

Your Performance Matters Policy

Reference No:	P_HR_68
Version	3
Ratified by:	LCHS Trust Board
Date ratified:	14 September 2021
Name of author:	HR Business Partner
Name of responsible committee:	Employment Policy Group / JCNC
Date approved:	7 July 2021
Date issued:	September 2021
Review date:	September 2023
Target audience:	All Employees
Distributed via	LCHS website

Lincolnshire Community Health Services NHS Trust

Your Performance Matters Policy and Procedure

Version Control Sheet

Version	Section / Para / Appendix	Version / Description of Amendments	Date	Author / Amended by
1	New policy	Merging P_HR_49 (Managing Employee Performance and Capability), P_HR_59 (Appraisal) and P_HR_62 (Incremental Pay Progression)	June 2017	Rachael Potter
2	Review of policy	Simplified and re-ordered.	May 2019	Clare Nock
3	Review of policy	Merging P_HR_64 (Managing Your Performance Matters – Probation Policy and Procedure) Referenced further guidance documents and templates on the Intranet for manager	May 2021	Michaela Kilding
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Lincolnshire Community Health Services NHS Trust

Your Performance Matters Policy Statement

Statement	<p>This policy and procedure applies to all employees and the aim is to ensure consistent and fair treatment for all in the organisation.</p> <p>Lincolnshire Community Health Services NHS Trust is committed to ensuring that all staff have the opportunity to develop in role to reach their potential. It is also essential that we have robust assurance that performance management systems are in place to enable the organisation to meet its core values and The LCHS Way “We Listen, We Care, We Act, We Improve”.</p> <p>Every member of staff has a personal responsibility to achieve and sustain high standards of performance and conduct at all times and to comply with this policy.</p>
Responsibilities	As above.
Training	Tailored training workshops are provided for managers.
Dissemination	Website.
Equality and Diversity	<p>This policy aims to meet the requirements of the Equality Act 2010 and ensure that no employee receives less favourable treatment on the grounds of gender, sexual orientation, transgender, civil partnership/marital status, appearance, race, nationality, ethnic or national origins, religion/belief or no religion/belief, disability, age, carer, pregnancy or maternity, social status or trade union membership.</p>

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Contents

Section	Page
1.0 Introduction	5
2.0 Performance Management Framework	5
2.1 One to Ones	5
2.2 Appraisals	5
2.3 Performance and Pay Progression	6
3.0 Probationary Periods	6
4.0 Managing Poor Performance	6
5.0 Informal - Performance Improvement Plan	7
5.1 Formal Performance Meeting	7
6.0 Appeals	8

Your Performance Matters

1.0 Introduction

In order to succeed as an organisation, it is vital that we focus on doing the 'right' things in the 'right' way. This performance management framework focuses all our efforts on these objectives whilst at the same time giving you the satisfaction of knowing what we expect, receiving regular feedback and discussion on how you are doing, recognising your successes and supporting your development.

We all have a responsibility to achieve and maintain the standards that have been outlined to us and that are in accordance with our job role. In order to do this we must have a clear understanding of the expected standards required to perform our duties and in addition we must work with our managers to identify development areas as part of our continuous professional development. In addition, we are required to undertake mandatory training on an annual basis and any other relevant training identified for our roles.

2.0 Performance Management Framework

2.1 One to Ones

One to ones are a way in which you can have on-going and regular discussions with your manager about how you are performing. Your manager will provide you with feedback so that your achievements will be recognised and also be made aware of any areas for improvement which will be supported by evidence and examples. Your manager will consider all factors which contributed to your performance, including influences that have been within or outside of your control. Line managers are to conduct one to ones with each direct report, ideally on a monthly basis, to set / review performance and SMART objectives.

Please see One to One Template on the Intranet under Human Resources, for further guidance.

2.2 Appraisals

The appraisal process plays a critical part in achieving the Trust's objectives and helps each of you to understand your contribution and the importance of your role in the Trust.

You will have an annual appraisal with your manager and this will involve:

1. Reviewing your performance against your objectives
2. Awarding an overall performance rating for the year
3. Setting of objectives for the forthcoming year
4. Reviewing your future development.

Please see Appraisal Documents on the Intranet under Human Resources, for further guidance.

2.3 Performance and Pay Progression

Pay progression will be based on you demonstrating that you have the required knowledge, skills/competencies and behaviours for your role and that you have demonstrated the required level of performance and delivery during the year.

Your appraisal will be used to determine whether pay progression should be awarded or not.

Incremental pay progression will not be awarded if;

- Your performance is not satisfactory;
- You have not completed your mandatory and professional training
- If you have a live formal warning in place.
- If you are in a managerial role and your teams' appraisals have not been completed and recorded within the required timeframe;

3.0 Probationary Periods

All new employees are required to successfully complete a probation period of six months including those having previously worked in a bank or agency capacity. This will only be varied in exceptional circumstances and where advice has been sought from HR.

The six-month probation period is set as the recognised amount of time that is sufficient for a line manager to make a realistic assessment of an employee's suitability for the post before committing to substantive employment arrangements.

All employees will be subject to a 'First Formal Probation Review' with their line manager to discuss the individual's ability to perform in the post. This should be conducted before the end of month three.

A 'Final Formal Probation Period Review' should then be held by the end of month six, or prior to the end of the agreed extended probation period.

Outcomes of a final formal probation period review meeting will normally be either:

- Confirmation in post
- Extension
- Non confirmation in post – Dismissal

Should an employee wish to resign during the probation period prior to confirmation in post, a period of one months' notice would be required.

Please see Probation Process Map on the Intranet under Human Resources, for further guidance.

4.0 Managing Poor Performance

Poor performance is when individuals do not work to the standards required in their role, fail to meet objectives and/or where behaviours demonstrated are not in accordance with the LCHS Way when undertaking their role.

In the event your performance is not meeting the required standards, you will be provided with the specific areas where your performance levels need to be improved. In the first instance this will usually be managed through informal meetings (recorded conversations) and/or your

one to ones. As part of these discussions you will have the opportunity to offer an explanation as to why your performance is below the expected levels for your role and be given opportunity for improvement along with reasonable support to aid you in achieving the required standard.

5.0 Informal - Performance Improvement Plan (PIP)

In the event that following discussions via one to ones and/or recorded conversations, you continue to not meet the standards of performance in your role; you will be set a Performance Improvement Plan (PIP).

The purpose of the PIP is to be supportive in helping you improve performance and will outline;

- Specific areas where performance does not meet the required standard with clear objectives for improvement of performance.
- Timeframes for improvement.
- Identification of any support required.
- Details of how improved performance will be measured.

An eight week period will usually be set for you to demonstrate the required improvements as outlined in your Performance Improvement Plan. You and your manager will have regular review meetings including a review period after four weeks in order to discuss your progress against your Performance Improvement Plan objectives.

Outcomes of a final Performance Improvement Plan review meeting will normally be either;

- Signed off your PIP as having been completed
- Invited to attend a formal performance meeting
- Extension to the eight-week period (only in exceptional circumstances).

In cases where similar issues of poor performance have been addressed previously but performance levels fall below the expected standard in the future, then you will be informed of this through informal meetings and one to ones. The manager should contact their HR Advisor / Business Partner to discuss the options available to address these performance issues.

5.1 Formal Performance Meeting

Where the required performance levels have not been achieved you will be invited to a formal performance meeting. A formal performance meeting can result in a formal capability warning being issued when it is considered that your performance levels are at an unsatisfactory level following the action and support provided in the Performance Improvement Plan.

The formal stages and possible outcomes are detailed in the below table:

Formal Stage	Possible Outcomes	Capability Warning Duration
Stage 1	No further action A further four-week PIP First Capability Written Warning	6 months
Stage 2	No further action A further four-week PIP Final Capability Written Warning	12 months

Stage 3	Dismissal on the grounds of capability	N/A
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General Principles of Formal Performance Meetings:

Notice of Meeting - A maximum of two dates will be offered for any formal meeting allowing seven calendar days' notice. Following which, should the employee be absent without reasonable mitigation, an outcome will be decided in absentia.

Details of Poor Performance - you will be provided with the specific areas where your performance levels need to be improved and any documents of relevance to be discussed during the formal meeting.

Right to Representation - you will be notified of your right to be accompanied by a trade union representative, Staff Side or a work colleague during formal meetings.

Note taker - A note taker may be present to make non-verbatim notes during formal meetings.

Decision in Writing - Written confirmation of formal outcomes will be provided to the employee, along with the right of appeal where applicable.

Please see 'Your Performance Matters – Capability Process Map' on the Intranet under Human Resources, for further guidance.

6.0 Appeals

Where an employee has the right of appeal against a decision, this will be detailed within the written confirmation of formal outcome provided to the employee.

An employee who wishes to appeal a decision must do so in writing within seven calendar days of confirmation of the outcome in writing, stating the grounds for appeal.

The appeal Chair will be independent and of a level of seniority above that of the original decision maker. Additional panel members may also be invited where this is deemed necessary.

The panel will hear the appeal and decide the case as impartially as possible. It is open to those hearing the appeal to consider if the original decision will be confirmed, revoked or replaced with an alternate decision according to their judgement as to the appropriateness of the decision at the previous stage having regard to all the circumstances of the matter.

The final decision given at the stage of an appeal will be confirmed in writing and there will be no further right of appeal.

Monitoring Template

Minimum requirement to be monitored	Process for monitoring e.g. audit	Responsible individuals/group /committee	Frequency of monitoring /audit	Responsible individuals / group / committee (multidisciplinary) for review of results	Responsible individuals / group / committee for development of action plan	Responsible individuals / group / committee for monitoring of action plan
Appraisal compliance and quality	Qlikview	Operational Managers. People Executive Group	Annual HR – quality audit	HR, People Executive Group	Operational Managers, People Executive Group	Operational Managers, People Executive Group

Equality and Health Inequality Impact Assessment Tool

This tool has been developed by the Equality, Diversity and Inclusion Leads for use in the NHS Provider organisations in Lincolnshire. The tool is designed to ensure due regard is demonstrated to the Equality Act 2010, the Public Sector Equality Duty and potential health inequalities are also identified and addressed (as outlined in the Health and Social Care Act). Please complete all sections below. Instructions are in *italics*. Email for all correspondence: email to lhnt.edifirst@nhs.net

A. Service or Workforce Activity Details	
1. Description of activity	This policy provides a standard framework for overcoming difficulties of staff performance in a fair and consistent manner, with the focus on encouraging improvement through clear objective setting and development support to ensure staff are aware of what is expected of them.
2. Type of change	adjust existing
3. Form completed by	<i>Michaela Kilding, HR Advisor</i>
4. Date decision discussed & agreed	<i>Date</i>
5. Who is this likely to affect?	Service users <input type="checkbox"/> Staff <input checked="" type="checkbox"/> Wider Community <input type="checkbox"/>
If you have ticked one or more of the above, please detail in section B1, in what manner you believe they will be affected.	
B. Equality Impact Assessment	
<p>Complete the following to show equality impact assessment considerations of the decision making to ensure equity of access and to eliminate harm or discrimination for any of the protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Further, please consider other population groups which are at risk of health inequality and can include, but not be limited to, people who are; living in poverty / deprivation, geographically isolated (e.g. rural), carers, armed forces, migrants, homeless, asylum seekers/refugees, surviving abuse, in stigmatised occupations (e.g. sex workers), use substances etc.</p> <p>Please ensure you consider the connections (intersectionality) between the protected characteristics and population groups at risk of health inequality (e.g. it is recognised that older men from a BAME background, with one or more comorbidities and living in deprivation are more at risk of a poorer outcome if they contract CV-19).</p>	

1. How does this activity / decision impact on protected or vulnerable groups? (e. g. their ability to access services / employment and understand any changes?) Please ensure you capture expected positive and negative impacts.	Ensures relevant support and adjusted measures are in place to enable all individuals the opportunity to perform in their roles.
2. What data has been/ do you need to consider as part of this assessment? What is this showing/ telling you?	<i>e.g. Patient data / workforce data / population data / JSNA data etc, broken down by protected characteristics and groups at risk of health inequality.</i>
C. Risks and Mitigations	
1. What actions can be taken to reduce / mitigate any negative impacts? (If none, please state.)	Not Applicable
2. What data / information do you have to monitor the impact of the decision?	Documented discussions, PIP templates
D. Decision/Accountable Persons	
1. Endorsement to proceed?	<i>Yes / No Delete as appropriate and add detail or rationale</i>
2. Any further actions required?	<i>eg. risk to be added to the risk register or capturing in local action log etc</i>
3. Name & job title accountable decision makers	
4. Date of decision	
5. Date for review	<i>Please note: the equality impact assessment is a 'live' document and must be reviewed regularly / when any significant change occurs.</i>

Purpose of the Equality and Health Inequality Assessment tool

- The NHS in Lincolnshire has a legal duties under the Equality Act 2010, Public Sector Equality Duty 2011 and the Health and Social Care Act 2012 to demonstrate due regard in all decision making, for example, when making changes to services or workforce practices, to ensure access to services and workforce opportunities are equitable and to avoid harm and eliminate discrimination for each of the protected characteristics and other groups at risk of inequality.
- Within the guidance toolkit there are also some examples of decisions this tool has been used on in other organisations and the impacts they have identified.

Checklist

- Is the purpose of the policy change/decision clearly set out?
- Have those affected by the policy/decision been involved?
- Have potential positive and negative impacts been identified?
- Are there plans to alleviate any negative impact?
- Are there plans to monitor the actual impact of the proposal?