

POLICY/PROCEDURE: Performance Management Policy

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Approved By: Executive Director of Shared Services

Lead Director: Director of People and Culture

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Associated Documents: Code of Conduct for Colleagues; Disciplinary and Grievance Procedure; Apprenticeship Agreement; People Policy

1. Purpose & Summary

Performance Management is a continuous process that should be used to develop colleague's skills and competence, it can create an engaged workforce and can realise significant benefits through the achievement of individual goals which are linked to broader organisational objectives.

We recognise that colleagues work hard to deliver an excellent level of service to both internal and external customers. The purpose of this policy is to provide guidance on the effective use of the Group Performance & Development Review process, and to define a fair and consistent means of dealing with situations where job performance does not meet the expected and required standards.

This policy applies to all colleagues whether full or part time, fixed-term or permanent. This guidance may apply to those in their probationary period in terms of normal Performance Development guidance however matters relating to unsatisfactory performance during probation should be considered under the Probation Policy. This document is intended only as a statement of Company policy and of guidelines for management. It does not form part of the Company's terms and conditions of employment or otherwise have contractual effect.

Where a colleague's under-performance is believed to be the result of deliberate negligence, or where serious errors have been made to the detriment of the organisation, the organisation may decide to use its disciplinary policy instead.

In all cases, specific advice on applying this policy must be sought from the People Services Team.

2. Performance Expectations

The performance expectations for all colleagues should be set by their manager as soon as they join the Group, or if they have recently moved roles as soon as they begin their new job. As part of the induction process, line managers should meet with their new team member and clearly explain to them the requirements for the role, to outline the standards for acceptable performance and to set goals and objectives.

It is important that the expectations are clearly understood by both parties and where there are any role specific development needs that a plan for supporting the colleague to achieve competence is identified at the outset.

Line managers will ensure that every member of their team has a clear understanding of:

- The vision and objectives of the Group
- Their role in supporting the Group to achieve our objectives
- The skills and competence required to complete their own role
- The standards of performance expected of them
- What their development needs might be and how they can achieve them
- How they are currently performing
- What they might need to do if there are any concerns about their performance

Colleagues have a responsibility to perform their duties to the required standard of competence, deliver against measurable objectives and to do this in accordance with Our

Riverside Way. Job requirements are captured in job descriptions which may change or develop over time. The company will provide resources, facilities and support to enable colleagues to deliver excellent performance, with Managers communicating evolving performance expectations as they arise.

3. The Performance Development Review (PDR) Process - 'My Performance Review'

Effective performance & development relies on the continual monitoring of performance and active discussion about development should form a fundamental part of the relationship between a colleague and their line manager. This should be a two-way process whereby individual colleagues can reflect on their performance, identify any development needs and continually work towards personal and organisational objectives. Line managers will support this process by helping a colleague to achieve their objectives through suitable development, mentoring or support.

Regular feedback is extremely important and the performance management system will provide a mechanism for colleagues to self-reflect on their recent performance and provide an opportunity for conversations to occur between colleague and their manager to recognise good work, review objectives or to identify and address problems early on. The PDR process will help colleagues understand possible options for improving performance and take the necessary action through supportive interventions.

The Performance & Development Review (PDR) Cycle

The PDR process typically has four elements and is referred to as 'My Performance Review':

- **Initial goal setting and planning** – the initial meeting takes place at the beginning of the financial year following a colleague's end of year review. During this meeting, the manager and colleague will set objectives for the year ahead and identify any learning & development opportunities that may be required to ensure that the skills and competencies are in place to meet objectives. The objectives set should be SMART (specific, measurable, attainable, realistic and time bound) and correlate to colleague's job description. Where a colleague commences their role part way through the year, the initial goal setting would take place upon commencement of their new role and goals will be set for the remainder of the financial year.
- **Mid-year Review** – this review meeting takes place between October and December each year. The focus will be on reviewing progress to date against the agreed objectives from the initial planning meeting, a review of the colleague's performance, and a review of any learning or development completed to date and how the colleague is using learning to improve/support their performance. A mid-year rating will also be given against the evidence for objectives, overall performance and learning plans.
- **End of year Review** – the end of year conversation takes place in April to June and is a review of the progress made towards the agreed objectives, overall performance and learning plans. During this review an overall performance rating will be discussed and agreed with the colleague.
- **One-to-one Meetings** – Regular meetings where colleagues will discuss their current work with their manager. This is a two way conversation and the discussions should

cover progress on goals and any development needs or concerns. If the colleague believes they have any support or training needs they should raise these with their manager through the one-to-one discussion.

One-to-one meetings provide a specific opportunity for the line manager to recognise achievement, provide feedback and highlight any performance concerns that they have observed. Where a manager has concerns they should clearly explain these concerns to the colleague so they can be openly discussed. The discussion should include identification of any additional support, development or training required. The discussion and resulting action points should be focused around supporting the colleague to achieve their objectives.

One-to-ones will usually take place 4-6 weekly, and no later than every 8 weeks. This allows for a timely discussion to take place between the manager and colleague and enables appropriate help and support to be identified.

During the course of the year the need for new tasks may arise and priorities may change. Any changes should be recorded against the colleague's performance record/objectives. Appropriate notes should be made and agreed between a manager and a colleague of one-to-one meetings – this could be updates made within specific objectives or a separate notes recorded and retained between a manager/colleague.

The PDR cycle enables colleagues to demonstrate competence in their role and to provide a supportive/structured process that facilitates the development of individual colleagues and the organisation as a whole. This process will include the setting of objectives and the assessment of performance against a rating scale (as shown below). There will be an expectation that as part of the One-to-One meetings and Mid/End of Year Reviews that line managers/colleagues will review the appropriateness of set objectives – this could include the consideration of any factors which may have prevented a colleague from meeting an objective due to mitigating circumstances such as sickness, maternity leave, or other unforeseen events in the workplace for example.

Where an colleague has concerns over a rating they have received they are entitled to discuss this with their first or second line manager in the first instance and will have the opportunity to record their concerns in writing within the 'My Performance Review' form. If the colleague's concerns remain following review by their manager/second line manager, they should contact the People Services Support Team and/or their Union Representative who can provide further advice and outline the options available to the colleague.

The rating scale that will be used during the mid and end-of-year reviews is as follows:

Rating	Description
1 – Below Expectations	Does not meet the objectives for their role despite the provision of support, training, development and appropriate time to evidence performance
2 – Working Towards	Has not been in role/performing this activity long enough to comprehensively assess performance. Indications are that the colleague is working towards their objectives
3 – Meets Expectations	Meets objectives for their role

4 – Exceeds Expectations	Performance has exceeded the expectations of the role
5 – Role Model	Performance has significantly and consistently exceeded the expectations for the colleague's role.

4. Identification of Performance Issues

Performance issues will often be identified during the 'My Performance Review' process, during one-to-one meetings or through line manager observation. When a line manager identifies that there is a gap between the 'expected standard of work' and the 'actual standard of work' for a member of their team it is important that they communicate this to the colleague, re-iterating the required standards and expectations to the colleague to allow them a reasonable opportunity to improve.

The one-to-one meeting will usually be the appropriate forum for the manager to introduce the concerns that they have identified to the colleague. The conversation should be conducted in the format of a two way conversation between the colleague and the line manager. Both should discuss the issues identified and how to resolve them alongside any support or assistance required by the colleague to facilitate them in achieving the expected standard. This conversation should take place without delay. As such the line manager may need to consider bringing forward the date of the colleague's one-to-one where appropriate.

The line manager should not implement a Performance Support and Improvement Plan (PSI) without following these initial steps.

Under-performance will usually also be identified where an objective is rated as '1 – Below Expectation' within the 'My Performance Review' process.

It is essential before considering any further action to address a performance issue that appropriate support, advice and training has been provided to the colleague to help them to achieve the requirements or objectives of their role. Appropriate support and advice will usually be sufficient to address most performance issues.

Performance Conversations

This section will explain the process that managers should follow to understand the cause, or contributing factors for a performance issue and to outline the stages that will assist a colleague to improve their performance.

4.1 Information Gathering to inform a 'Performance Conversation'

When under-performance has been identified as part of the 'My Performance Review' process, line managers should explore the specific circumstances that have contributed to the performance issue. This investigation will include a review of recent work or performance measures and through discussion of the issues with the colleague. This investigation could result in different outcomes including no further action, provision of additional support or training where a gap or deficiency has been identified or convening of a 'Performance Conversation.'

On occasion the initial investigation may indicate that the issues identified are conduct related, rather than performance related. Where this is the case the matter should be handled under the disciplinary policy. Where the manager is unsure whether to progress

the matter under conduct or performance, they should seek advice from People Services Support.

Before convening the 'Performance Conversation' meeting, the manager should gather the specific information they require to enable them to have an informed conversation with the colleague about the performance concern(s) identified. The manager may wish to review the following resources in preparation for the performance conversation:

- Records of previous one-to-one discussions with the colleague – the purpose of this review is to highlight any concerns that may have already been brought to the attention of the colleague and any actions previously agreed
- The colleague's current job description – to ensure that both line manager and colleague have a clear and coherent understanding of job role and performance requirements
- Training records – to understand what training the colleague has received and any additional or refresher training that would be beneficial to them
- Current and previous performance review documents – to provide an indication of previous performance levels and establish any historical performance issues
- A copy of SMART objectives set for the colleague

As soon as the manager has gathered all of the necessary information to inform an open discussion with the colleague, they should provide a written invitation to the Performance Conversation meeting which outlines to the colleague the nature of the problem(s). The colleague will be invited to an informal meeting to discuss concerns regarding their performance, with an opportunity to request further training, development or support. They should be provided with a copy of their Job Description in advance of this meeting and be provided with sufficient notice to prepare for the meeting.

4.2 Format of the 'Performance Conversation'

This is an informal meeting with a focus on achieving clarity of understanding over performance expectations, setting of goals and timescales for improvement and the definition of support that will be provided by the line manager to support their team member to achieve the required standards for their role.

The discussion should take the format of a one-to-one conversation between the line manager and colleague and should focus on:

- ensuring that the colleague has a clear understanding of the performance concerns(s) identified
- Providing an opportunity for the colleague to respond to the concerns identified and disclose any factors that they feel could be impacting their performance. For example - If a colleague is experiencing performance issues as a result of a medical condition that is considered a disability, the line manager should explore whether there are any reasonable adjustments to the person's role and/or working environment that would alleviate these issues. The line manager should consider

an occupational health referral to help understand the areas of difficulty for the colleague and any adjustments that should be considered. Line managers should contact People Services for advice on specific circumstances.

- Identify and agree specific improvements and set a timeline to review and assess progress.
- Identify and agree any support and assistance that the line manager and/or organisation can provide to help raise the colleague's level of performance in relation to the concerns identified.

The Performance Conversation is intended to be a supportive and constructive discussion between a colleague and their line manager. As a result of the conversation the colleague should feel reassured that they, the manager and the Group are jointly responsible for facilitating the colleague to achieve the improvements required. As such the Performance Conversation will usually occur without the need for colleague representation.

If, in exceptional circumstances, it becomes clear that the matter is more serious than anticipated or the colleague feels that the meeting is becoming formal, the colleague may request that the meeting is adjourned and reconvened with a companion present.

4.3 Recording Support Measures within a Performance Support and Improvement Plan (PSI Plan)

Each Performance Conversation will identify a wide variety of contributory factors that may have led to the performance issue(s). During the Performance Conversation line managers will agree with the colleague a shared understanding of performance expectations and to discuss the support process that will be undertaken over the coming months to improve performance.

These supportive measures will usually be recorded in a Performance Support and Improvement Plan (PSI). If it is deemed appropriate by the manager to issue a PSI Plan, this will be issued to the colleague along with a letter confirming that the discussion has taken place and the date of the next review. The line manager and colleague should continue to meet regularly to monitor the colleague's progress.

The colleague should be reminded that the PSI is an informal measure however continued under performance issues could result in formal disciplinary action being taken against them.

The duration of a PSI should allow a reasonable amount of time for the colleague to make the improvements required and demonstrate their ability to sustain working at this level. The duration of the PSI should allow the manager sufficient opportunity to reasonably assess whether formal action is required (at least 3 months). Line managers should hold regular reviews/counselling sessions with the colleague during the course of the PSI Plan to ensure that the support is appropriate and that development is ongoing. It is recommended that review sessions are held at least on

a monthly basis however more frequent reviews may be appropriate with each case assessed on its own merits.

If by the end of the PSI period the colleague is able to demonstrate that they have improved and maintained their performance to the required standard then no further action will be taken and the colleague's performance will revert to being monitored through one-to-one discussions and the normal 'My Performance Review' process.

In some circumstances, line managers may decide following the 'Performance Conversation' that additional support/development should have been provided by the organisation (i.e. if expectations had not been clearly communicated to the colleague, or if an essential training course was not provided to the colleague). In these circumstances, the line manager may decide that the development can be managed through the 'My Performance Review' process rather than through a PSI Plan.

5. Managing Unsatisfactory Performance (Formal Action)

If at the end of a Performance Support and Improvement Plan (PSI), performance issues still exist then line managers may wish to escalate the performance issue(s) for consideration at a formal level.

The procedure for managing performance issues will follow the same stages as the disciplinary policy and action could eventually result in dismissal if the colleague continually fails to make the necessary improvement. Managers should recognise that any formal action has the aim of achieving an improvement in capability/performance as well as safeguarding the interests of the Group.

Once the manager decides that formal action is appropriate they should advise the colleague in writing of the date, time and location of the Capability (Performance) meeting and enclose the bundle of evidence. If the case could result in potential dismissal, the colleague should be informed.

Colleagues have a statutory right to be accompanied by a companion where the capability meeting could result in:

- A formal warning being issued
- The taking of some other disciplinary action, or
- The confirmation of a warning or some other disciplinary action (appeal hearings).

In addition, the manager should allow the companion to have a say about the date and time of a hearing. If the companion cannot attend on the proposed date, the colleague must advise their manager at the earliest opportunity to avoid unnecessary delays and can suggest a reasonable alternative date and time when they and their companion are available.

5.1 First Formal action (Unsatisfactory Performance)

If the colleague does not achieve the expected standards of performance within the agreed timeframe then the line manager should consider sharing an invitation to attend a 'first formal action meeting'. The meeting will usually be chaired by the colleague's line manager/an independent manager (in line with the Discipline Policy).

The colleague will be invited to attend the Hearing in writing. The invitation will set out where the manager believes that the colleague's performance still falls short of an acceptable standard and any evidence that has informed the manager's view. The colleague will be supplied with copies of any evidence to be discussed within 5 days of the meeting taking place. The hearing will usually be conducted by the line manager and the colleague will be entitled to be accompanied by a companion or a trade union official. At the meeting, the colleague will have the opportunity to respond to the points raised and put forward any evidence in support of their case.

The outcome of the hearing may be a decision to:

- **Take no further action** if performance is recognised to be of an acceptable standard;
- **Issue another Performance Support and Improvement Plan (PSI)**; this would usually be appropriate where the line manager considers that reasonable improvements have been made but some outstanding performance concerns remain.
- **Issue a formal warning to the colleague.** This will usually be limited to a First Written Warning (Improvement Note). The outcome letter must advise the colleague of the decision made and the reason(s) behind it. The letter should also make clear to the colleague the improvement(s) required and the timescale in which the line manager expects them to be made (this will often be an updated PSI Plan attached with the letter). Any additional support or training to be provided should also be documented in this letter. The colleague should be advised in the letter of the potential for further disciplinary action if the required improvements are not made.

The colleague and line manager should meet on either a monthly or quarterly basis to review the colleague's performance with reference to the warning and any improvements contained within. If the line manager is satisfied that the colleague's performance has improved to a satisfactory level at the end of the 12 month period no further formal action should be taken.

A 'First Written Warning' will remain live for a period of 12 months from the date it is issued.

Where a colleague is issued with a formal warning in accordance with this procedure, they will have a right of appeal.

5.2 Final Written Warning

If a colleague has a current live warning for performance and they continue to fail to make the required improvements detailed in the outcome letter following first formal action, further performance issues emerge or if performance deteriorates, the colleague should be invited to attend a further hearing. The meeting will usually be held by the colleague's line manager/an independent manager

A potential outcome of this meeting is that the colleague can be issued with a 'Final written warning' and will remain live for a period of 12 months from the date it is issued.

The colleague will be invited to attend the Hearing in writing. The invitation will set out where the manager believes that the colleague's performance still falls short of an

acceptable standard and any evidence that has informed the manager's view. The hearing will be conducted by the line manager and the colleague will be entitled to be accompanied by a companion or a trade union official.

Following the meeting the colleague should receive an outcome letter advising them of the decision made and the reason(s) behind it. In the event that a final written warning is issued, the letter should also make clear to the colleague the improvement(s) required and the timescale in which the line manager expects them to be made. Any additional support or training to be provided should also be documented in this letter. The colleague should be advised in the letter of the potential for further disciplinary action if the required improvements are not made.

The colleague and line manager should meet on either a monthly or quarterly basis to review the colleague's performance with reference to the 'final written warning.' If the line manager is satisfied that the colleague's performance has improved to a satisfactory level at the end of the 12 month period no further formal action should be taken.

Where a colleague is issued with a final written warning in accordance with this procedure, they will have a right of appeal.

5.3 Dismissal Hearing

If whilst on a final written warning for performance the colleague fails to make the required improvements detailed in the final written warning outcome letter, further performance issues emerge or performance deteriorates, the colleague should be invited to attend a final hearing.

The hearing will be conducted by a senior manager authorised to make dismissal decisions, accompanied by a People Services representative. The colleague will be entitled to be accompanied by a "Companion". At the meeting, the colleague will have the opportunity to respond to any criticisms made of his/her performance and make representations about how the situation should be treated.

The outcome of the meeting may be:

- a decision to take no further action;
- the issuing of another performance management warning;
- an offer to redeploy the colleague to alternative work (action short of dismissal – see below); or
- a decision to dismiss the colleague.

Where a colleague is dismissed in accordance with this procedure, they will have a right of appeal.

5.4 Action Short of Dismissal

In exceptional circumstances where the manager does not feel that dismissal is justified due to mitigating circumstances they may consider 'Action short of dismissal' This may include giving consideration to whether the colleague should be demoted or moved to another a position better suited to their capabilities.

On occasion in a disciplinary or performance hearing when a case is serious enough for dismissal to take place a colleague may present mitigating circumstances that warrant an action short of dismissal. In these cases it may be appropriate to consider a demotion, which will result in a reduction in pay, along with a lower level of disciplinary warning. In addition a sanction may be that the individual will not be able to take part in the annual salary increase whilst the warning is live. Once the warning is spent the pay rise is awarded but not back dated. This must be agreed with the individual and the colleague should be informed of their right of appeal and how to do so.

Any offer to redeploy the colleague will be entirely at the organisation's discretion. Such an offer will be made only where the organisation is confident that the colleague will be able to perform well in the redeployed role. It will normally be offered only as an alternative to dismissal in circumstances in which the organisation is satisfied that the colleague should no longer be allowed to continue to work in their current role. While the colleague is free to refuse any offer of redeployment, the only alternative available will usually be dismissal.

If the organisation believes that there is no alternative role available and suitable for the colleague, but that they have not met an acceptable standard of performance, the organisation may decide to dismiss. Any dismissal will be with full notice or payment in lieu of notice. The decision to dismiss together with the reasons for dismissal will be set out in writing and sent to the colleague.

6. Appeal

With every formal hearing decision that results in a warning or sanction the manager should advise the colleague in writing about their right of appeal. The opportunity to appeal against a capability (performance) decision is essential for ensuring that colleagues are treated fairly and consistently.

A request for an appeal should be sent in writing by the colleague and should set out the grounds on which the colleague believes that the decision was flawed or unfair. The request should be sent within seven calendar days of the colleague receiving written confirmation of the sanction imposed on them by the organisation. The manager to whom the appeal should be sent will be detailed within the colleague's outcome letter.

Colleagues can raise appeals on various grounds, for example:

- If new evidence comes to light.
- If the colleague feels that the finding or penalty is unfair or unreasonable
- If the colleague feels that the disciplinary/performance procedure wasn't followed correctly.

An appeal has the potential to remedy the defects the colleague perceives in the original procedure and is not a re-hearing of the full capability (performance) meeting. An appeal must never be used as an opportunity to punish the colleague for appealing the original decision, and good practice is that it should not result in any increase in penalty as this may deter individuals from appealing.

An appropriate person to hear the appeal will usually be a manager at the level above the manager who made the original decision with a member of the People Services team, where appropriate. The purpose People Services presence is to ensure the procedure is fair and the decision reached is consistent. The colleague should be advised that they can exercise their right for a companion to attend. The appeal hearing will provide the colleague with an opportunity to present their case. The Group cannot bring any additional evidence against the colleague to this hearing, although it may be possible further investigations are undertaken after the meeting due to the fact that the colleague has provided further evidence to support their appeal.

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

Responsibilities & Accountability

All colleagues - the Group expect colleagues to actively take steps to understand and focus on agreed objectives and keep up to date with the needs of the business/job. Colleagues should take ownership for developing and maintaining their skills and abilities (to further their progression and improve performance).

Colleagues and line managers should work collaboratively to ensure continuous improvement in performance. All colleagues should show respect for others in the workplace and customers and respect the confidentiality of company information and treat it appropriately. Colleagues should be responsible for their Health and Safety and that of their work colleagues.

Line managers - These managers set expected standards of performance in line with the procedures referred to in this policy. They are also responsible for briefing colleagues about the behaviours developed for the Group. They are also responsible for dealing with individual colleagues whose conduct, capability, or attendance is below the accepted level set by the Group and can deal with a disciplinary up to final written warning.

Second line managers (senior managers) - These are managers who are at least one grade above the line manager and have experience of dealing with conduct, performance and attendance issues. They are the decision makers where a dismissal with notice or without notice for a gross misconduct issue if required.

People Services - People Services provides specialist advice and support to line managers ensuring that the Group procedures are correctly applied and individuals are treated fairly. It offers advice to colleagues/managers in relation to policies and procedures.

Colleagues Companion - The companion may be:

- a fellow worker (i.e. another of the employer's workers)
- an official employed by the trade union
- a workplace trade union representative, as long as they have been reasonably certified in writing by their union as having experience of, or having received training in, acting as a worker's companion at disciplinary or grievance hearings; they are also able to access professional advice from the union

The companion should be allowed to address the hearing in order to:

- put the colleague's case
- sum up the colleague's case
- respond on the colleague's behalf to any view expressed at the hearing

The companion can confer with the colleague during the hearing. It is good practice to allow the companion to participate as fully as possible in the hearing although the employer is not required to permit the companion to answer questions on the colleague's behalf, or to address the hearing if the colleague does not wish it, or to prevent the employer from explaining their case.

Equality and Diversity

Riverside is committed to equality and strives to be fair in its dealings with all people, communities and organisations with which it has relationships and take into account the diverse nature of their culture and backgrounds.

Equality and Diversity is a cross cutting theme that runs through all of Riverside's corporate objectives. It is also key to the Group values of focusing on customers and the workforce, and respecting every individual. It is acknowledged that central to the continuous improvement of Riverside's activities is a requirement to understand the diversity of customers and their views and needs.

Our policy covers all aspects of equality including race, religion or belief, gender, gender identity, marriage and civil partnership, pregnancy and maternity, sexual orientation, disability and age and applies to everyone who receives a service from Riverside and to everyone who works for it. It is also relevant to anyone who encounters discrimination for any other reason. A full version of the Equality and Diversity Policy is published separately on the Intranet.

Document Control

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Category of Change	Tick Box
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Quality Assurance

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Approval

Approver	Tick Box
Director of People and Culture	✓
UNITE Convenor	✓

Reviewed for compliance and to amend 'Human Resources' to 'People Services'