

## **Purpose**

The SES Group assists new employees when they join us through a supportive induction and training programme. This continued assessment is maintained throughout their employment.

This policy is designed to support all staff to achieve and maintain appropriate standards of performance.

It is acknowledged that even though staff have access to a full training programme via the Academy there may be times further along in the individual's employment where their performance may fall below the expected standards.

Should the performance issue be due to a capability issue this policy will be used to help address any performance issues by providing a framework for managing underperformance in a fair and consistent manner.

The primary focus is that of improving performance to meet the standard required, by establishing guidelines for managers and staff when an employee's work performance falls below the required standard.

## **Scope**

This policy applies to all employees whose performance does not meet the required performance standards identified through the Academy or through line management. This is except for those employed under inherent terms and conditions of employment (TUPE) who instead must adhere to their respective performance management policy.

Employees who are in their probationary period will be managed through the Probationary Period Policy and Procedure.

If poor performance is due to misconduct the Disciplinary Policy and Procedure is the appropriate policy to use.

## **Introduction**

It is the policy of this company to assess training needs, to provide full and adequate Health & Safety and Task Based Training for all employees and to record dates and details of all Training Sessions held including induction training.

It is the policy of this company to ensure that each operational assignment is carried out only by personnel who are trained & competent in performing the role.

Employees are representatives of the SES Group whilst at work. Upon completion of initial training there is a certain standard of performance expected in order to promote a safe and respectful environment in which to work. The Performance Management Procedure that follows aims to ensure consistent and fair treatment to all employees

### Principles

This procedure applies to all personnel working for, and on behalf of the Company.

Included in this is poor performance where an individual may be underperforming due to lack of skill, ability or health.

- Every effort should be made by management to deal with performance matters informally.
- All performance matters should be addressed in a timely manner.
- Managers should be supportive and helpful, considering any mitigating factors.
- Regular feedback should be given to staff, so they are aware of any issues as they start to arise.
- Do not wait until the annual appraisal to raise performance concerns.
- Identify issues and provide constructive feedback.
- Managers should treat matters sensitively and with due respect for the privacy of any individuals involved.
- Employees are responsible for co-operating with their manager to improve performance, commencing with initial training packages identified at the time of recruitment
- Ensure an appropriate Performance Improvement Plan is provided.
- Actively review and give feedback on performance improvement
- Take formal action if there is no improvement
- At any formal stage of the procedure, the employee will have the right to be accompanied by a trade union representative, trade union official or the SES Group work colleague.
- No recording devices are permitted from either SES representatives or employees of the business during performance review meetings or formal hearings. Such devices may be considered if required to aid disability.
- All those involved must treat as confidential any information shared with them under this procedure.

- Employees will not normally be dismissed for performance reasons without previous improvement notices. However, where an employee's performance falls significantly below the acceptable standard and the actual or potential consequences are, or could be, extremely serious, moving straight to the formal stage 3 meeting may in exceptional circumstances, be appropriate.

## **Procedure**

### **Informal Stage**

Managers should in the first instance seek to resolve performance issues informally and as early as possible as part of normal day to day management of staff. Ideally this would be within a few days of the issues being identified. In these informal conversations' managers should explain the cause of concern (giving specific examples as appropriate) and discuss and explain the standards of performance expected. During this meeting the manager should establish if there are any likely causes of underperformance and identify any actions required by the employee or manager to aid improvement. This may be additional training or other source of support.

The manager will produce a Performance Improvement Plan for the individual. This will include targets and timescales for improvement and review dates. These should be agreed between the employee and the manager. It is the managers responsibility to explain the potential consequences of not achieving the required improvements in performance. For clarity, any objectives set need to be SMART (Specific Measurable Achievable Realistic Timebound)

There are a range of options that a manager may consider. These include the provision of advice and guidance, additional or refresher training, coaching, mentoring or work shadowing.

Although this is informal action the outcome of any discussion should be recorded in writing but used for reference purposes only at this stage.

Upon review, if performance has improved to a satisfactory standard, the matter will be considered resolved.

### **Formal Stage One**

#### **Capability Hearing**

If the individual's performance does not improve after informal intervention and it has not succeeded in addressing the problem(s) or if informal intervention is not considered appropriate, the manager should decide whether there are grounds for undertaking formal action.

If there is a need to progress to this stage, the manager will need to assess the circumstances. This may involve reviewing the employee's HR file, gathering relevant documents, monitoring the employee's work and, if appropriate, interviewing the employee and witnesses confidentially regarding the employee's work.

Where there are grounds for taking formal action regarding alleged underperformance, the employee will be required to attend a formal stage one capability hearing.

The employee will have the right to be accompanied by a trade union representative, trade union official or the SES Group work colleague

The nature of the performance issue(s), together with the date, place and time of the formal stage one performance hearing will be confirmed in writing to the employee within a reasonable timeframe of the hearing.

Where the evidence in support of the performance issue(s) consists of written statements or other documentary evidence, copies of the documentation will normally be made available where reasonably expected to the employee and their representative before the hearing.

Should the hearing require witnesses to be called to make a statement, the employee and their representative will confirm the names and attendance of these individuals to the hearing manager before the hearing. The line manager will confirm the names of the witnesses the company wishes to call to the employee and the representative.

If as a result of the meeting and the evidence presented, the employee's performance is unsatisfactory, the manager will write to the employee, issuing a First Improvement Notice. The First Improvement Notice will state the improvement in performance required, targets and timescales for improvement ("the review period – e.g. 3 months"), any support to be provided and the consequence of not meeting the performance targets within the review period.

It will also set out the employee's right of appeal.

The manager will monitor the employee's performance during the review period and hold regular review meetings with the employee. A Performance Improvement Plan should be used to record actions taken and progress made during the review period. On completion of the review period, the manager will write to the employee to inform them of the outcome. This may be the employee has met the performance standards set and no further action will be taken or the employee has not met the performance standards set and the matter will be progressed to formal stage two; or progress has been made towards meeting the standards set, but they have not been achieved fully (or other factors have been present e.g. sickness or leave) and the review period will be extended or other options considered.

A copy of the First Improvement Notice will be retained on the employee's personnel file. The First Improvement Notice will remain active for a specified period (eg six months). After the review period the First Improvement Notice will remain on file for reference purposes for two years but will be disregarded for the purposes of deciding on the appropriate action or outcome of any future capability proceedings.

If there is further evidence of underperformance while the First Improvement Notice is still active, or the performance issues are sufficiently serious, the employee may be required to attend a formal stage two meeting before the end of the review period.

## **Formal Stage Two**

### **Capability Hearing**

If the individual's performance does not improve after the issuing of the First Improvement Notice, and it has not succeeded in addressing the performance problem(s) the employee may be required to attend a formal stage two hearing.

The nature of the continuing performance issue(s), together with the date, place and time of the formal stage two performance hearing will be confirmed in writing to the employee within a reasonable timeframe of the hearing. The employee will have the right to be accompanied by a trade union representative, trade union official or the SES Group work colleague

Where the evidence in support of the performance issue(s) consists of further written statements or other documentary evidence, copies of the documentation will normally be made available where reasonably expected to the employee and their representative before the hearing.

Should the hearing require witnesses to be called to make a statement, the employee and their representative will confirm the names and attendance of these individuals to the hearing manager before the hearing. The line manager will confirm the names of the witnesses the company wishes to call to the employee and the representative.

If as a result of the stage two hearing and the subsequent evidence presented, the employee's performance is unsatisfactory, the manager will write to the employee, issuing a Final Improvement Notice. The Final Improvement Notice will state the improvement in performance required, targets and timescales for improvement ("the review period" e.g. three months), any support to be provided and the consequence of not meeting the performance targets within the review period.

It will also set out the employee's right of appeal.

A copy of the Final Improvement Notice will be retained on the employee's personnel file. The Final Improvement Notice will remain active for a specified period (e.g. twelve months). After the review period the Final Improvement Notice will remain on file for reference purposes for two years but will be disregarded for the purposes of deciding on the appropriate action or outcome of any future capability proceedings.

The manager will monitor the employee's performance during the review period and hold regular review meetings with the employee. A further Performance Improvement Plan should be used to record actions taken and progress made during the review period. On completion of the review period, the manager will write to the employee to inform them of the outcome. This may be the employee has met the performance standards set and no further action will be taken or the employee has not met the performance standards set and the matter will be progressed to formal stage three; or progress has been made towards meeting the standards set, but they have not been achieved fully (or other factors have been present e.g. sickness or leave) and the review period will be extended or other options considered.

If there is further evidence of underperformance while the Final Improvement Notice is still active, or the performance issues are sufficiently serious, the employee may be required to attend a formal stage three meeting before the end of the review period.

### Formal Stage Three

#### Capability Hearing

If the individual's performance has failed to improve sufficiently as detailed in the Final Improvement Notice whilst that Notice is still live, or if the underperformance has been so serious, the employee will be invited to a formal stage three meeting.

The nature of the performance issue(s), together with the date, place and time of the formal stage three performance hearing will be confirmed in writing to the employee within a reasonable timeframe of the hearing. The employee will have the right to be accompanied by a trade union representative, trade union official or the SES Group work colleague

The formal stage three meeting will be conducted by a member of the Senior Management team or nominated deputy who will be accompanied by a member of the HR Department. The employee's manager will also attend the meeting to present the details of the underperformance and any steps taken to address these.

Where the evidence in support of the performance issue(s) consists of further written statements or other documentary evidence, copies of the documentation will normally be made available where reasonably expected to the employee and their representative before the hearing.

Following the hearing, if it is decided that the employee's performance is unsatisfactory, the Chair of the hearing may consider one or more of the following options:

- issue a First or Final Improvement Notice (where one is not already active)
- extend a Final Improvement Notice and set a further review period (where a substantial improvement is likely within the review period)
- consider alternatives to dismissal such as redeployment to a suitable available post
- dismissal on grounds of capability.

Any dismissal will be with full notice or payment in lieu of notice, unless the employee's underperformance has been serious enough to overturn the contract between the SES Group and the employee thus justifying a formal stage 3 hearing and the possibility of dismissal without notice. For the purposes of this Policy, this may include gross incompetence, gross negligence or any act or omission which brings the SES Group into serious disrepute.

The decision will be confirmed in writing within five working days of the meeting. The letter shall also notify the employee of their right to appeal against any sanction. If the decision is taken to dismiss the employee, the letter will include the reasons for dismissal, the date that their employment will terminate and the right of appeal.


**Appeal**

Employees who feel that they have been treated unreasonably under any section of the Capability procedure can, in the first instance, raise the matter with their manager, representative or senior management.

Employees have a right to appeal against a decision to issue an Improvement Notice, other sanction or dismissal in accordance with the relevant procedures.

**Related Documents**

		Staff Appraisal
		Front Line Staff Appraisal (non-supervisory operational)
		Performance Improvement Plan template

Name:	Tony Ball
Signature:	
Date:	11/10/2024

