supporting evidence relating to the alleged shortfall in performance should be supplied with the invitation to meet.

The purpose of the meeting is to ensure that the employee understands the improvement in performance which is required. The manager and employee will agree an Improvement

Action Plan (IAP) that is clear and measurable. The plan should provide the person sufficient time to give them a reasonable opportunity to meet the standards required. The plan must take into account the circumstances of the individual. The plan should also recognise the consequences to the business of under performance.

Where the plan cannot be agreed it should be referred to Human Resources.

The manager will confirm the action plan and timescales in writing. During the period of the action plan the manager will give every assistance to the employee to improve and will arrange for any training or the necessary support to be provided. The employee will be encouraged to raise any point relating to the action plan with their manager at any time.

Progress against the action plan will be reviewed jointly on a regular and prescheduled basis with a formal review at the end of the period of the IAP. The employee will be invited to make a personal assessment of their performance against the objectives in the IAP for their own use at the review meeting.

If the manager is satisfied that the required improvement has been achieved the employee will be notified in writing that no further action will be taken.

If the manager has evidence that insufficient improvement has been made- taking into account any health and welfare aspects that may have come to light - the employee should be notified in writing that performance continues to be regarded as unsatisfactory and given detailed reasons.

## **Second Stage**

The manager and employee will agree a further Improvement Action Plan (IAP) that is clear and measurable and recorded in writing. The plan should provide the person sufficient time to give them a reasonable opportunity to meet the standards required. The plan must take into account the circumstances of the individual. The plan should also recognise the consequences to the business of under performance. Any additional help and training which may be needed will be provided.

The employee should be made fully aware of the importance of meeting the standards recorded in the IAP and that failure to do so could result in downgrading or dismissal.

Progress will be regularly reviewed and at the end of the period a formal review meeting will be arranged to review performance against the plan. The manager will decide:

- To remove the employee from the procedure as a result of an acceptable sustained improvement in performance
- Refer the matter to the second line manager

## **Third Stage**

The second line manager will arrange a meeting with the employee, giving 7 days notice of the date and supplying all the relevant documentation. The employee will be advised that they may be accompanied by their union representative or work colleague and may request further documentation relevant to the case, which will be provided at least 2 working days before the interview.

The second line manager following the meeting, may have evidence that a proper opportunity to improve has not been given: that progress made is greater than suggested,

or that mitigating circumstances have not been properly considered. In such circumstances they will

- Accept that the individual's performance meets the required standard and remove the employee from the procedure

OR

- Agree a further period of monitoring against the agreed plan

If the manager is satisfied that every opportunity to improve has been given, taking into consideration personal circumstances, but performance has still not reached the required standard, they will consider dismissal or downgrading.

In cases where the decision is to dismiss the employee will be formally advised that their services are being terminated on grounds of capability and given the appropriate notice. In cases of down grading, the employee will be offered a variation in contract, effective from a specified date. If the decision is to dismiss or downgrade, the employee will be advised of their right to appeal to a more senior manager. If the decision is to dismiss then the individual may not be required to attend work during their notice period.

### **Appeal**

All appeals would normally be dealt with and concluded by the end of an individual's notice period.

A Manager more senior than the manager who took the original decision will hear the appeal, which will normally be scheduled within five days of receiving the notification of appeal. A minimum of 2 days written notice of the appeal will be provided, this must include provision of all the documents which will form part of the decision making process.

A copy of the notes will be taken and provided to the employee and their representative normally within three days. The notes including any amendments should normally be returned to the Manager within three days.

In most cases a decision will be communicated face to face, and confirmed in writing within five days from the meeting

If the appeal manager sets aside the decision to dismiss or downgrade, the employee will be reinstated and a recommendation made.