



MANAGING AND IMPROVING PERFORMANCE POLICY

The following Managing and Improving Performance Policy applies to Micklands Pre-School staff.

Introduction

We recognise that there are circumstances in which you might not be able to carry out or achieve what is asked of you in terms of your performance in your job. These are not circumstances which we believe should be treated as “disciplinary offences”. This is because we hold to the belief that very few people choose to perform their work badly, make mistakes, and fail to complete tasks or have poor relationships with colleagues.

However, we cannot ignore the situation if things appear to be going wrong because of the impact potentially on you, your colleagues, our children and the pre-school as a whole. That is why we have this policy and procedure in place; so that we have arrangements for resolving issues, ideally through an improvement in your performance.

Please note that this procedure does not apply during a probation period.

Resolving matters informally

These discussions are about helping both you and the pre-school to identify matters which are affecting your performance, improve on what you are doing and helping you to achieve what is being asked of you. In these discussions you, and your line manager will investigate the cause of gaps or shortfalls in what you are doing in your job.

Your line manager will give you specific examples and facts about your performance (not personal opinions) and how it is different to what we ask for. We hope you will join in and help by explaining your situation clearly, honestly and by giving us information or access to information we need to understand your situation.

Your line manager will listen to what you say and follow up on points you raise so as to get a good picture of the situation from all perspectives.

These feedback meetings are intended to be informal and so we would not expect you to have representation at this stage; if you do wish to have someone with you, for example a fellow employee, we will accept this.



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Where the reason for unsatisfactory performance is identified and supported by evidence that you genuinely lack the required skills, the pre-school will aim to give you training and assistance, and agree with you a reasonable time within which to reach the required standard of performance. We will agree with you what this looks like.

If it is a question of lack of appropriate equipment or other resources or facilities, we will endeavour to resolve the situation.

Considering an alternative job role

If, despite feedback and relevant training, you continue to perform below what is required, the pre-school may look at whether there is an alternative job role available which we could offer to you. This is a limited option given the size and scale of the pre-school but it will be considered.

The alternative is for us to use the formal procedure set out below.

Formal Procedure

This procedure will only be used when these informal discussions do not lead to any improvements in your performance. Where we believe that the evidence of poor performance is as a result of deliberate negligence, or where you have made serious errors which are detrimental to either our children or the pre-school, we may decide to follow the disciplinary procedure.

To be clear, the pre-school uses the following definitions as guidance:

- **incapability** is where you have received all the necessary training and have the equipment/ tools/ resources to do the job, yet you are not able to carry out your work to a standard which we believe is both reasonable and acceptable;
- **misconduct** refers to your attitude or behaviour, which means that you are careless, negligent or you are deliberately not making an effort. This will be treated as misconduct under the Disciplinary Procedure.

Where, despite support and there are no opportunities for an alternative job role, you are unable to reach the required standard of performance, we will explain the consequences of any failure to meet our work expectations to you, in writing.



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Stage 1 - Performance Review Meeting

The purpose of this meeting will be to discuss your performance and decide what measures should be put in place to help and encourage you to improve your performance. You will have the opportunity to respond to feedback/ criticisms about your performance and to put forward any explanations.

The outcome of this meeting could be:

- a decision that no further action is required;
- to implement a **Performance Improvement Programme** with the aim of bringing your performance to the level required; or
- a decision to refer the matter for investigation under the Disciplinary Procedure.

Performance Improvement Programme

A Performance Improvement Programme is a series of measures which we would aim to agree with you. There may be circumstances where the pre-school has to insist on an aspect of the improvement programme in the absence of any agreement but we hope this is rare.

The Performance Improvement Programme will be very specific and we will confirm in writing:

- the overall timescale in which the required improvement(s) must be achieved together with time-scales for individual, specific areas where appropriate;
- the specific areas in which improved performance is necessary, together with information about how and against what criteria your performance will be assessed;
- details of any training, reallocation of duties or any additional support, which a colleague(s) will provide;
- arrangements for giving you regular feedback about progress, or otherwise with achieving the necessary performance. The feedback discussions may mean that any part of the programme may be amended or extended if necessary.

During the period covered by the Performance Improvement Programme, we will meet regularly to review progress and the outcome could be:



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- that you have achieved what has been asked and therefore the programme is complete. Your performance will continue to be monitored during the following 6 months and if it again starts to fall short of what is required, then we will initiate stage 2 of this procedure
- that the programme is extended or amended for a further period; or
- the matter is taken to stage 2 of this procedure.

Stage 2 – Performance Management Meeting

We really hope that we do not have to take action in this way. However, if your performance has not improved as required, despite our investment and support through a Performance Improvement Programme, you will be invited to attend a formal performance management meeting, and we will set out in writing where we believe your performance continues to fall short of an acceptable standard.

Your line manager will conduct the meeting and you will have the right to be accompanied by a colleague from work or other companion. You will have the opportunity to respond to any criticisms about your performance and also put forward any views you have about how the process has been managed.

The outcome of this meeting may be a decision to:

- take no further action;
- refer the matter for investigation through the Disciplinary Procedure;
- put in place another Performance Improvement Programme; or
- issue a formal written warning.

A formal warning will be issued if we believe that the pre-school has taken reasonable steps to encourage and support you to improve your performance but these measures appear not to have worked. The letter will explain that improvement is required immediately and it must be sustained, and we will have to confirm that if there is no improvement then you could be dismissed. The formal written warning will remain current for 6 months, after which time it will be disregarded. The letter will also set out what steps you need to take if you wish to appeal (see below).



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Stage 3 – Performance Dismissal Meeting

If you have received a formal written warning, which remains live and we continue to have concerns about your performance, the situation will be discussed at a Performance Dismissal Meeting.

You will be invited to a meeting, advised of the outstanding issues for discussion and be given the option to be accompanied by a fellow employee or other companion.

We will discuss the situation fully, including any inputs and representations you wish to offer, and after consideration the outcome will be:

- a decision to take no further action;
- to issue a second, performance management warning;
- an offer to redeploy you. This will be entirely at the discretion of the pre-school and it will only be considered if it is a viable option; or
- a decision to dismiss you with notice or pay in lieu of notice.

The outcome of this meeting will be confirmed in writing and we will also confirm details of how you can appeal the decision.

Appeal Procedure

If you wish to appeal against a decision at either stage 2 or 3 of this procedure, you should write to the Chair of the Committee within 5 working days from the date of the letter and set out the reasons why you believe the decision is flawed or unfair.

A meeting will be arranged within 10 working days to hear your appeal. If the Chair of the Committee has been involved in any previous stage of this process, an impartial investigator will be appointed to chair the meeting and you have the right to be accompanied by a colleague from work or other companion.

The result of the appeal meeting will either be to:

- confirm the action taken (i.e. either a further performance improvement programme, a formal warning or dismissal);
- substitute any outcome that was available at the time of the original meeting.

The outcome of the appeal will be final.