

## Performance Improvement Process

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### Purpose

The aim of the Performance Improvement Process is to enable managers to give early feedback to individuals when their performance falls below the required standards and to support staff to resolve performance issues.

The process should be used at an early stage to encourage improved performance when:

1. Previous discussions in supervision/one-to-ones have not led to the employee improving his/her performance to an acceptable level; or
2. Where the Annual Performance Appraisal (APA) discussion shows a failure to achieve objectives or Leadership and Management Behaviours (LMB's).

### Scope

This policy applies to employees and As and When Workers. Performance issues with volunteers should be discussed with the local Volunteer Advisor.

The process is for issues related to capability, skill, and performance. Conduct and attendance issues should follow other relevant policies. If it is difficult to distinguish whether the performance issue is conduct or capability, e.g. the manager is unsure if there is a lack of skill or a lack of effort, the manager should use this policy as a starting point.

Managers should use the Probation and Transition Periods Policy for employees within their probationary period.

### Roles and Responsibilities

Line managers are responsible for:

- Ensuring all required and job specific learning is completed and updated.
- Giving relevant and constructive feedback regularly in supervision/one-to-ones.
- Raising performance concerns early and exploring the reasons with the employee, giving appropriate support.
- Using this policy at an early stage where concerns continue after feedback.
- Setting a clear performance improvement plan (PIP) where needed.
- Seeking advice from the Local People Team at an early stage, particularly where a disability, impairment or underlying health condition may be involved.
- Ensuring a written record is made of any meetings and saved appropriately.

Employees are responsible for:

- Asking for help as soon as required and bringing any difficulties to the attention of their Line Manager during supervision/one-to-ones.
- Contributing to the performance improvement plan (PIP).
- Taking responsibility and action to complete the PIP within the timescale.

## Definitions

Capability - refers to an employee's skill, ability, aptitude and knowledge in relation to the job that he or she is employed to do.

Conduct - refers to an employee's behaviour, carelessness or negligence. Usually conduct is within an employee's control e.g. the employee won't do something rather than can't do it.

Performance - refers in the context of this policy to concerns about capability, as above.

## Policy

1. Barnardo's recognises its employees are motivated by their responsibilities to the charity and our beneficiaries to achieve their best performance and that very few employees intend to underperform, make mistakes or fail to complete tasks. However, underperformance has a detrimental impact on colleagues and the quality of the services we provide and early action is needed by employees and managers to resolve performance that falls below expected standards. Dealing with issues early with appropriate support is the best way to successfully resolve performance concerns.
2. Where a capability concern is, or could be, related to an employee's disability, the line manager should consult with the employee and Local People Team to consider if reasonable adjustments are needed to enable the employee to perform his/her role. Reasonable adjustments may also be made to this process for staff with disabilities. Please see b-hive for further resources relating to disability and reasonable adjustments.
3. At each of the formal meetings (Stage 2 onwards) and appeal stage, the employee may request to be accompanied by a colleague or a trade union official. A member of the People Team and a notetaker may also attend.
4. If, during the process, the manager has evidence that the targets are not being achieved, or, if further significant concerns emerge, the manager may move to the next stage of the process.
5. Following the successful completion of a performance improvement plan, the employee's performance will continue to be monitored through supervision/one-to-ones. If, at any stage during the following 12 months, the employee's performance again starts to fall short of an acceptable standard, his/her line manager may decide to restart the procedure at the last stage used.
6. Pay increases will be withheld for the duration of any warnings given. Eligibility will recommence after the warning expires on the relevant contractual date and no retrospective payments will be paid.
7. In exceptional circumstances, the manager may begin the process at any of the stages based on the seriousness of the matter. The manager should consult and agree this action with the Assistant Director for People (ADP) before commencing.

## Procedures

8. Before commencing Stage 1 of this process, the line managers should use the supervision/one-to-ones process to give feedback to the employee, explain their concerns and give an opportunity and support to improve. The policy can also commence after the employee's APA, where there has been a failure to achieve targets or a manager is not meeting expectations against LMBs.

### 9. **Stage 1 – Informal Meeting**

The line manager will invite the employee to attend an informal meeting to discuss the concerns and give an opportunity to respond.

Following the discussion, the manager may choose to:

- take no action and monitor in supervision/one-to-ones;
- develop a performance improvement plan (PIP) with the employee to support the employee to improve;
- refer the matter for consideration under another policy.

The manager will send the employee written confirmation of the discussion and agreed actions/outcomes of the meeting and confirm the next steps.

#### *Performance improvement plan (PIP)*

A PIP is designed to help improve the employee's performance. Line managers and employees will work together to create an achievable plan which the employee must take responsibility for achieving. Each PIP will be specific to the particular situation and will contain the elements below:

#### *Timescale*

The overall timescale in which the performance must improve and timescales for reaching individual actions/targets. Stages 1 to 3 of the process will typically last for a minimum of one month and a maximum of three months. The timescales used in the procedure are guidance only and managers may decide it is necessary to amend these. Managers will make employees aware of the timescales applicable.

#### *Targets*

The PIP will specify the areas where improvement is needed, give specific tasks and targets to be achieved and set out how the employee's performance will be assessed.

#### *Employee responsibility*

The employee will be asked to identify the actions they will take to achieve the targets set within the PIP, including any development activities and support requests.

#### *Support*

The PIP will specify what support the employee should utilise and/or the line manager will provide. Such measures may include but is not limited to: additional supervision; coaching, development, the reallocation of other duties; or additional support from colleagues.

#### *Feedback*

As part of the PIP, the employee will be given regular feedback from his/her line manager indicating the extent to which the employee is on track to deliver the improvements set out in the PIP. This can take place within regular or increased supervision/one-to-ones.

## **10. Stage 2 PIP Review Meeting – (First Stage Warning)**

If the issues have not been satisfactorily resolved under Stage 1 of this policy, the line manager will write and invite the employee to a Stage 2 PIP Review Meeting. The purpose of a PIP review meeting is to review progress against the PIP and discuss areas of achievement and any areas still giving cause for concern. The employee will be given an opportunity to respond to any areas of concern and to put forward any explanation he/she may have for the matters identified by the manager.

An outcome of the meeting may be:

- confirm successful completion and return to normal supervision/one-to-ones;
- revise the PIP and give a first stage warning;
- refer the matter for consideration under another policy.

The manager will send the employee written confirmation of the outcome of Stage 2 and confirm the next steps for review and consequences if performance does not improve. Where an employee is given a warning, he/she will have a right of appeal and the letter will specify a nominated appeal's manager. The warning will remain current for 6 months, after which it will be removed.

Where an employee is issued with a warning, he/she will have a right of appeal and the letter will specify a nominated appeal manager.

## **11. Stage 3 PIP Review Meeting – (Final Stage Warning)**

The line manager will write and invite the employee to attend a Stage 3 PIP review meeting. The letter will set out the areas of performance which the employee's manager believes still fall short of an acceptable standard.

At the meeting, the employee will be given an opportunity to respond to the concerns about his/her performance and to put forward any explanation he/she may have for the matters identified by the manager.

The outcome of the meeting may be a decision to:

- confirm successful completion and return to regular supervision/one-to-ones;
- revise the PIP and give a final stage warning;
- refer the matter for consideration under another policy.

A formal warning will be given if the PIP has not been successfully completed. The warning will explain the improvement that is required and that the improvement must be immediate and sustained. It will also explain that, if the necessary improvement does not take place, the employee may be dismissed. The warning will remain current for 12 months, after which it will be removed.

Where an employee is issued with a warning, he/she will have a right of appeal and the letter will specify a nominated appeal manager.

## **12. Stage 4 – PIP Dismissal Hearing**

If the employee's performance does not improve, or falls below requirements during the 12 month warning under Stage 3, the manager will refer the matter to a Stage 4 PIP dismissal hearing.

The employee will be invited to attend the hearing and receive 5 working days' notice. The letter will specify where his/her performance remains below an acceptable level.

The hearing will usually be conducted by a more senior manager. At the hearing, the employee will be given an opportunity to respond to the concerns about his/her performance to put forward any explanation he/she may have for the matters identified by the manager.

The outcome of the meeting may be a decision to:

- amend the PIP for a final period; or
- offer to seek redeployment to alternative work; or
- dismiss the employee.

### *Redeployment*

Any offer to redeploy the employee will be entirely at the hearing manager's discretion and will be made only where an alternative permanent post exists and the hearing manager believes the employee's current level of skill and ability could be successful elsewhere. It will normally be offered only as an alternative to dismissal in circumstances in which the hearing manager is satisfied that the employee should no longer be allowed to continue to work in his/her current role. Any post offered may include a lower grade or salary and may require different working arrangements. The terms and conditions of the new role will apply. As any offer of redeployment will be an alternative to dismissal, if the employee refuses the offer, the only alternative will be dismissal. If redeployed, the employee will also receive a formal warning which will explain that performance must be improved and sustained. It will also explain that, if the necessary improvement does not take place, the employee may be dismissed following a further Stage 4 hearing. The warning will remain current for a period of 12 months, after which it will be removed.

### *Dismissal*

If the hearing manager decides that there is no alternative role available that is suitable for the employee, and that he/she has not met an acceptable standard of performance, he/she may decide to dismiss. Any dismissal will be with notice. The decision to dismiss together with the reasons for dismissal will be set out in writing and sent to the employee within 5 working days.

Where an employee is dismissed in accordance with this procedure, he/she will have a right of appeal and the notification letter will specify a nominated appeal manager.

## **13. Appeal**

An employee has a right of appeal against warnings and dismissals within this procedure. A request for an appeal should be sent in writing to the nominated appeal's manager and set out the grounds on which the employee believes that the decision was flawed or unfair. The request should be sent within 5 working days of the employee receiving written confirmation of the sanction. The PIP process will continue while appeals against warnings are in progress.

An appeal hearing will be convened to consider the matter, usually within 20 working days. It will usually be chaired by a more senior manager than the manager who made the original decision. (For Schools only: the Chair of Governors or the Head of the Personnel Committee must also attend to represent the Governing Body).

At the appeal hearing, the appeal manager will review the decision to impose the sanction and the employee will be entitled to make representations about the appropriateness of that decision.

The result of the appeal will be either to confirm the sanction, or substitute any outcome that was available to the manager conducting the hearing at which the sanction was imposed.

The outcome of the appeal will be confirmed to the employee in writing, explaining the grounds on which the decision was reached. The outcome of the appeal will be final.

### Associated guidance and documents

Sources of support and advice for staff going through the process include:

- Line manager or line manager's manager
- Local People Team
- UNISON/other trade union representative
- Employee Assistance Programme - this is a confidential service, which provides an opportunity to talk through any issues or concerns. This service can be accessed by calling 0800 716017, Minicom 0845 600 5499 available 24 hours a day, 7 days a week.

### References

Policy on the Use of Probation and Transition Periods

Annual Performance Appraisal Policy

Guidance on Reasonable Adjustments

### Compliance

The use of the policy will be monitored through Local People Teams.

### Document History

Version	Date	Author	Status	Comment
1	1 Dec 2015	Toni Court – Policy and Advice Team	Agreed by CLT	Approved