

Guidance on supporting improved work performance

Highland Council

Introduction

The quality of services provided by the Council is heavily dependent on the work performance of every employee of the Council. The Council will develop and support all employees to maximise their level of performance at work and will assist them, wherever possible, to overcome barriers to achieving this.

All employees have a contractual responsibility to perform their duties to an acceptable standard and they should be given all reasonable support and encouragement to do so.

Managers will work to ensure that all employees are supported and developed to meet their full potential and carry out their duties to a high standard through their [Employee Review & Development](#) plan. The Employee Review & Development plan will be the primary tool for supporting employee work performance.

Where an employee's performance is unsatisfactory and it has not been possible to address this through the Employee Review & Development managers should follow this guidance.

The aim of this guidance is to support employees where there is a requirement for them to improve their work performance. Following this guidance ensures that all cases are dealt with consistently and fairly, with the prime objective of supporting the employee to improving their performance to the required level.

Any employee who is experiencing such difficulties should be offered support as appropriate including supervisory guidance training, coaching, mentoring, time off for medical treatment or some reasonable adjustment to their working arrangements.

At every stage HR Services and Learning & Development are available to guide and support managers. There is a [Performance Management Toolkit - Internal Link](#) available to support managing work performance.

Supported work improvement

When there is a concern that an employee is not performing at an acceptable level the manager should arrange a formal discussion with the employee.

A [template letter](#) inviting the employee to the meeting is available.
At this meeting the manager should:

- make clear the areas in which the employee's performance is below expectations, explaining the grounds for this view
- listen to and understand the employee's view of their performance
- underline their commitment to supporting the employee to improve their work performance
- work with the employee to investigate and identify any problems or reasons for their unsatisfactory performance
- encourage the employee to explain their performance and to raise any concerns they may have about the job, or the support and guidance they have been given to do it
- ensure that the employee is aware of the level of performance required in relation to each element of their duties and agree a timescale for review
- agree a [Performance Improvement Action Plan](#) and future review date with the employee
- make sure the employee understands that continued unsatisfactory performance is not acceptable and that if it does not improve it will be managed under the Council's formal procedures.

When discussing unsatisfactory performance, managers must be specific about their concerns and must give examples to support their concerns.

Solutions to support the employee's performance may include additional training, providing a mentor, coaching or some other kind of ongoing support to the individual.

Employees may be accompanied to this meeting if they so wish.

The content and outcome of this meeting should be confirmed by the manager in writing to the employee, including the type of improvement required, any additional support or training that will be provided, any other agreed actions and the timescale for improvement and review. This should be incorporated into a [Performance Improvement Action Plan](#).

A [template letter](#) summarising the meeting for the employee is available.

Reviewing a performance improvement plan

The manager should continue to support the employee throughout the period of the performance improvement action plan.

On the agreed review date the manager will meet with the employee to review the outcomes of the [Performance Improvement Action Plan](#). Where performance has improved to a satisfactory level the manager should acknowledge the good progress that the employee has made. The manager and the employee should identify any ongoing actions and solutions that should continue and work performance should revert to being managed in the normal way through the employee's Employee Review & Development plan.

Following review of the Performance Improvement Plan, if there is continued unsatisfactory performance the manager should explore with the employee the underlying reasons for this.

An employee's capability to carry out their role to the expected standard may be affected by their health and attendance record. Where underperformance is due to health or medical reasons this will be dealt with under the Council's [Attendance Management Policy & Procedure](#).

Where the unsatisfactory performance is not related to health the situation will be dealt with in accordance with the [Disciplinary Policy and Procedure](#).

Following review of the outcomes of the Performance Improvement Action Plan, if there is continued unsatisfactory performance, the manager should inform the employee that they will continue to support efforts to improve their performance. Also that they will be reporting the outcomes of the Performance Improvement Action Plan to a designated officer who will decide whether it is necessary to require the employee to attend a hearing under the Council's Disciplinary Policy & Procedure.

The manager's report to the designated officer should contain:

- a summary of the employee's performance including examples and evidence
- a summary of any action taken through the Employee Review & Development plan
- a copy of the Performance Improvement Action Plan and description on any progress made
- a description of measures taken to support the employee's performance
- details of the impact that the employee's performance is having on service provision

A copy of this report should be made available to the employee.

A [template letter](#) summarising the outcome of the meeting for the employee to is available.

Hearings

This guidance should apply to the first and any subsequent hearings.

The designated officer will review the manager's report. Where the designated officer believes that the employee's continued unsatisfactory performance is unacceptable they will write to the employee inviting them to a hearing under the Council's [Disciplinary Policy & Procedure](#).

The employee has the right to be accompanied by a trade union representative or a work colleague.

A [template letter](#) inviting the employee to the hearing is available.

At the hearing the employee's manager will act as the investigating officer.

Where it is possible that a final written warning will be given or punitive action taken (including dismissal), the Head of People & Transformation or his/her representative must be present at the hearing.

At the hearing the designated officer should consider:

- the manager's assessment of the employee's performance
- the employee's assessment of their own performance
- outcomes of the Performance Improvement Action Plan
- the measures taken to support an improvement in the employee's performance
- the further measures that should be taken to support an improvement in the employee's performance
- any mitigating circumstances raised by the employee

Having heard the evidence put forward the designated officer will decide on the appropriate course of action.

In reaching a decision the designated officer should consider:

- the seriousness of the underperformance
- the impact of service provision and work colleagues
- the progress made by the employee in improving performance
- the commitment of the employee to future sustained improvement

At conclusion of the hearing the designated officer will find one of the following:

- work performance is satisfactory and no further action is required
- work performance remains unsatisfactory but no formal warning is issued
- work performance remains unsatisfactory and a formal warning is issued
- work performance remains unsatisfactory and the employee is dismissed

The designated officer will inform the employee of the outcome of the hearing and their right to appeal where a sanction has been made.

Where a warning is issued the designated officer should inform the employee that their manager will continue to support improvement in their performance but that failure to improve to the required standard in line with their Performance Improvement Action Plan may result in a further hearing which may result in their dismissal from the Council.

Following the meeting the manager will meet with the employee to make arrangements to set a new review date for their Performance Improvement Action Plan and to make arrangements to continue supporting the employee.

The manager should consider any additional training or support that could reasonably be provided to the employee to enable them to reach the required standard of performance. The timescales in the action plan should be reasonable to ensure the employee has time to receive the support agreed and improve on their current performance.

The designated officer will not dismiss an employee for unsatisfactory performance at a first hearing.

Where it is decided to dismiss an employee the reason for dismissal will be capability or conduct depending on the nature of the underperformance.

Appeals

Employees have the right of appeal against all formal sanctions issued for unsatisfactory performance as set out in the Council's Disciplinary Policy & Procedure.

Document Control

Version	Date	Authority	Change
1.0	27.05.15	Partnership Working Forum / Resources Committee	New guidance
1.1	02.02.16		Changes to format and style to improve communication