



EMPLOYEE PERFORMANCE IMPROVEMENT PROCEDURE

Version 1.0

February 2019

Policy Number	CCG/19/18
Version Number	1.0
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Date of Screening of Policy	8 th February 2019
EQIA Recommended?	NO
Date Adopted by Council	
Date Policy Revised	

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1 OBJECTIVE

The continued success of the organisation is dependent on employees achieving and maintaining high standards of performance in their roles.

The organisation is committed, and will endeavour at all times, to provide the necessary support to meet its standards of performance.

The fundamental goal of performance management is to promote and improve employee effectiveness. It is a continuous process where managers and employees work together to plan, monitor and review an employee's work objectives or goals and his or her overall contribution to the organization. Managers should be providing positive, constructive and effective feedback on performance on an on-going basis.

To safeguard the interests of both the organisation and employees when unsatisfactory performance is highlighted as a problem, this Employee Performance Improvement procedure will be invoked to ensure the organisation enforces its requirements of performance standards fairly and consistently.

Employees have a contractual responsibility to perform to a satisfactory level and should be given every help and encouragement to do so.

2 SCOPE

The procedure applies to all employees of the Council (with the exception of the Chief Executive and employees still in their probationary period) and will be invoked when unsatisfactory performance is identified.

3 GENERAL PRINCIPLES

3.1 The Council expects all its employees to carry out the duties and responsibilities as detailed in the employee's job description and to meet the standards established.

New employees should be advised of what standards are required of them and existing employees should be advised when standards change.

3.2 The fundamental aim of this procedure is provide employees with an opportunity to improve their performance, while making it clear that failure to improve their performance could ultimately lead to dismissal from the organisation.

3.3 Where unsatisfactory performance has been identified, managers must bring this to the attention of the employee and discuss with them the necessary improvements which are expected of the employee. Managers must also allow the employee a reasonable amount of time to implement those improvements.

3.4 In cases of unsatisfactory performance employees have:

(a) the right, to be accompanied at any formal performance review meeting, by a work colleague or a trade union representative.

- 3.5 Should formal action be necessary, employees also have the right to appeal. The right of accompaniment will also apply at appeal hearings. The appeal hearings will be conducted, as far as possible, by a more senior manager than the manager who attended the performance meetings. Where this is not possible, a manager of equivalent level who was not involved will conduct the hearing.
- 3.6 The employer will endeavour to ensure that:
- the Employee Performance Improvement procedure is applied fairly and consistently
 - all steps under the procedure are taken without unreasonable delay
 - the timing and location of all meetings are reasonable
 - meetings are conducted in a manner which enables employees to explain their case.
- 3.7 The employee must take all reasonable steps to attend any meeting organised under this procedure.
- 3.8 Managers are responsible for setting standards, communicating those standards, and for monitoring and appraising.

4 INFORMAL PROCEDURE

- 4.1 Where the manager first establishes that an employee's performance is unsatisfactory, an informal discussion will be held with the employee to establish the reasons for the unsatisfactory performance.
- 4.2 Should the informal discussion establish that the unsatisfactory performance constitutes employee misconduct or negligence, the organisation's disciplinary procedure should be followed.
- 4.3 If it is established that the unsatisfactory performance relates to the employee's inability to do his or her job (e.g. due to a lack of certain key skills or aptitudes), a formal performance review procedure will be instigated in which the employee is contractually obliged to participate. The purpose of the procedure will be to ensure that the employee is given an opportunity to achieve the standards expected.
- 4.4 If the discussion establishes that the performance problems are related to the employee's personal life, counselling/support may be offered as appropriate.
- 4.5 Where poor performance is identified as a result of a medical incapacity / disability, this will be dealt with under Councils Attendance Improvement Policy.

5 COUNSELLING

Details of Counselling available on a confidential basis through Carecall. Carecall can be contacted on 0800 3895362.

6 FORMAL PROCEDURE

A copy of this Employee Performance Improvement procedure will be sent to the employee in advance of any formal performance review.

6.1 Stage One – Formal Performance Review

6.1.1 A formal performance review meeting will be arranged between the manager and the employee giving three days' notice. The employee has the right to be accompanied by a trade union representative or a work colleague. The purpose of the meeting will be to consider the areas of the employee's work that need to improve, what actions will be taken and who will be involved in the process.

6.1.2 A letter inviting the employee to the meeting will set out the basis of the unsatisfactory performance. This information will be used at the meeting. The outcome of the meeting may be a First Written Warning.

6.1.3 The meeting can be postponed once if the employee or his or her companion cannot attend on the date selected and will be rescheduled no more than five days after the original date except in exceptional circumstances.

6.1.4 Following the meeting, the employee's manager will set and agree objectives with the employee along with a timescale for improvement and a formal review date and meeting. This will be confirmed in writing within 5 working days and incorporated into an action plan.

6.1.5 The employee will be formally warned that a failure to improve to the required standard will result in a second performance review.

6.1.6 The first written warning will set out:

- The performance problem/s identified;
- The decision that a first written warning is being given and that it will be recorded on the employee's file for twelve months
- The improvement (realistic and where possible, measured) that is required
- A reasonable timescale for achieving this improvement (usually between 2 – 4 months)
- A review date and the likely outcome if no improvement takes place
- Any identified measure of support the employer will provide to assist the employee in meeting the required standards.

6.1.7 The employee should be informed that the formal written warning represents the first stage of a formal procedure and that failure to improve could lead to a final written warning and ultimately dismissal. A copy of the formal warning should be kept and used as the basis for monitoring and reviewing performance over the specified timescale.

6.2 Stage Two – Formal Performance Review

- 6.2.1 The meeting will take place on the date agreed at the previous formal review meeting.
- 6.2.2 A letter inviting the employee to the meeting will set out the objectives agreed at the first meeting and which will be reviewed at this meeting. The employee will be reminded that if performance is still unsatisfactory, then the outcome may be a final written warning. This letter will be sent out prior to the meeting giving the employee three days' notice.
- 6.2.3 The employee has the right to be accompanied by a trade union representative or a work colleague at the meeting.
- 6.2.4 The meeting can be postponed once if the employee or his or her companion cannot attend on the date selected and will be rescheduled no more than five days after the original date except in exceptional circumstances.
- 6.2.5 The employee will be told whether he or she has reached the required standard of performance. If the standard is reached, no further action will be taken and the outcome confirmed in writing.
- 6.2.6 If some, or all of the performance continues to be unsatisfactory, the manager will explain clearly to the employee the shortfall between the performance and the standard required.
- 6.2.7 The manager will set and agree objectives with the employee along with a timescale for improvement and a formal review date and meeting. This will be confirmed in writing within 5 working days and incorporated into an action plan.
- 6.2.8 The employee will be formally warned that a failure to improve to the required standard may result in dismissal.
- 6.2.9 The final written warning will set out:
- The performance problem/s identified;
 - The decision that a final written warning is being given and that it will be recorded on the employee's file for twelve months
 - The improvement (realistic and where possible, measured) that is required
 - A reasonable timescale for achieving this improvement
 - A review date and the likely outcome if no improvement takes place
 - Any identified measure of support the employer will provide to assist the employee in meeting the required standards.

6.2.10 The employee should be informed that the final written warning represents the second stage of a formal procedure and that failure to improve could lead to a dismissal. A copy of the final written warning should be kept and used as the basis for monitoring and reviewing performance over the specified timescale.

6.3 Stage Three – Final Performance Review

6.3.1 A letter inviting the employee to the meeting will set out the objectives agreed at the second meeting and which will be reviewed at this meeting. The employee will be reminded that if performance is still unsatisfactory, then the outcome may be dismissal. This letter will be sent out prior to the meeting giving the employee three days' notice.

6.3.2 The meeting will take place on the date agreed at the previous formal review meeting. The employee will be interviewed by a member of the Senior Management Team and an OD/HR representative. .

6.3.3 The employee has the right to be accompanied by a trade union representative or a work colleague at the meeting.

6.3.4 The meeting can be postponed once if the employee or his or her companion cannot attend on the date selected and will be rescheduled no more than five days after the original date except in exceptional circumstances.

6.3.5 The employee will be told whether he or she has reached the required standard of performance. If the standard is reached, then no further action will be taken and the employee will be informed of the outcome in writing.

6.3.6 If the standard of performance continues to be unsatisfactory then the employee will be dismissed with notice. Details of the dismissal, the date of termination and the right of appeal will be confirmed in writing to the employee. The decision will be confirmed in writing within two days, signed by the Head of Service of the employee's department. The written confirmation will state: -

- The reason for dismissal
- The employee's right of appeal against the decision and that any appeal should be submitted within 5 working days
- The period of notice and the arrangements for the completion of such notice

6.3.7 As an alternative to dismissal, the organisation may be able (if the employee possesses the necessary skills, qualifications, ability and knowledge) to offer the employee a mutually agreed demotion or transfer to a more suitable role, should a post be available.

7 GRIEVANCES RELATING TO PERFORMANCE IMPROVEMENT

In the course of the performance improvement process an employee might raise a grievance about an issue which is related to the case. If this happens, the manager will deal with both issues concurrently.

In exceptional situations, the Council may suspend Employee Performance Improvement procedure whilst the grievance is dealt with.

8 APPEALS

- 8.1.1 Employees have the right to appeal any decision under this procedure. There is one appeal stage within this procedure and the decision of the panel is final. All appeals must be made in writing within 10 working days of being informed of the decision to the manager specified within the letter, stating the grounds of the appeal. If an appeal is not lodged within 10 working days it is assumed that the employee accepts the decision.
- 8.1.2 The employee must request an appeal in writing, outlining the grounds for appeal, and must forward the request to the person specified for this purpose in the letter.
- 8.1.3 Appeal hearings shall be held within 10 working days of receipt of appeal and Council will provide at least 3 working days' notice of the date of the appeal. The employee will be advised of the date, time and location of the appeal hearing, their right to be accompanied (by a work colleague from the Council or a Trade Union representative) and the person(s) hearing the appeal.
- 8.1.4 Copies of any documents that an employee will rely on during an appeal must be submitted 3 days in advance to the person hearing the appeal.
- 8.2 At the appeal hearing the Council will be represented by a more senior manager than the manager who attended the performance review meeting. If this is not possible, a manager of similar standing to the manager who made the decision and who was not previously involved will hear the appeal. Appeals against a performance review decision made by the Chief Executive will be heard by an independent panel from an external body such as another Council, or the Labour Relations Agency.

In the case of an appeal against dismissal, the appeal will normally be heard by the Chief Executive and a member of the Senior Management Team who have not been involved in the performance review meetings.

- 8.2.1 The appeal will not normally take the form of a re-hearing and will usually be limited to the grounds set out by the employee in their written appeal request.

- 8.3 The outcome of the appeal hearing shall be notified to the employee within 5 working days of the appeal hearing. The person hearing the appeal will have the right to uphold or reject the dismissal and either confirm the original dismissal or re-instate the employee.

As there is only one appeal stage it will be made clear to the employee that the panel's decision is final.

9 GROSS PERFORMANCE ISSUES

- 9.1 Where an employee makes an error of a fundamental nature which calls into serious question his/her competence to conduct the duties of the post it may not be appropriate to invoke the normal stages of the Employee Performance Improvement procedure. Instead the principles and procedures for gross misconduct as outlined in the Disciplinary Policy should be followed, including a full investigation.
- 9.2 If the error was not found to be wilful it is recommended that the Employee Performance Improvement procedure be used, but it should be noted that it may be appropriate to move straight to stage 3 of the Employee Performance Improvement procedure in cases where a serious question has been raised regarding the employee's overall competence for the job.

10 SUSPENSION

- 10.1 In cases where there are gross performance issues, the Council reserves the right to suspend employees pending a full investigation.

11 REVIEW OF THE PROCEDURE

This policy was approved by Causeway Coast & Glens Borough Council's Joint Consultative and Negotiating Committee (JCNC) on xxx and by Council on xxx.

JCNC will continue to keep the policy under review and make any amendments as necessary.

Every effort will be made to provide information in an alternative format if written format is not accessible to a member of staff.

12 SECTION 75 EQUALITY AND GOOD RELATIONS

Causeway Coast and Glens Borough Council is fully committed to meeting its obligations in relation to Equality and Good Relations under Section 75 of the Northern Ireland Act. In this regard this policy will be screened using Section 75 guidelines and will be subject

to an Equality Impact Assessment if found necessary as a result of the screening process.

13 CONTACT DETAILS

Any issues or queries relating to this policy should be addressed to:

Brid Lofthouse
Head of OD/HR

Signed: _____ Date: _____

Mayor

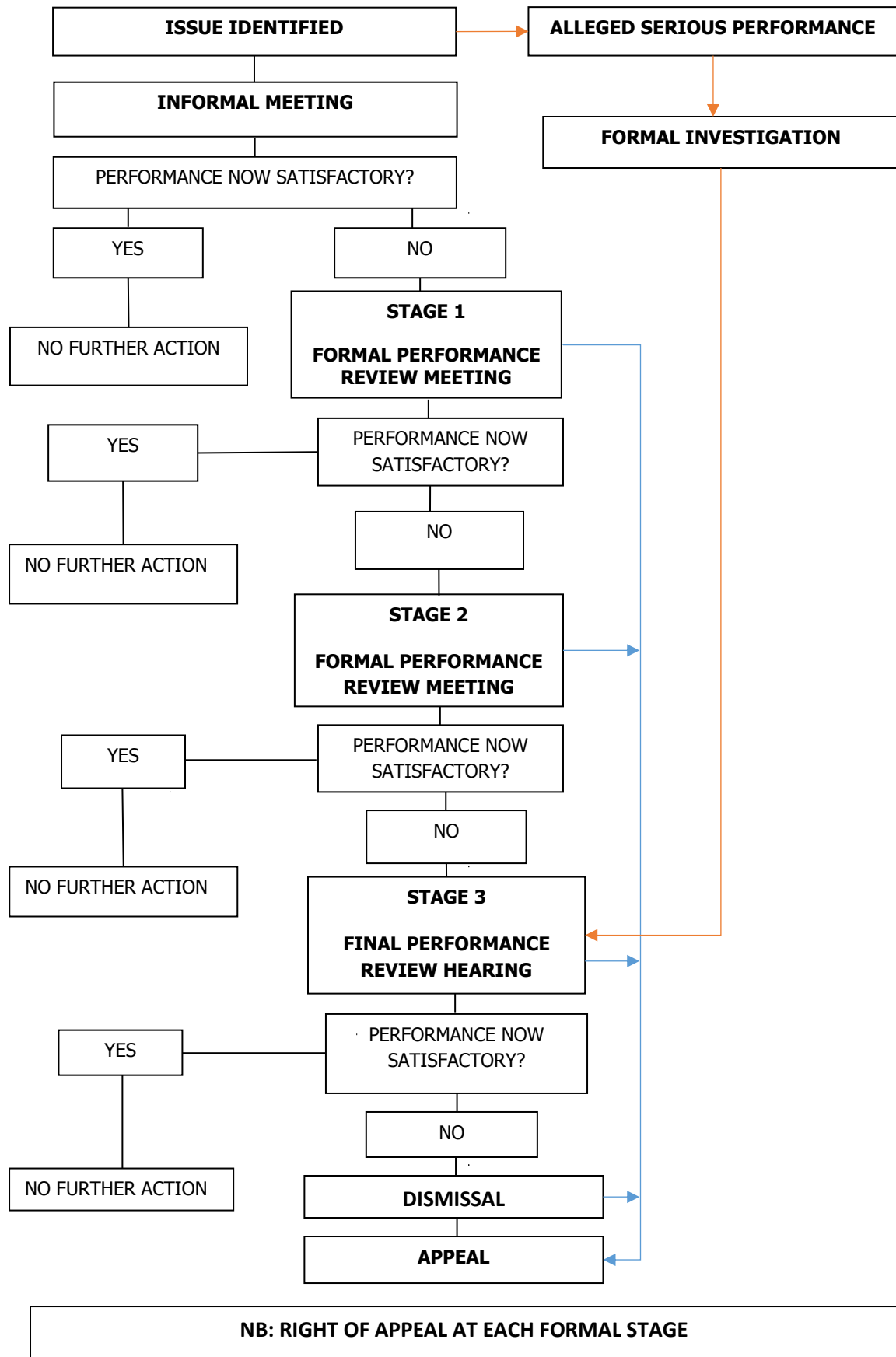
Causeway Coast and Glens Borough Council

Signed: _____ Date: _____

Chief Executive

Causeway Coast and Glens Borough Council

Appendix A: Flowchart



Appendix B: Summary of Stages

Stage	Responsible Officer	Outcome	Expiry Date	Appeal Panel
Informal	Line Manager	Informal discussion	n/a	n/a
Stage One – Formal Performance Review	Line Manager	Improvement plan with agreed timescales and First Written Warning	6 months	More Senior Manager and HR Representative
Stage Two – Formal Performance Review	Line Manager and HR representative	No further action or Improvement plan with agreed timescales and Final Written Warning	12 months	Head of Service and HR Representative
Stage Three – Formal Performance Review	Director and HR representative	No further action or Dismissal	n/a	Chief Executive and member of the Senior Management Team.