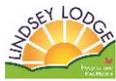


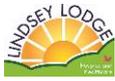
**LINDSEY LODGE HOSPICE & HEALTHCARE**

# **MANAGING PERFORMANCE POLICY & PROCEDURE**



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## **1. Introduction**

This document sets out a fair, consistent procedure to be followed for the operation of performance management. It is recognised that from time to time staff may experience difficulties which impact upon their ability to undertake their work. Line managers will endeavour to establish what may be causing the dips in performance on an informal basis prior to the formal processes outlined in this document being applied.

This policy and procedure should be applied when performance issues arise which include skills, capability, knowledge and aptitude of employees. These issues can be clearly distinguished from conduct issues which are managed under the Disciplinary Policy or underlying health issues affecting performance which will be managed under the Hospice's wellbeing and sickness absence management policy. This procedure is designed to assist where poor performance indicates a lack of ability or skill and to provide an environment in which such issues can be addressed constructively in the interest of all parties.

This policy applies to all employees of Lindsey Lodge Hospice and this includes those on temporary and fixed terms contracts. Employees who are subject to the standards of performance laid down by professional bodies e.g. NMC, GMC, HCPC are advised that the Hospice also has a duty to report serious instances of performance that is below-standard to that appropriate body. Any employee that the Hospice considers should be referred to their professional body, will be advised by their manager that such a report is being made by the Hospice.

## **2. Responsibilities and Accountabilities**

### **2.1. Chief Executive Officer.**

The Chief Executive Officer has ultimate responsibility for the implementation of this policy. The CEO will ensure that this policy is approved by the Board of Trustees.

### **2.2. Line Manager**

To ensure that the employee has clarity of their role, a copy of their job description, receives adequate supervision and training, provides regular feedback to individuals on their performance and, when required, can effectively manage employee performance issues in accordance with this policy.

### **2.3. The Workforce Department.**

To ensure the principles set out in this paper are applied fairly and to provide advice to line managers and individuals in connection with any queries arising from the application of this policy and procedure.



## 2.4. Workforce Committee

The Workforce committee will review and agree this policy and will receive quarterly reports on the numbers of formal performance management issues for monitoring purposes and to direct future workforce strategy.

## 2.5. Who is covered by the procedure?

This procedure applies to all employees and bank workers regardless of length of service. The policy does not apply to agency workers or self-employed contractors.

A separate process will apply in respect of volunteers who do not have a contract of employment with the Hospice. In any instance where a volunteer's performance is causing concern early discussions will take place between the manager responsible and the individual. In some circumstances it may be inappropriate for them to continue with in their role but no volunteer should be released without proper consultation between the volunteer and Line manager, taking into account where appropriate, corrective action such as additional training or reassignment. Arrangements for how potential concerns regarding Volunteers performance will be addressed are set out in the Volunteering Policy.

## 3. Principles

It is the intention of the Hospice that, wherever possible, managers should take all reasonable steps to support an improvement in an employee's performance before escalating to the formal stages. This is on a one-to-one basis between the line manager and the employee. It is essential that the manager gathers evidence of potential gaps in performance before meeting the employee in an informal setting. It is also essential that managers use a baseline of expected levels of performance/delivery for the role in question, and if applicable the benchmark being achieved by others in the same or similar role. Managing performance is an ongoing responsibility which should be supported by regular feedback and annual appraisals (PADRs).

## 4. Informal Stage – Line Manager

### 4.1. At the informal stage of the procedure managers should meet with the employee and:-

Clarify the standards required

- Discuss performance improvements and expectations of the role
- Ascertain if the employee acknowledges that there is a problem
- Listen to the employee
- Examine the causes of poor performance and determine appropriate support which can be provided wherever possible
- Take notes which are signed by both parties and copies provided after the meeting



- Agree actions/action plan giving a clear outline of expectations
- Record any mitigation and whether any support has been declined
- Agree a period of review – a minimum of 1 month up to a maximum of 3 months, with review meetings held regularly

#### 4.2. Informal Review

This meeting may confirm that the employee has improved his/her performance sufficiently. Where this is the case a meeting will be conducted by the line manager who conducted the original informal meeting, who will also confirm the outcome to the employee in writing.

Before a review meeting can take place the manager must ascertain by reviewing the action plan whether there has been:-

- an improvement in performance OR
- no discernible or satisfactory improvement in performance.

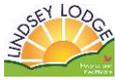
If no marked improvement has been made the employee should be informed that the process will escalate to Formal Stage 1, in the informal review meeting. A Formal Stage 1 meeting should be arranged as soon as possible, but certainly no later than 14 working days after the date of the review meeting. If an individual is being managed under the formal stages of the performance policy then their pay progression may be deferred. Where a deferral is to be applied the individual will be notified of the possibility of deferral in the letter confirming the outcome of a formal performance management meeting.

## 5. Formal Stage1 Meeting – Line Manager & Workforce Representative

#### 5.1. The formal stage 1 meeting should:-

Be conducted by the employee's line manager with support from a member of the workforce department. The employee is welcome to be accompanied by a representative from a Trades Union, Professional Organisation, or a work colleague throughout any of the formal stages outlined.

- Detail the problem with specific examples
- Provide an explanation of the standard of performance expected
- Consider additional training or development needs identified, how and when this will be provided
- Confirm the period of time allowed for the improvement to take place – being a minimum of 1 month up to a maximum of 3 months, with review meetings held regularly
- Confirm the date that the employee's performance will be reviewed
- Provide an explanation of the next stages of the procedure



5.1.1. Through the Formal Stage 1 meeting, the manager must ensure that the employee is able to understand that the issue is sufficiently important to warrant this level of attention and support. It is important to continue to give feedback during the intervening period.

5.1.2. Following the Formal Stage 1 Meeting the line manager should provide the following to the employee in writing

- details of the problems or difficulties and actions taken to date
- confirmation of the performance level and standards required
- Details of any further training or development needs identified and how and when this will be provided
- The period of time for the improvement to take place
- A date the position will be reviewed
- Alternatives which have been explored, and the outcome of these
- That failure to reach the required standards will mean moving to the final stage (Stage 2) and could ultimately result in dismissal on the grounds of capability due to poor performance.

## 5.2. Formal Stage 1 Review – Line Manager & Workforce Representative

5.2.1. Before a review meeting can take place the manager must ascertain by looking at the action plan whether there has been:-

- a marked improvement in performance OR
- no discernible or satisfactory improvement in performance
- A meeting should be arranged as soon as possible to review the above and if no marked improvement has been made then inform the employee that matters will be escalated to Stage 2

5.2.2. During the Meeting

It is important to confirm to the employee at this meeting, where it is appropriate to do so, that they are now performing at the required standard and that this is good progress. It should be reinforced that they must continue to deliver their duties to this standard and be made aware that should the standard of their performance fall within the following 12 months they will re-enter the procedure at this point, pending discussion of any mitigating circumstances.

If a further period of time is agreed to improve current performance, it should be set out to the employee that continued failure to improve his/her performance may ultimately result in dismissal on grounds of capability due to unsatisfactory performance. The focus however should be on supporting individuals to reach a satisfactory standard of performance.



### 5.2.3.Re-deployment

It may be appropriate at this stage to discuss the possibility of re-deployment with the employee.

### 5.2.4.Downgrading

If the employee has recently been promoted and is unable to perform at the higher level then a return to the previous pay grade (together with the relevant salary/conditions) should be considered, if available. If downgrading occurs then the right of appeal must be offered.

### 5.2.5.Following the Meeting the line manager should provide the following to the employee in writing:

- Details of the problems or difficulties and actions taken to date
- Confirmation of the performance level and standards required
- Details of any further training or development needs identified and how and when this will be provided
- The period of time for the improvement to take place
- The date when the position will be reviewed
- Alternatives which have been explored, and the outcome of these
- That failure to reach the necessary standards will mean moving to the final stage (Stage 2) and could result in dismissal on the grounds of capability due to poor performance.
- That failure to reach the necessary standards could mean moving to the Stage 2 of the process and could subsequently result in dismissal on the grounds of capability due to poor performance.

### ***Stage2 review of performance (wording and stages to be reflected in flow chart)***

*5.3. Where following a period of monitoring performance has not improved and the manager intends to proceed to Stage 2 they should notify the employee of this decision in writing within 14 working days and invite them to a Stage 2 meeting. (Where performance has improved the manager should still meet with the individual to confirm progress and agreement to suspend the formal performance review process).*

*It is important that the employee is fully aware of his/her performance issues. A letter outlining the areas of concern where performance does not appear to have improved, together with supported documented evidence, should be sent to the employee as soon as possible before the Stage 2 Review Meeting. The employee should already be aware of the issues from the Stage 1 meeting, and should already be aware the review may proceed.*



5.4. *The stage 2 meeting will provide an opportunity to formally review progress and consider whether this is satisfactory and if there are any further training or development needs and how and when this will be provided. Where progress has been unsatisfactory the case will be referred to a senior manager to undertake a formal case review. A meeting confirming the outcome of the stage 2 performance review will be issued to the individual.*

## **6. Final case review.**

6.1. *If, despite all measures outlined above, the desired improvement has not been achieved then a meeting will be convened with a senior manager who will have the opportunity to review the processes applied to date and who will have the authority to dismiss as set out in the Hospice's Disciplinary Policy (Senior Manager or Chief Executive).*

6.2. *The employee will have the areas of concern set out and will be given an opportunity to respond to the points made including the opportunity to set out any areas of mitigation. Where an improvement has NOT been achieved then termination of employment may be considered.*

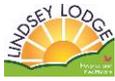
6.3. *Other possible outcomes could be:-*

- Final written warning and another review period
- Dismissal on the grounds of capability
- Re-deployment without pay protection
- Downgrading without pay protection

6.4. Any dismissal must be confirmed in writing to the employee and the employee offered the right of appeal. Appeals must be made in writing to the Chief Executive and made within 14 days of receipt of the written letter confirming termination of employment. Appeals against the termination of employment on the grounds of capability will usually be convened within 4 weeks of the date of the submission of the appeal and the appeal panel will consist of three Trustees.

6.5. Where it is necessary to dismiss under this procedure, it is vital to ensure that the procedure has been carried out objectively and fairly, taking special care to ensure that no potential issues of discrimination arise. To ensure the Hospice complies with these requirements it is essential that:-

- Comprehensive records of all discussions/meetings have been kept throughout the process and copies provided to the employee
- The improvements required from the employee are reasonable in terms of the needs of the job and the ability of the employee, and the time allowed for improvements are reasonable and realistic.
- Appropriate support has been offered to the employee e.g. training, mentoring, coaching and feedback.
- All of the stages in this procedure have been exhausted, and alternatives to dismissal or action short of dismissal have been fully considered.



## 7. Related Policies/Guidelines

- Disciplinary Policy
- Wellbeing and sickness management Policy
- Grievance Policy.
- Pay Progression Policy
- Raising concerns policy
- Annual Appraisal and Personal Development Review Policy
- Volunteering Policy

### REFERENCES:

ACAS ([www.acas.org.uk](http://www.acas.org.uk))

Chartered Institute of Personnel & Development ([www.cipd.co.uk](http://www.cipd.co.uk))

People Performance Management Toolkit ([www.nhsemployers.org.uk](http://www.nhsemployers.org.uk))

**Lead Author of Policy** - Jane Lacey-Hatton, Workforce Manager

**Responsible Sub-group** – Workforce (HR) Sub-group of the Board

**RATIFICATION DATE:** 26/06/18

Review interval: 3 years or sooner if required.

To Be reviewed	Review completed	By	Approved By	Circulation
June 21	February 2022	JLH	Workforce Committee	L: Policies, Guidelines & Procedures
February 2025				

# MANAGING PERFORMANCE

## Procedural Flowchart

Ensure robust induction process (corporate and departmental) - objectives/appraisal/regular feedback

Assess the unsatisfactory performance and specify concerns. If quantifiable/measurable then speak to the employee

**Performance - Informal Stage**  
Discuss concerns, document the conversation, reinforce standards required, agree action plan and support, agree review date

Has performance reached the required standard? No Yes

Invite employee to attend performance stage 1 meeting  
**PERFORMANCE STAGE 1**  
Discuss ongoing performance concerns, expected standards, support, alternative employment and mitigating circumstances. Agree Action Plan and Review date. Issue confirmation letter.

Has performance reached the required standard? No Yes

Invite employee to attend performance Stage 2 meeting  
**PERFORMANCE STAGE 2**  
Consider all of the available information regarding current v expected performance, consider options and alternatives. If no mitigating circumstances or alternatives available then convene a formal case review.

Yes

**Formal Case Review**  
Independent senior manager to consider options including the possible termination of employment. Individual has right of appeal.

**REQUIRED STANDARD OF PERFORMANCE ACHIEVED**  
Confirm to the employee that the required level of performance has been achieved and that this is good progress. Outline to further lapses in performance within the next 12 months may result in them re-entering this process at the point they exited, pending mitigating circumstances.