

Performance Improvement Policy

Cliff College, Cliff Lane, Calver, Hope Valley, S32 3XG

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1 Introduction

- 1.1 This policy is used when performance has been identified as falling below an acceptable level.
- 1.2 Its purpose is to provide a framework for resolving poor performance in a fair and supportive manner.
- 1.3 We will use this procedure where improvements in performance are not achieved following informal discussions.
- 1.4 Where poor performance is believed to be the result of deliberate negligence, or where serious errors have been made to the detriment of us, we may decide to use our disciplinary procedure instead.
- 1.5 Where it is not possible to hold a face-to-face meeting under this procedure, we will conduct the process remotely. We will ensure that you and your representatives have access to the necessary technology for participating. Your rights will not be affected, and we will ensure that the procedure remains fair and reasonable.
- 1.6 A written record of all meetings conducted under this procedure will be made, either by the person holding the meeting or by an additional person arranged by us to take notes.
- 1.7 We may digitally record any meeting conducted remotely under this procedure, provided that all parties agree. We will ensure that any such recording is made in line with our data protection obligations.

2 Scope

- 2.1 This policy applies to employees. It does not apply to contractors, consultants or any self-employed individuals working for the organisation.

3 Grievances

- 3.1 If you have a grievance that relates to ongoing performance improvement proceedings, you should raise this during the performance improvement procedure and not through our separate grievance procedure.
- 3.2 If you raise a grievance during the performance improvement proceedings that is unrelated to those proceedings, the performance improvement proceedings and grievance procedure will normally run independently and in parallel.

4 Fairness and respect

- 4.1 We will ensure that any issues of poor performance are managed in a fair and constructive way.
- 4.2 We will not tolerate abusive or insulting behaviour from anyone taking part in a performance improvement procedure and any such behaviour will be treated as potential misconduct.

5 Stage 1 - Informal meeting

- 5.1 If we have concerns about your performance, you will attend an informal meeting to discuss these concerns. Your Line Manager will inform you of the nature of the problem and their concerns about your work.

- 5.2 At the meeting, you will be given an opportunity to ask questions, comment on the issues and put forward any explanation you may have for the matters identified by your Line Manager as amounting to poor performance. Following this informal meeting, your Line Manager will choose one or more of these:
- 5.2.1 take no further action;
 - 5.2.2 hold a further conversation;
 - 5.2.3 refer the matter for investigation under the disciplinary procedure; or
 - 5.2.4 issue guidance to you on what you need to do to improve your performance via the implementation of a performance improvement programme.
- 5.3 Your Line Manager will confirm what you have discussed in this meeting afterwards and in writing.

6 Stage 2 - Performance improvement meeting

- 6.1 If further action is considered necessary, you will be invited to a performance review meeting.
- 6.2 The purpose of this meeting is to further discuss your performance and decide what measures should be taken to help you to improve your performance to an acceptable level. The meeting will be conducted by your Line Manager.
- 6.3 The outcome of the meeting will be:
- 6.3.1 a decision to refer the matter for investigation under the disciplinary procedure; or
 - 6.3.2 the implementation of a performance improvement programme as outlined below.

7 What is a performance improvement programme (PIP)

- 7.1 A performance improvement programme is a series of measures designed to help you to improve your performance.
- 7.2 We will seek to agree each measure with you but reserve the right to insist on any aspect of the performance improvement programme if agreement cannot be reached. Each programme will be tailored to the particular situation, but will cover the following elements:
- 7.2.1 **Targets:** This will detail the particular areas in which improved performance is needed and on what criteria your performance will be assessed. Where appropriate, we will set specific targets that will need to be achieved either by the end of the programme or at identifiable stages during.
 - 7.2.2 **Timescale:** This will note the overall timescale in which the necessary improvement must be achieved, together with the timescale for reaching individual milestones where appropriate.
 - 7.2.3 **Measures:** This will outline the measures we will take to support you in improving your performance. They may include training; additional supervision; the reallocation of certain duties; and the provision of additional support from your colleagues.
 - 7.2.4 **Feedback:** You will be given regular feedback from your Line Manager indicating the extent to which you are on track to deliver the improvements set out in the programme. If at any stage during the programme your Line Manager feels that your performance is not progressing in a satisfactory way, a further meeting may be held with you to discuss this, and where appropriate, your programme may be amended and/or extended.
 - 7.2.5 **Review:** At the end of the programme, your performance will be reviewed. If satisfactory progress has been made, we will confirm this in writing. If your Line Manager feels that satisfactory progress has not been made, your performance improvement programme may be extended and/or amended. Alternatively, you may be asked to attend a formal hearing under stage 3 of this procedure as outlined below.
 - 7.2.6 **Ongoing review:** Following the successful completion of a performance improvement programme, your performance will continue to be monitored. If, at any stage during the following

6 months your performance again starts to fall short of an acceptable standard, your Line Manager may decide to initiate stage 3 of this procedure.

8 Stage 3 – Formal hearing

- 8.1 Where stage 2 does not lead to a satisfactory improvement in your performance, you will be invited to a formal performance management hearing.
- 8.2 You will be informed in writing of the grounds on which the hearing is being convened. The letter will set out sufficient information and examples of why your Line Manager believes your performance still falls short of an acceptable standard.
- 8.3 The hearing will be conducted by your Line Manager. You will be entitled to be accompanied by a fellow employee or a trade union official.
- 8.4 At the hearing, you will be given an opportunity to ask questions, comment on the issues and to put forward any explanation you may have for the matters identified by your Line Manager as amounting to poor performance. The outcome of the meeting may be a decision to:
 - 8.4.1 take no further action;
 - 8.4.2 refer the matter for investigation under the disciplinary procedure;
 - 8.4.3 institute another performance improvement programme; or
 - 8.4.4 issue a formal warning.
- 8.5 A formal warning will be issued if it is concluded that reasonable steps have been taken that should have allowed you to perform to an acceptable standard, but that these measures have not worked.
- 8.6 The warning will explain the nature of the improvement that is required in your performance and state the timescale for making these improvements. It will also explain that, if the necessary improvement does not take place, you may be dismissed.
- 8.7 The warning will remain current for a period of 12 months, after which it will cease to have effect.
- 8.8 Where you are issued with a formal warning in accordance with this procedure, you will have a right of appeal.

9 Stage 4 – Dismissal hearing

- 9.1 If you have been issued with a warning under stage 3 that remains live and your Line Manager believes that your performance is still not acceptable, the matter may be referred to a performance dismissal hearing.
- 9.2 You will be informed in writing of the grounds on which the hearing is being convened. The letter will set out sufficient information and examples of why your Line Manager believes your performance still falls short of an acceptable standard.
- 9.3 The hearing will be conducted by a member of management senior to your Line Manager. You will be entitled to be accompanied by a fellow employee or trade union official.
- 9.4 At the meeting, you will be given an opportunity to ask questions, comment on the issues and to explain any issues around your performance or mitigating circumstances. The outcome of the meeting may be:
 - 9.4.1 a decision to take no further action;
 - 9.4.2 the issuing of another performance management warning;
 - 9.4.3 an offer to redeploy the employee to alternative work; or

9.4.4 a decision to dismiss the employee.

9.5 Any offer to redeploy you will be entirely at our discretion. Such an offer will be made only where we are confident that you will be able to perform well in the redeployed role.

9.6 It will normally be offered as an alternative to dismissal only in circumstances in which we are satisfied that you should no longer be allowed to continue to work in your current role.

9.7 While you are free to refuse any offer of redeployment, the only alternative available will usually be dismissal.

9.8 If we believe that there is no alternative role available and suitable for you and that you have not met an acceptable standard of performance, you may be dismissed. A decision to dismiss will only be taken by a manager who has the authority to do so.

9.9 The decision to dismiss together with the reasons for dismissal will be set out in writing and sent to you. Any dismissal will be with full notice, or a payment in lieu of notice.

9.10 Where you are dismissed in accordance with this procedure, you will have a right of appeal.

10 Appeal

10.1 You have a right of appeal against a sanction issued under stages 3 or 4 of this procedure. A request for an appeal should be sent in writing to the manager detailed in the dismissal letter that you receive, within five working days of being informed of the sanction.

10.2 Your letter should set out the grounds on which you believe that the decision was flawed or unfair.

10.3 An appeal hearing will be convened to consider the matter. It will be chaired by a senior manager. You will be entitled to be accompanied by a fellow employee or a trade union official.

10.4 At the hearing, the decision to impose the sanction will be reviewed and you will be entitled to make representations about the appropriateness of that decision.

10.5 The result of the hearing will be either to confirm the sanction or substitute any outcome that was available to the panel conducting the hearing at which the sanction was imposed on you.

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

11 Data protection

11.1 We process any personal data collected during the performance improvement procedure in accordance with our Data Protection Policy. Any data collected is held securely and accessed by, and disclosed to, individuals only for the purposes of completing the performance improvement procedure. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with our data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under our disciplinary procedure.

12 Review

12.1 This policy may be reviewed at any time at the request of any member of staff, but it will be automatically reviewed two years after initial approval and thereafter on a biennial basis unless organisational changes, legislations, guidance, or non-compliance prompt an earlier review.

13 Definitions

13.1 Cliff College ("we", "us", "our")

13.2 The Employee ("you")

Document control box

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