

CANN BRIDGE SCHOOL MANAGING PERFORMANCE POLICY AND PROCEDURE FOR SUPPORT STAFF

Human Resources and Organisational Development



1 INTRODUCTION

Good performance management is essential to get the best outcomes from our Cann Bridge School workforce. Cann Bridge School is committed to continuous improvement to ensure excellent service delivery, which is dependent upon the ability of employees to achieve and maintain expected standards of performance.

This policy and procedure sets out the approach for managing performance, covering the review of performance, recognition and how to deal with poor performance when performance falls below the expected standard. It has been designed to:

1. Promote fair and consistent treatment of employees at Cann Bridge School.
2. Assist employees to have a clear understanding of their responsibilities under the procedures.
3. Enable managers to understand their role and manage performance effectively.
4. Address performance related to skills and to health and wellbeing, excluding sickness absence.

2 SCOPE

Performance Review

All employees of Plymouth City Council, including school support staff.

Formal performance procedures

All employees, including school support employees, except the Chief Executive and Chief Officers.

Out of Scope

- Teaching staff (NEOST)
- Employees in their probationary period: please refer to the school's probation policy and procedure.
- Action or Dismissal on the grounds of Some Other Substantial Reason.
- Action or Dismissal on the grounds of the employee's conduct: please refer to the Disciplinary Policy.
- Action related to sickness absence

3 KEY PRINCIPLES AND RESPONSIBILITIES

There are contractual elements within this policy.

For clarity, these are set out at the end of the document in section 11.

Regular, open, honest and constructive dialogue between the manager and the employee allows performance to be managed effectively. We have expectations of both parties in regards to managing performance.

All employees are expected to be competent and able to undertake the duties of the post for which they are employed. The school also recognises its responsibilities to encourage and promote these standards.

3.1 Responsibilities of managers

Performance management is an ongoing process in which managers should support, coach and provide feedback to those they manage. Managers are responsible for providing clear information to their employees about the range of tasks and duties they are expected to undertake as per the employee's role profile.

All managers have a responsibility to implement this policy and follow the outlined procedure where necessary and to make sure their staff are aware of the policy and procedure, how it applies to them and their personal responsibilities under it.

Expectations of Line managers:

- Ensure new employees have a thorough induction in to their new role with regular reviews, in accordance with induction processes and the school's probation policy.
- Ensure employees understand the role outcomes, role measures and key activities as set out in their role profile, have a clear work programme and know where they fit in the team.
- Create an understanding of performance expectations via clear goal setting, assessment of competency, identifying learning and development goals and activities to assist development.
- Support employees' career development, ensuring they have access to relevant learning and development opportunities, including coaching and mentoring where appropriate.
- Invest time in two-way communications about the individual, team, department and school performance; seeking timely feedback to use to enhance service improvements, for example hold regular team meetings.
- Hold Regular Performance Discussions (RPDs)/supervision to review progress against objectives, constructive feedback on performance and a reminder of required standards.
- Carry out Annual Performance Reviews (APRs) to review and record an accurate reflection of the employee's performance and make broad development plans for the coming year.
- Set clear objectives which are SMART (specific, measurable, achievable, realistic and timely. Help employees to understand how their performance contributes towards the objectives of the team, the department and the council.
- Invest time in your team by taking time to understand their perspective and hear their ideas and concerns.
- Enable the performance and development of employees through sufficient resourcing.
- Before taking any performance review process with an individual, ensure that they have been given the space and time to complete their work to the required standard.

Recognising good performance

The recognition of good performance is essential for promoting a positive working environment, making the employee feel valued and encouraging continuous improvement. An individual's performance will be driven by a combination of motivation, commitment and job satisfaction which is why it is important to recognise good performance.

This can be by:

- Providing regular verbal feedback to all staff about good performance through the individual's appraisal, Regular Performance Discussions, Supervisions, one to one meetings or on an informal basis.

- Communicating achievements to all staff who have contributed.
- Sharing compliments or positive feedback received from colleagues, customers or service users at team and staff meetings, newsletters, emails, etc.

Addressing performance concerns

- Take prompt action as soon as a performance issue is identified, with a commitment to address any performance issues at the earliest opportunity to ensure the employee is given the ability to improve to the required standard. If necessary, clarify objectives.
- Discuss the reason for any performance drop with the employee (e.g. not understanding the work; unclear objectives; other issues within work; outside factors) and identify what support they may need. Provide or signpost to available support as appropriate.
- Implement Performance Improvement Plans (PIPs) for employees who are underperforming, agreeing clear objectives and timescales for review. This can be implemented at any time, but is a requirement if a rating of one or two is given in the APR. This to be explained at the time of the performance being rated.
- Keep employees informed about the potential consequences of unacceptable performance levels, ensuring they understand that continuation could be putting their job at risk.
- Consider whether poor performance could be related to a disability and, if so, whether there are reasonable adjustments that could be made to an employee's working arrangements, including amending duties or providing additional equipment or training.
- Keep written records to support the action taken to address performance issues. Any written evidence should include completed Supervision/RPD documentation, notes of any ad hoc meetings called to address performance issues and any letters highlighting concerns about an employee's performance. It should also contain a record of the steps taken to address the performance issues, for example, training records, PIPs, reasonable adjustments.
- Prepare and issue letters and other records to employees and other parties as necessary in a timely manner.

To note:

- Failure to deal with performance issues in the team is a poor performance issue for the manager. Managers are responsible for the application of this policy and procedure in their work area.

3.2 Expectations of employees

Employees need to read, understand and comply with the school's Managing Performance Policy and Procedure:

- Ask, if you don't understand what is expected of you, or don't understand the value of your contribution to Cann Bridge School.
- Alert your manager as soon as you are struggling with any aspect of work.
- Engage with the performance management process, attending and positively contributing to performance discussions.
- Be open to constructive feedback, proactively striving to make improvements, trying new ways of working and learning to achieve the required level of performance.
- Continuously review own performance and strive to achieve objectives and goals.

- Take responsibility for learning activities against set development goals.
- Invest time in development activities.
- Manage own continuous professional development as appropriate.
- Let your manager know if you require any reasonable adjustments to assist you in performing your role

3.3 Expectations of support from Cann Bridge School, together with advice from the school's HR Provider, as required:

- Will set out requirements for Regular Performance Reviews and Annual Performance Reviews.
- Provide advice and guidance to managers dealing with poor performance issues.
- Attend formal meetings as adviser to the manager, if required.

3.4 Role of the recognised trade unions

- Be supportive in raising standards of performance.
- Support their members at meetings if required.

4 PERFORMANCE REVIEW

Performance management is an ongoing process in which managers should coach and provide feedback to those they manage. Managers are responsible for providing clear information to all of their employees about the range of tasks and duties they are expected to undertake.

The best results are achieved by ensuring performance reviews are carried out in a culture of trust and openness, by managers who are sufficiently skilled, are asking pertinent questions and actively listening to and confirming the content of responses. This helps create the 'golden thread' where objectives and SMART targets are aligned with business objectives.

Performance is measured continuously through the following mechanisms:

- Regular Performance Discussions/Supervision and informal check-in discussions
- Annual Performance Review

Performance issues should be dealt with at the earliest opportunity (Regular Performance Discussions/Annual Performance Review) to document discussions had with the employee and what support has been identified and put into place to help raise performance levels.

4.1 Timelines for Annual Performance Reviews (APR)

The annual timeline for Cann Bridge School is:

November - November	Classroom Support Staff
November - November	Ancillary Staff (Administration and non-classroom based staff)

4.2 Performance Conversations

- Make time for the conversation: arrange a specific date, time and place where you can take time away from other distractions
- Be honest: say 'how it really is' and be as objective as you can be, listening to each other's point of view
- Discuss what's gone well, why it has gone well and what the results have been. Also discuss what hasn't gone well, why that is and what the results have been; and in each case what you have learnt that you can apply in the future.
- Start with the outcomes for your customers and work backwards. How can you achieve the outcomes you are working towards, what is required from the employee and how can the line manager support them in this?

4.3 Outcomes of Annual Performance Review

- Rating: a rating of 1-5 reflects the overall performance and contribution from the whole year. If an employee has a rating of 1 or 2, their manager needs to provide additional support and guidance to the employee with an employee Performance Improvement Plan (PIP).
- A level 1 rating does not attract a pay increment.
- Objectives: Long term, overarching objectives with planned activities and timescales/milestones. All objectives should be SMART (smart, measurable, achievable, realistic and timely).
- Development needs and support identified.
- A career conversation if employee wishes.

5 EMPLOYEE PERFORMANCE IMPROVEMENT PLANS

When performance concerns are identified and not resolved via Regular Performance Discussions (RPD)/Supervision/Annual Performance Review (APR), 1:1 and any other conversations, or where a significant concern arises regarding an employee's performance, the manager will need to inform the employee that the performance concerns will now be supported informally with an employee Performance Improvement Plan (PIP). This should be put in place for any APR rating of 1 or 2.

A Performance Improvement Plan (PIP) is a document which sets out and records performance expectations and a timeline to support an employee to improve their performance.

A template is attached to this policy.

The PIP process should be a positive one, to enable the employee to have support, address their performance issues and develop/make improvements.

The manager will hold a PIP Review meeting with the employee to:

- Specify the areas of performance which require improvement, establishing reasons for the shortfall.
- Consider whether there have been factors outside of the direct control of the employee which could have impacted on their individual performance.
- Identify if there is a skills or knowledge gap and what training or development may be required to address this.
- Discuss and agree what the required performance looks like and how it will be measured.
- Consider whether there are any external factors i.e. family issues, which could be affecting the individual's ability to perform where support and guidance is required.

- Consider whether there are any health concerns that may require further investigation and necessitate an occupational health referral and/or reasonable adjustments.
- Discuss and agree the period of review. The review will normally be a period of 1 to 3 months dependent on the circumstances. E.g. consider complexity of performance concern, whether there is a health issue. The review period should allow sufficient time to allow the employee to demonstrate improvement.
- Discuss and agree the frequency of meetings to review the performance during the review period.
- Remind employees that there is access to an Employee Assistance Programme (EAP) if this would be useful which is available through Education Mutual.

The manager should meet as per the agreed frequency of meetings with the employee to discuss progress with the plan. At the end of the completion date of the plan, the manager should write to the employee and tell them that they have successfully completed all aspects of the plan, need to have additional areas of work to complete, or that their performance has not sufficiently improved.

6 FORMAL - MANAGING POOR PERFORMANCE

Performance management will need to progress to the formal stage when either the PIP has come to an end and there is no improvement in the employee's performance, insufficient improvement or they have not achieved the required standard.

When the employee's level of performance amounts to a serious shortfall, it can potentially pose a risk to themselves, their colleagues, service users or other third parties, to members of the public or places the school at risk.

Managing performance can sometimes be complex and it is therefore not possible to document how to handle every situation. This procedure sets out the usual steps to follow, however there may be other actions which need to be taken according to the circumstances of each specific situation. If in doubt, line managers should contact the school's HR Provider for advice.

There are three steps to the formal performance management procedure:

- STEP 1: Investigation, recommendation and if appropriate, preparation for meeting.
- STEP 2: The meeting
- STEP 3: The right to appeal

6.1 Consideration of suspension

In exceptional circumstances it may be necessary to consider suspending an employee, for example, where their performance at work is placing them or others at risk.

While alternatives to suspension should always be considered first, in these circumstances, suspension may be deemed necessary or desirable whilst an investigation and/or meeting is conducted. Any decision to suspend will normally be made by the by the Head Teacher who will arrange to meet with the employee and explain why suspension is being considered, **and** the Chair of Governors then ratified by a panel of the Governing Body. Consultation with the School's HR Provider is recommended unless the Headteacher believes there is a safeguarding or health and safety risk.

Suspension is always on normal contractual pay and is not itself any form of sanction, nor does the fact of suspension give rise to any implication that formal action will or should be taken against the employee on the grounds of capability. The reasons for suspension must be stated in writing to the

employee using the school's standard suspension letter. This letter should set out the reasons for the suspension and any restrictions which apply to the employee during the period of suspension.

6.2 The right to be accompanied

Suspension and investigatory meetings: the manager will normally permit the employee to be accompanied at such a meeting, provided it is practical and reasonable to do so in the circumstances and it does not cause undue delay to the process.

Formal Meetings: the employee has the right to be accompanied by a companion who is either a trade union representative or a workplace colleague.

The companion can put forward the employee's case, by making representations, questioning management witnesses and calling evidence on behalf of the employee, sum up the employee's case at the conclusion of the evidence, and respond on the employee's behalf to any view expressed at the meeting.

The companion is not permitted to answer questions posed directly to the employee in relation to the performance issues under consideration.

6.3 Conflict of interest

If any person involved in the formal process (whether at the investigatory, meeting or appeal stages) believes that they may have a conflict of interest or that there is any good reason why they should not be involved in the process, they should seek immediate guidance from the school's HR Provider, in accordance with school arrangements for this service.

7 STEP 1 - INVESTIGATION, RECOMMENDATION AND PREPARATION

7.1 Investigation and Recommendation

A performance investigation (information gathering) will be conducted by the line manager, in most cases, to gather relevant information relating to the performance issues, compile a report and make a recommendation to their line manager on the next steps. This is called a performance investigation report.

Following the preparation of the performance investigation report, the case will be reviewed by a more senior manager and a decision will be reached as to whether a formal meeting is necessary.

The purpose of the meeting is to:

- Consider the relevant information as to the employee's standards of performance against targets and objectives.
- Consider the impact of the individual's performance on the service, colleagues, customers, service users and other relevant third parties.
- Consider the extent of any support provided to date and whether and to what extent it would be reasonable to provide further support.
- Consider any mitigating circumstances.
- Determine what, if any action should be taken.

7.2 Information gathering

The employee must co-operate with the information gathering and investigation process. If the employee wishes to submit any relevant information during the process, they should do so during the

course of the investigation so that this information can be taken into account. If the employee chooses to submit the information at a later stage rather than submitting information at the investigation stage, it is possible that the Chair of the formal meeting will refuse to accept it unless there are extenuating circumstances.

If, at any stage during the investigation process, it appears that the matter is one of conduct rather than performance, the investigation should transfer to the school's Disciplinary Policy.

7.3 Preparation for Performance Meetings

Formal meetings are normally chaired by the Headteacher, supported by the school's HR Provider, if required. A note taker will be in attendance and will be organised by the manager chairing the meeting. However, a panel of Governors will be convened for potential cases of dismissal.

The employee will be notified in writing of the reason for the meeting, the potential gravity of the situation (and specifically whether dismissal may be a consideration), the arrangements for the meeting, and provided with a copy of the performance investigation report and any supporting information, no less than five working days in advance of the meeting. The employee should be told of any witnesses' management have asked to attend. Similarly, the employee should notify the manager chairing the meeting in advance of the meeting of any witnesses they intend to call to give evidence.

Management will endeavour to set the meeting date within a reasonable timescale. Once the date has been set, a request by the employee to change the date of the meeting may be accepted if there is good reason. In these circumstances, an alternative date should be offered, ideally not more than five working days after the original date where possible.

If dismissal is a potential outcome, a Local Authority representative must be invited to attend. This is normally the Employee Relations Specialist (schools).

If the employee fails to attend the meeting, advice from the school's HR Provider should be sought. A decision may be made to proceed without the employee present, on the basis of the information available. In cases where the employee has trade union representation, they may present the employee's case in the employee's absence (provided the employee has given them authority to do so) and in any case, the employee will be permitted to make written representation

8 STEP 2 - THE FORMAL PERFORMANCE MANAGEMENT MEETING

8.1 Outcomes

The potential outcome of a performance management meeting is one of the following:

- No formal action
- First formal performance warning
- Final formal performance warning
- Dismissal

In some circumstances the school may consider the redeployment within the school of an employee if poor performance is related to health, depending on the individual circumstances, subject to occupational health advice and if a post is available at the school

The performance warnings should detail matters such as the following:

- How and why the employee has underperformed.
- Any targets, standards and/or competencies to be achieved by the employee and details of the applicable timescales for such improvement.
- Information as to any adjustments, training, supervision or support to be offered to the employee.

- Details of any performance monitoring arrangements and information as to the dates on which any further performance reviews will take place.
- The likely consequences of further failing to meet the required standards of performance.

A first or final performance warning will normally be valid for between 12 and 24 months depending on the nature and seriousness of the performance issues, and will be time-expired after this period.

A formal performance meeting will not normally result in a dismissal unless both previous formal performance warnings have been given. While the standard process will be to issue a first and a final formal performance warning before dismissal is a consideration, it may not be appropriate to do so in every case. If missing a stage, is a potential consideration advice should be sought from the school's HR Provider.

In cases of potential dismissal, the meeting should be conducted by a panel of Governors with the authority to dismiss. Before dismissing an employee, they will consider the following in their decision making:

- The application of the school's policy and procedure
- All reasonable action has been taken by the manager to support the employee to improve their performance.
- There has been no bias or discrimination.
- They have made an assessment of the individual case on its own merits.
- The employee has been made aware of the seriousness of the situation and the potential consequences of their poor performance (decision to dismiss should not come as a surprise to the employee)

For all outcomes, a letter informing the employee of the decision made by the Chair should be sent to the employee within five working days from the date of the meeting. The letter should include a brief factual summary of the key points of the case, the reasons for the decision, and explanation of the right of appeal.

In cases of very serious performance issues which appear to be the result of misconduct as opposed to capability, or gross negligence (misconduct) the case should be dealt with under the school's Disciplinary Policy.

The line manager must send an electronic copy of all letters and documentation related to any formal performance management meeting to the Employee Relations (HR) team (schools' specialist) for recording onto the electronic HR record system and school folder.

8.2 Unsatisfactory performance relating to health

Formal meetings are likely to be held in the following circumstances:

- Where an employee is able to attend work regularly but is unable to perform to the required standards due to issues relating to health under this policy.

9 STEP 3 - RIGHT OF APPEAL

Cann Bridge School is committed to making sure that all employees are given the right of appeal against any formal action or decision taken in a formal Performance Management meeting.

The school asks that all employees involved in an appeal procedure will respect the confidentiality and privacy of others.

All employees involved in an appeal have a duty to act honestly and without malice to anyone else.

Individuals raising complaints maliciously may be subject to disciplinary action.

9.1 How to appeal

- If the employee wishes to appeal they must do so in writing within five working days of receiving the written confirmation of the decision.
- The letter of appeal should clearly set out all of the grounds of the appeal. *Examples are: the correct process was not followed resulting in a detriment to the individual; the sanction or outcome was unduly harsh; additional information has come to light that was not available for the initial hearing.* The employee should also provide evidence to support their grounds of appeal.
- Appeals can be submitted by TU Representatives where they have explicit permission from the employee.
- For a warning - the letter should be sent to the line manager of the manager who made the decision, e.g. the Chair of Governors, via the Clerk to Governors, if the Headteacher made the decision. The employee is to state whether the appeal is in whole or in part of any finding or decision.
- For appeal against dismissal – the letter should be sent to the Clerk to Governors.

9.2 Preparation for Appeal Hearing

- The Clerk to Governors who receives the appeal (as above) will send a letter of acknowledgement to the employee and a panel of Governors will be convened, if the Headteacher made the original decision to hear the Appeal.
- The manager from the original hearing will send the 'Appeal Pack' comprising management's response to the grounds of the appeal together with any relevant appendices to the employee and the Governors' Appeal Panel at least 5 working days before the hearing.
- Panel members will not have been involved in the original decision.
- A Local Authority representative should be invited to attend. This is normally the Employee Relations Specialist (schools).

9.3 Appeal Hearing

- The school is committed to ensuring the appeal is heard as soon as possible, therefore the Chair of the Governors' Appeal Panel may set time limits for each stage of the proceedings and will make sure that any delays are dealt with appropriately.
- The Chair of the Appeal Panel will ensure that the necessary arrangements are in place to hold the hearing and, if necessary, will make the final decision on evidence or witnesses relevant to the case.
- The employee has the right to be accompanied by a Trade Union Representative or work colleague at the Appeal Hearing.
- During the Appeal Hearing the employee will only be able to refer to the grounds of appeal specified in their appeal letter.
- The Appeal Hearing will be an opportunity for the employee to state the grounds of their appeal along with the supporting evidence, and for the manager involved in the original decision to respond. The Panel will be able to ask questions of either party and any witnesses, if relevant.

9.4 Appeal Decision

- Following the Appeal Hearing, the Chair will consider the facts of the case and may uphold or dismiss an appeal.
- The Appeal decision will be given to the employee either on the day or in writing. The decision letter will be from the Chair of the Governors' Appeal Panel and will give the reason(s) for the decision.
- The decision letter will be sent by recorded or special delivery to the employee within 5 working days of the hearing.
- The above procedure can be amended by the Chair of the Appeal Panel if it is deemed appropriate to do so, provided that all parties are in agreement.
- The Appeal decision is final and is the end of the school's internal process.

10 OTHER RELEVANT GUIDES/POLICIES

The school's:

Probation Policy

Disciplinary Policy and Procedure

11 CONTACTS

If you have any queries regarding this document, contact the school's HR Provider. If you would like help understanding the content of this document, please speak to your Headteacher/line manager or contact the school's HR Provider, in line with the school's arrangements.

Contractual elements, agreed with NJC recognised trade unions.

The collective agreement about pay progression dated July 2010 was superseded by the Plymouth Book in September 2011.

From 1 October 2010: incremental pay increases take place on 1 October each year for employees on NJC for Local Government Services, JNC for Youth and Community, upon a rating of 2-5 in the Annual Performance Review (APR), until the maximum of the grade is reached.

APRs between 1 April and 31 August each year are considered valid for deciding whether an increment is due on 1 October.

Employees who fail to meet expectations at appraisals will be set objectives with reasonable deadlines and measurement criteria attached and progress will be tracked and discussed. Support and training will be offered, where appropriate, and where improvements fail to take place within a reasonable period, action up to and including dismissal will be considered.

Where an employee disagrees with their manager's assessment, there is a right to appeal.

Pay cannot be increased by more than one increment.

There will be no increase in pay beyond the maximum increment of the pay band.

Trade Union Representatives: When employees have trade union responsibilities outside of their contractual role, this will not affect the assessment of performance.

Poor Performance can lead to dismissal.