

## Developing Performance Policy & Procedure Academies

### Scalby Learning Trust

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| This policy was last reviewed on       | 12 <sup>th</sup> March 2019 |
| This policy is scheduled for review on | March 2020                  |

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**Policy produced for Academies under Local Management of Academies, together with Early Years providers under the HR service provision of North Yorkshire County Council.**

**Access: If you require this information in an alternative format, such as large type, audio cassette or Braille, please contact NYHR.**

## **Section 1: Scope**

- 1.1 This policy and procedure applies to all staff employed directly by academies where the establishment has adopted this policy, except those in the following circumstances:
- support staff within their probationary period
  - those on Apprenticeship schemes
  - for dealing with issues of misconduct, attendance or resolving issues at work, for which separate policies apply.
  - employees in the induction period of Newly Qualified Teachers (NQTs).
- 1.2 The policy has been adopted by the Governing Body of this Academy on the date shown on page 1.
- 1.3 If a concern or grievance is raised regarding any aspect of this Policy and the accompanying Guidance it should be dealt with as promptly as possible within this process. Matters should only be referred to be dealt with through the Resolving Issues at Work Procedure where they are not related to the application of this policy for that individual case. The expectation is that when dealing with such concerns the principles of the RIAW policy should be applied.
- 1.4 **Where reference is made to Manager within this policy, this could mean CEO, Headteacher, line manager, Head of Department/Faculty, Academy Business Manager, Trustee or Governor.**
- 1.5 When reading and applying the Policy, managers and employees should refer to the accompanying Guidance. Relevant sections of the Guidance are cross-referenced within Section 3 – Procedure.

## **Section 2: Policy Statement**

- 2.1 In most cases, where instances of underperformance are identified employees will be given the opportunity to address these initially through performance management. If and when necessary, the Developing Performance Policy and Procedure will be implemented followed by, where appropriate, the Capability Procedure. In appropriate cases, e.g. where the delivery of the service is significantly affected, the Capability Procedure may be invoked without first using the Developing Performance Procedure.
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- 2.2 Employees or anyone accompanying employees must not make any electronic recordings of any meetings or Hearings conducted under this procedure.
- 2.3 Managers are strongly advised to take advice from  
North Yorkshire HR (NYHR)  
North Yorkshire County Council, County Hall, Northallerton, North Yorkshire, DL7 8AD  
01609 798343  
[NYHR@northyorks.gov.uk](mailto:NYHR@northyorks.gov.uk)  
<http://cyps.northyorks.gov.uk/>

with regards to the application of this policy and at all stages of the procedure.

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### **Section 3: Right to be accompanied**

- 3.1 The Academy extends the right to be accompanied by a trade union representative/professional association or work colleague at all formal meetings of the Developing Performance Procedure e.g. initial and review meetings. The accompanying representative has a right to address the meeting but no right to answer questions on the employee's behalf.
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### **Section 4: Procedure**

- 4.1 **Identification of Performance Problems** *(Please refer to Guidance – Section 3)*

Concerns over an individual's job performance may arise through a variety of sources. Where normal performance management has not eliminated concerns line managers must be clear that there remain concerns regarding an individual's performance, and there is a pattern of underperformance sufficient to warrant dealing with the matter through the Developing Performance Procedure.

In such instances the manager will speak with the employee on a 1:1 confidential basis, asking them to attend an initial meeting to discuss the way forward. The manager will inform the employee of the areas of work performance to be discussed and follow this conversation up in writing. The employee will be given a copy of the Developing Performance Policy and Procedure, emphasising the supportive nature of the process.

Use model letter 1 to invite employee to the meeting.

In preparation for the meeting, the manager will produce a draft Support Plan and give it to the employee for consideration at the Initial Meeting.

*(Refer to Guidance regarding support mechanisms for improving work performance.)*

- 4.2 **Initial Meeting and Support Plan** *(Please refer to Guidance – Section 4)*

The manager should ensure that the employee understands that the intention of the process is to support him/her in achieving a sustainable satisfactory job performance. The employee should be given an overview of the entire process including all possible outcomes.

Following a full discussion of the issues raised, including the draft Support Plan, a structured Support Plan will be finalised and confirmed in writing

The manager should ensure that the employee understands that at the end of the Developing Performance process a decision will be taken concerning the employee's work performance and the consequences that may follow (i.e. transfer to the Capability Procedure in the case of failing to achieve a satisfactory improvement).

Use model letter 2 to confirm the outcome of the meeting.

4.3 **Timescales** *(Please refer to Guidance – Section 5)*

The length of the process should allow the employee sufficient time to receive support and demonstrate the necessary improvements without unnecessarily prolonging any detrimental effect on the provision of services

4.4 **Monitoring and Support** *(Please refer to Guidance – Section 6)*

Support and monitoring functions should be delivered by different individuals. The manager should speak to all who are involved in monitoring and support in order to confirm their roles and the timetable involved, emphasising the confidentiality requirements

4.5 **Review Meeting** *(Please refer to Guidance – Section 7)*

Following the period of support and monitoring a review meeting will be held in accordance with the timescale determined in the Support Plan. Any written evidence must be provided in advance of the meeting, with sufficient time for both parties to give due consideration of the content of the documents.

The employee should receive a letter from the manager prior to the meeting, confirming the date, time and venue, also asking him/her to bring any evidence he/she wish to present to the meeting.

Use model letter 3 to invite employee to review meeting.

At the review meeting the manager will discuss progress against the Support Plan using the evidence/feedback collected. The employee will be invited to respond.

After the discussion the manager will form a judgement as to which of the following three outcomes is appropriate: -

**i. Successful**

That the employee has achieved and maintained the required standards of job performance. Therefore, the Support Plan has been successfully concluded.

**ii. Partially Successful**

That the employee has demonstrated some improvement but not sufficient to fully satisfy all the required standards of the post. This will require a further period of support and monitoring with an updated Support Plan, followed by a further review meeting and subsequent decision. At this further stage it is likely that the decision taken will be either i) or iii), with a third period of support and monitoring being appropriate only in exceptional cases.

There may be occasions where specific targets are given greater weighting, and that if they are not achieved, despite others having been met, a decision is made that the individual has been unsuccessful, as per iii). In such situations, the individual will have been made aware, before the plan commenced, of the significance of certain targets, if applicable.

**iii. Unsuccessful**

That the employee has failed to show sufficient improvement in relation to the agreed targets, to satisfy the manager that the individual is capable of progressing to a satisfactory standard within the Developing Performance Procedure. This will result in a revised action plan, and further monitoring and support under the Capability Procedure, with immediate effect

Following the review meeting the decision will be confirmed in writing.

Use model letter 4, 5 or 6 to confirm the outcome of the meeting.

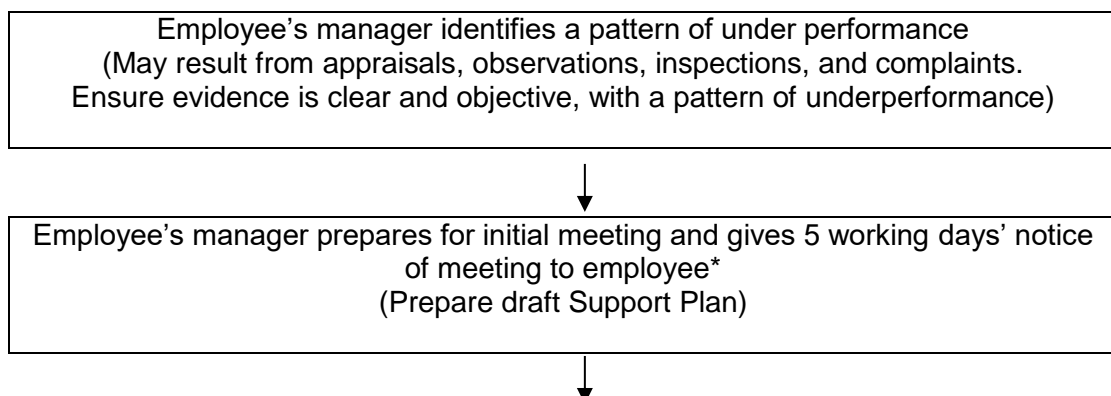
Model letter 4

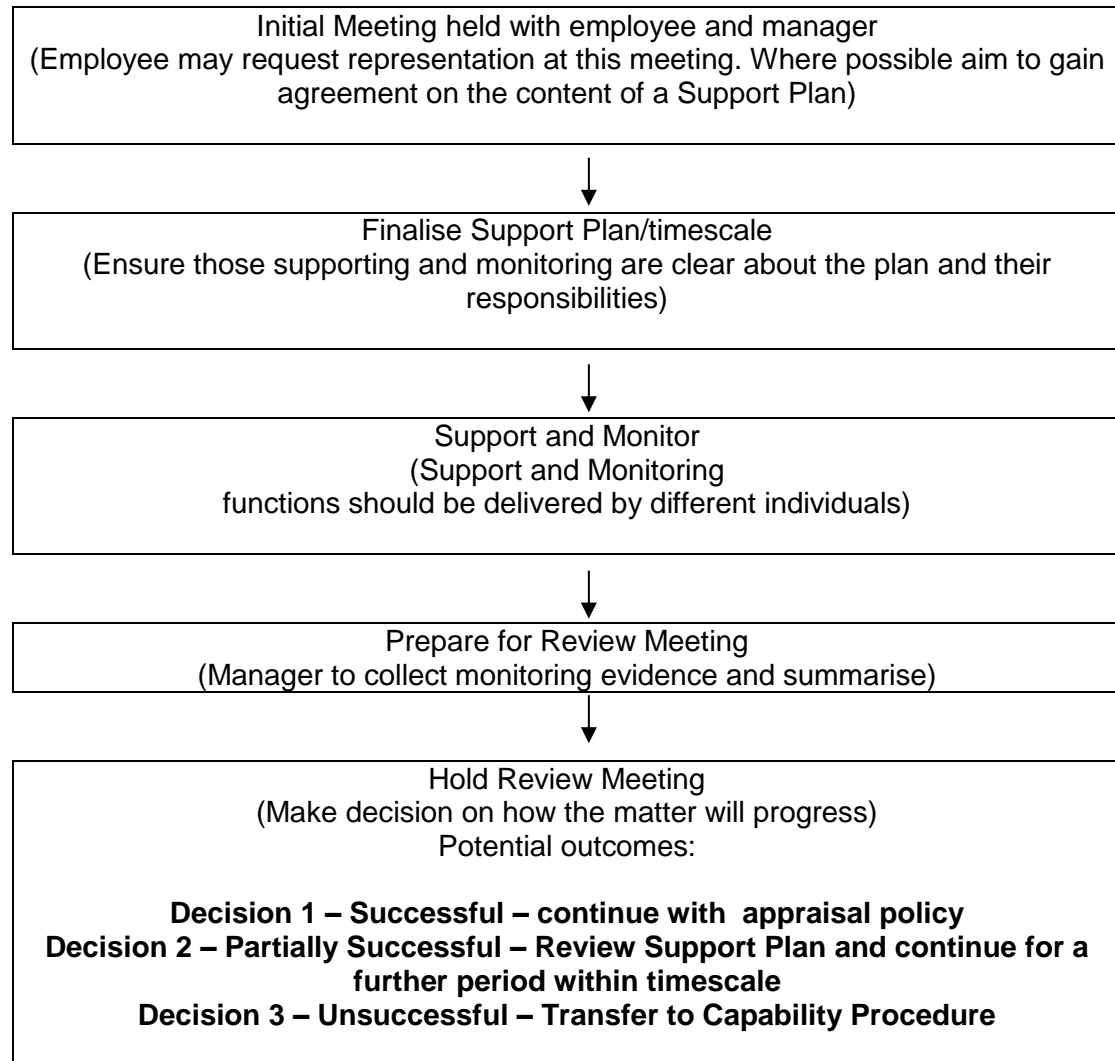
Model letter 5

Model letter 6

**4.6 Unavailability and Sickness Absence** If an employee is absent due to sickness during the Developing Performance process, the manager should determine the nature and likely duration of the absence. Advice may be sought from the Academy's Occupational Health provider regarding the employee's ability to take part in the process.

### **Section 5: Flow diagram for Developing Performance Procedure**





\* Clear records and notes of meetings should be taken and supplied to the employee for his/her comment and where possible his/her agreement. All documentation (letters, support plans etc.) should be stored securely.