



GALILEO

MULTI ACADEMY TRUST

DEVELOPING PERFORMANCE POLICY & PROCEDURE

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Owner	CEO	Approver	Finance & Resources Committee

This document applies to all schools and operations of the Galileo Multi Academy Trust:

www.galileotrust.co.uk

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1. Scope

- 1.1 This policy and procedure applies to all staff employed directly by schools under the Local Management of School arrangements, where school has adopted this policy except those in the following circumstances:
- Employees within their probationary period
 - For dealing with issues of misconduct, attendance or resolving issues at work, for which separate policies apply.
 - Employees in the statutory induction period for Early Career Teachers (ECTs),
- 1.2 The policy has been adopted by the Board of Trustees on the date shown on the cover page.
- 1.3 If a concern or grievance is raised regarding any aspect of this Policy it should be dealt with as promptly as possible within this process where appropriate.
- 1.4 **Where reference is made to Manager within this policy, this could mean CEO, Headteacher, Line Manager, or Trustee.**

2. Policy Statement

- 2.1 Where possible, when instances of underperformance are identified employees will be given the opportunity to address these initially through performance management and the appraisal process. If 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. In such cases the employee will be allowed to make representations to the manager, accompanied by a trade union representative or work colleague, before a final decision is taken.
- 2.2 If an employee is currently being managed under this procedure they will not be eligible for pay progression. Those who have made the required improvement and revert to normal monitoring under the Appraisal Policy will be eligible to be considered for pay progression.
- 2.3 Electronic recordings of any meetings or Hearings conducted under this procedure must not be made by any attendees. Recording may be considered in some circumstances, for example, as a reasonable adjustment, but must be agreed by all parties.
- 2.4 Managers are strongly advised to take advice from NYES HR with regards the application of this policy and at all stages of the procedure.

3. Right to be Accompanied

- 3.1 The school extends the right to be accompanied by a trade union representative 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.

- 3.2 Where possible, the employee's representative will be consulted about the date and time of formal meetings held under this policy and procedure. If the representative cannot attend on the proposed date, the employee will be required to suggest a reasonable alternative time and date not more than five working days after the original date.

4. Procedure

4.1 Identification of Performance Problems

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 under performance sufficient to warrant dealing with the matter through the Developing Performance Procedure. This should not come as a surprise to the individual due to the issues having been raised during normal performance management.

Where the manager feels that the issues should be addressed through the Developing Performance Procedure then 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, ideally within 5 working days. The employee will be given a copy of the Developing Performance Policy, emphasising the supportive nature of the process.

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. This will be provided at least 5 working days prior to the initial meeting to enable the employee to consider the plan and take advice from their representative if applicable.

4.2 Initial Meeting and Support Plan

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

The concerns regarding under performance will be discussed, clearly identifying the nature of the problem(s) and the evidence to support the concerns. The employee will be given the opportunity to respond with their own views and opinions at every stage of the process.

The employee should, whenever practicable, be assisted through training, coaching or other development activities and be given adequate time to reach the required standard of performance, balanced against the effects of the under performance on service delivery.

Following a full discussion of the issues raised, including the draft Support Plan, a structured Support Plan will be agreed and confirmed in writing. The employee will be encouraged to discuss the plan with their union representative, if applicable, before final agreement on the plan is reached.

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. This could include transfer to the Capability Procedure where there are ongoing concerns which actions under the Appraisal Policy and this Developing Performance Procedure have failed to address.

4.3 Timescales

It is not possible to provide a timescale to suit all cases. However, as a general guide a minimum of 4 weeks and a maximum of three months would be the parameters between the Initial Meeting and the Review Meeting, before a final decision is made. Precise timings will depend upon the circumstances of each case and should allow enough time for the employee to demonstrate improvements in their performance. In exceptional cases, a significant deterioration in performance may result in the need to bring forward the date of the review meeting.

4.4 Monitoring and Support

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. It is important that everyone follows the Support Plan, including the timescale. If the plan is amended the reason will be discussed and agreed with the employee as soon as possible.

Employees who are notified of their under performance should be given a copy of the Developing Performance Policy and Procedure. Consideration must be given to the implementation of support arrangements through a named work contact and the employee should be made aware of staff support available through Health Assured, an employee assistance programme, which offers confidential counselling and support (0800 030 5182) - *applies only to Academies that subscribe to Health Assured.*

4.5 Review Meeting

Following the period of support and monitoring a review meeting will be held in accordance with the timescale determined in the Support Plan. Prior to this meeting the Manager should collect and read all monitoring information, clarifying points with the providers of that information where necessary. 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, a minimum of 5 working days prior to the meeting, confirming the date, time and venue, also asking them to bring any evidence they wish to present to the meeting. Where there is a likelihood that performance remains unsatisfactory, and the outcome may be a move to the Capability procedure, the employee should be informed of this probability at least five working days prior to the meeting, and advised

of the right to be accompanied by a trade union representative or work colleague.

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. Employees will be encouraged to discuss the revised Support Plan with their representative before agreeing to it. 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 be made aware, before the plan has 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 the Capability Policy being invoked and the employee will be invited to an initial meeting under that policy.

Following the review meeting the outcome decision will be confirmed in writing, usually within 5 working days.

4.6 Notes

Clear records and notes of meetings should be taken and supplied to the employee, ideally within 5 working days, for their comment and agreement. All documentation (letters, support plans etc.) should be stored securely in line with data protection legislation and retention schedules. Where documents are no longer required they will be securely destroyed.

4.7 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 school's Occupational Health provider regarding the employee's ability to take part in the process.

5. Flowdiagram for Developing Performance Procedure

