Improving performance

1 What this policy covers

This policy is designed to support you in improving your performance so that you can achieve and maintain the standards your role requires.

2 Principles

- The policy will provide a clear, fair and consistent framework for handling capability issues.
- We understand discussions regarding your performance can be stressful, so this policy seeks to balance the requirement for a comprehensive and supportive process with GHC's need to deliver services effectively.
- Unsatisfactory work performance may be caused by numerous factors and (where possible) concerns will be dealt with through supportive discussions with your manager, before using this policy.
- The standards that you need to achieve will be realistically achievable within a specified time frame.
- In some circumstances it may be appropriate to deal with capability issues under GHC's Disciplinary, Probation or Supporting Attendance policies. The manager should seek advice from Human Resources before making this decision.
- Redeployment may be considered at any stage of this policy.
- In cases of serious incapability, moving straight to the capability hearing may be appropriate.

3 Responsibilities

Managers should ensure that:

- All new employees attend corporate and local induction.
- Staff receive the appropriate training for their role.
- Employees have regular appraisals and 1:1 meetings.
- Poor performance is recognised and addressed in a timely and fair way, with confidentiality and sensitivity.

Employees are responsible for ensuring that they:

- Perform the tasks and responsibilities of their role to the best of their ability.
- Raise any issues which may affect their performance with their manager as soon as possible.
- Cooperate with any measures introduced to support issues with work performance.
- Fully participate in appraisals and 1:1s.

4 Policy in practice

The improving performance process has the following three main stages:

- Informal
- Formal
- Capability hearing

4.1 Your right to be accompanied

Should you wish, you can be accompanied at all meetings by a trade union/staff representative or a work colleague who is a GHC employee.

You're responsible for choosing your representative, but you must let your manager know who this will be. They can participate fully at the meetings, but they cannot answer questions on your behalf.

If your representative cannot attend the proposed date, one alternative date will be suggested. Reasonable efforts will be made to accommodate availability, but reasonable timescales must be adhered to.

4.2 Informal stage

GHC recognises that few employees choose to perform badly, make mistakes or fail to complete tasks. So, if your

line manager has concerns about your performance, they will discuss this with you at the earliest opportunity, before moving to the formal stages of this policy. This may take place in a 1:1 or supervision session.

Your manager will explain their concerns and you will be given time to discuss:

- the reasons for your performance
- problems you may be experiencing at work
- factors outside of work that impact you at work
- support required (eg training, guidance, etc).

If you are unclear what you need to improve or how you can improve, you should seek clarification.

Your manager will make a record of the discussion and the agreed action plan, they will provide you with a copy and if necessary meet with you to review and update. If things do not improve within a reasonable timescale or there is serious concern about your ability to perform your role, moving to formal stages may be considered. But before this happens your manager will make sure:

- you're clear about expectations of you in your role
- you've had the level of training and support required to do your job
- you've had reasonable time to improve
- no underlying health issues/medical conditions are contributing to any under-performance
- any reasonable adjustments have been considered and implemented where this has been advised by Working Well and/or other medical advice.
- an action plan has been undertaken with regular reviews.

Following these discussions, in most cases, most performance-related issues can be resolved promptly and informally. Any improvement that results must be maintained.

If your performance falls below the required standards again within 12 months, the informal procedure may be re-instigated or the matter progressed to Stage 1 of the formal procedure. So, talk to your line manager immediately if you are having difficulties again.

4.3 Stage One – Formal

If informal measures have failed to address the issues or for more serious issues your manager may proceed to the formal stage. A meeting will be arranged, giving you at least seven calendar days' notice. At the meeting:

- Your manager will clearly explain the concerns or issues and the consequences of these continuing, giving clear examples.
- You will have the opportunity to respond, provide an explanation and identify any support you feel you need to improve your performance.
- Your manager will discuss the performance plan will you and set a reasonable timescale for you to reach the required improvement.
- Tell you if it is not appropriate for you to work on the staff bank for the duration of the plan.

After the meeting your manager will confirm in writing the main points discussed the review arrangements.

A review meeting will be arranged at the end of the time the plan is in place to discuss your progress and the plan. You'll be given at least seven days' notice of the meeting. There are three potential review meeting outcomes:

- Your performance has improved and reached a satisfactory standard – the performance process will end. However, if your performance falls below the required standards again within 12 months, Stage 1 will be re-instigated or the matter progressed to Stage 2 of the process.
- Your performance has improved but you have not achieved all elements of the plan – the time the plan is in place may be extended to give you a further opportunity to improve at this stage.
- Your performance remains unsatisfactory in relation to some or all elements of the plan – the meeting will continue in accordance with Stage 2 of the formal performance process.

4.4 Stage Two – Formal

If you haven't achieve the required improvement on Stage 1 or for extremely serious concerns, Stage 2 will take you through the same process as set out in the previous stage, taking account any improvement already achieved or support already given.

There are three potential outcomes of the review meeting held at the end of stage 2:

- Your performance has improved and reached a satisfactory standard – the performance process will

end. However, if your performance falls below the required standards again within 12 months Stage 2 will be re-instigated or the matter progressed to Stage 3 of the process.
- Your performance has improved but you have not achieved all elements of the plan – the time the plan is in place may be extended to give you a further opportunity to improve at this stage.
- Your performance remains unsatisfactory in relation to some or all elements of the plan – you will be informed the matter is progressing to Stage 3 and a a capability hearing will be arranged.

4.5 Stage Three – Capability hearing
A formal capability meeting will be arranged, giving you at least seven calendar days' notice, and all documentation to be used at the meeting will be enclosed. If you have any documentation you'd like considered, provide this at least two calendar days before the meeting.

Two independent managers advised by a HR representative will listen to information provided by you and your manager during the formal meeting. The following points will be considered:

- Areas where your performance has not met the required standards.
- What support, training and supervision has been put in place through the informal and formal stages, including action plans.
- Your views and responses and what you believe is preventing you reaching the required standards including training/support not yet been considered.
- Any further mitigating factors hindering your progress in achieving the required standard.
- Anything else you would like the panel to consider.

In determining the outcome, consideration will be given to your views and the documentation presented and reviewed. The managers will reach their decision based upon the evidence and documentation available and considered. The outcome will be confirmed in writing within seven calendar days of the hearing. Outcomes of a capability hearing could be:

- a further performance plan and monitoring period
- redeployment to another role which may include down-banding
- a first written warning
- a final written warning
- dismissal with contractual notice, which will normally be paid in lieu.

Where warnings have been given, review meetings and action plans will also be set.

If you do not attend the hearing, and in the absence of any mitigating circumstances submitted prior to the hearing, the hearing may continue and a decision may be reached in your absence.

4.6 Feedback on your progress
Where a performance plan has been agreed through the formal process, your manager will feedback on your progress at regular review meetings and will update your action plan.

4.7 Professional bodies
GHC reserves the right, if appropriate, to report the matter to the relevant professional body (eg NMC, HCPC), which may also take additional action.

4.8 Absence during the capability process
If you are absent from work for more than seven calendar days while on a performance plan, the time the plan is in place will be extended accordingly. This is to allow you sufficient time to make the required improvement.

Very rarely, due to the seriousness of some concerns, we may ask you not to attend work. This decision will only be taken if genuine risks are identified and all alternative options have been ruled out.

Where this is considered, your manager will seek approval from another senior manager and both will be advised by HR. If this happens, we will fully explain the reasons for the decision. This does not constitute disciplinary action.

5 Appeal

You will have the right to appeal any formal sanction. How to appeal will be explained in the capability meeting outcome letter. You'll need to appeal within seven calendar days of the date of being informed of the outcome.