

# Human Resources

## EMPLOYEE PERFORMANCE MANAGEMENT

Author	██████████
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Reviewed by	██████████



South Yorkshire  
Fire & Rescue  
WORKING FOR A SAFER  
SOUTH YORKSHIRE

# EMPLOYEE PERFORMANCE MANAGEMENT

## INTRODUCTION

1. The following policy applies to all uniformed and support staff up to but not including the roles governed by the Gold Book and is designed to ensure that high standards of performance are maintained at all times in order to provide the best possible service to South Yorkshire.
2. South Yorkshire Fire & Rescue (SYFR) is committed to establishing and maintaining a positive working environment where the dignity and respect of employees is not undermined. It is committed to working practices that ensure no employee should be treated less favourably on the grounds of race, sex, gender reassignment, disability, sexual orientation, religion or belief, colour, nationality, national or ethnic origin, pregnancy or maternity, marital or civil partnership status, parental status, family ties, trade union or political belief, hours worked or any other reason, either directly or indirectly.

## AIMS AND OBJECTIVES

3. The policy provides a framework for dealing with under performance in a consistent and fair manner. The main objective is to improve an employee's performance to the required level.
4. The organisation will endeavour to ensure that all employees are adequately trained and are competent to undertake their duties. Managers will ensure that employees receive adequate supervision and support.
5. Employees will be made aware of the standards required in order to carry out their role and the standards of performance expected of them. Employees have a duty to maintain these standards.

## APPLICATION

6. At all stages of the policy, advice will be sought from HR and a representative from the function will attend all formal meetings throughout this procedure.
7. This policy is neither designed to deal with the day-to-day issues relating to performance between an employee and their line manager nor to replace the normal lines of communication.

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8. This policy will not apply to matters of conduct which are dealt with under the organisation's Disciplinary Procedure or matters of incapability arising from sickness absence or fitness which are dealt with under the Absence Management Policy and Fitness Policy.
9. Consideration will be given to whether poor performance may be related to a disability and, if so, whether there are reasonable adjustments that could be made to an employee's working arrangements, including changing duties or providing additional equipment or training. SYFR may also consider making adjustments to this procedure in appropriate cases.
10. Newly appointed employees who are subject to a contractual probationary period will have their performance monitored throughout this period.
11. The manager will ensure that a written record is kept throughout this procedure of any meetings/reviews, action plans and agreed timescales and that copies of all records are made available to the employee. A copy will also be placed on the employee's Personal Record File (PFR).
12. At all formal stages of the policy, employees will have the right to be accompanied by a union representative or a SYFR work colleague. The onus is on the employee to arrange such representation. Employees must advise the manager conducting the meeting who their chosen companion is, in good time before the meeting.
13. Where there are issues of performance, account should be taken of the review of the employee's PDR. The Performance Management process should only be used where actions to remedy unsatisfactory performance, based on the developmental PDR, are not proving effective.
14. Our aim is to deal with performance matters sensitively and with due respect for the privacy of any individuals involved. All employees must treat as confidential any information communicated to them in connection with a matter which is subject to this process. Employees, and any one accompanying them (including witnesses where appropriate), must not make electronic recordings of any meetings or discussions conducted under this process.

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15. If the employee or their companion cannot attend a meeting they should inform HR immediately who will usually arrange an alternative time. Employees must make every effort to attend any meetings, and failure to attend without good reason may be treated as misconduct in itself. If an employee fails to attend without good reason, or are persistently unable to do so (for example, for health reasons), appropriate managers may have to take a decision based on the available evidence.

### STAGES

16. Employees will not normally be dismissed for performance reasons without previous warnings being given. However, in serious cases of gross negligence, or other serious performance issues (See paragraph 39 b), dismissal without previous warnings may be appropriate.

### INFORMAL STAGE

17. In the first instance, performance issues should normally be dealt with informally between the employee and their line manager as part of day-to-day management. However, where there is evidence to suggest that an employee is not performing to the required level, the manager will liaise with HR to write to the employee, giving seven days notice informing them that they are required to attend a meeting. The areas where the employee's performance continues to fall below the required level of performance will be set out in writing.
18. The employee will be given the opportunity to put forward any mitigating circumstances and raise any issues which may be relevant to their performance.
19. In consultation with the employee, the manager will create an action plan (Appendix A – Action Plan Template) which will identify the required areas for development. The standards and targets set will be fair and reasonable, taking into account the employee's role/grade and position within the organisation.
20. The consequences of continued poor performance will be highlighted i.e. progression of the matter to the formal stages of this policy.

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21. The employee's progress will be monitored throughout the agreed timescale and the manager will be required to hold regular meetings with the employee to discuss their progress. Feedback and Development Log Sheets should be completed at every meeting to record evidence of the employee's progress or to highlight areas where further development is required.
22. At the conclusion of the agreed timescale a further meeting will be held in order to discuss progress. If the employee has reached the required standard detailed within the action plan, this will be confirmed in writing. A review meeting will be held after two months to ensure that the required level of performance has been sustained.
23. If an employee has failed to reach the required level of performance as set out in the action plan, they will be referred to the first formal stage of this policy.

### FIRST FORMAL STAGE

24. Where an employee has not met the required level of performance as agreed at the informal stage or serious significant performance issues have arisen prior to the end of the monitoring period, a first formal meeting will be held. SYFR will notify the employee in writing of the concerns over the employee's performance, the reasons for those concerns and the likely outcome if it is decided, after the meeting, that the employee's performance has been unsatisfactory.
25. The employee will be given written notice at least seven calendar days in advance of the meeting and will be informed of their right to be accompanied by a union representative or a SYFR colleague. The onus is on the employee to arrange such representation. Employees must tell the manager conducting the meeting who their chosen companion is, in good time before the meeting.
26. At this meeting, the appropriate manager (See Scheme of Delegation - paragraph 44) and a representative from HR will discuss the reasons for the progression to the first formal stage. The areas in which the employee's performance continues to fall below the required level will be identified.
27. The employee will be given the opportunity to put forward any mitigating circumstances and raise any issues which may be relevant to their performance. After consideration of the evidence presented and the employee's response, a decision will be made in private. The employee will then be informed of the decision.

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28. If a notice of improvement is issued this will be with immediate effect. The improvement notice will be retained on the employee's Personal Record File (PRF) for six months.
29. The action plan created at the informal stage and evidence provided within the Feedback Log Sheets will then be reviewed and consideration will be given to any other additional training or remedial action required. In all cases a reasonable and fair timescale for improvement will be established.
30. The employee's progress will be monitored throughout the agreed timescale. Feedback will be provided to the employee for the duration the process.
31. At the conclusion of the agreed timescale, a further meeting will be arranged to discuss the outcome of the process. If the employee has not reached the required level of performance they will progress to the second formal stage of this policy. The outcome of the further meeting will be confirmed in writing to the employee.
32. If the employee is perceived to have reached the required level of performance as detailed within the action plan, they will be informed in writing.
33. A review meeting will be held after two months to ensure that the required level of performance has been sustained.
34. If after the two month review meeting it is established that the required level of performance has not been sustained or serious significant performance issues have arisen prior to the end of the monitoring period then the employee will be referred to the second formal stage of this policy.

### SECOND FORMAL STAGE

35. Where an employee has not met the required level of performance as agreed at the first formal stage or serious significant performance issues have arisen prior to the end of the monitoring period, a second formal meeting will be held. This will be to discuss the issues/concerns regarding their performance. The steps during the second formal stage will largely be followed:
  - The employee will be given written notice of the second formal stage at least ten calendar days in advance of the meeting.

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The employee will be informed in writing of the concerns over their performance, the reasons for those concerns and the likely outcome if it is decided, after the meeting, that the employee's performance has been unsatisfactory. The employee may bring a companion to the meeting as set out in paragraph 13 (above).

- The areas in which the employee's performance continues to fall below the required level together with any mitigating circumstances will be discussed.
- The meeting will be adjourned and a decision made by the appropriate manager and a representative from HR.
- If a final notice of improvement is issued, this will be with immediate effect and will remain on the PRF for a minimum of eighteen months
- The action plan and feedback log sheets will be reviewed, timescales will be set, support and further training (where appropriate) will be offered.
- Consequences of failure to improve will be highlighted (i.e. progression to the third formal stage).
- Progress will be monitored according to agreed timeframes and further two month review will occur.

36. If after the two month review meeting the required performance is reached, the employee will receive written confirmation.

37. If the two month review meeting establishes that the required level of performance has not been sustained or serious significant performance issues have arisen prior to the end of the monitoring period, the employee will be referred to the third formal stage of this policy.

### THIRD FORMAL STAGE

38. The employee will be requested to attend a third formal meeting to discuss the issues/concerns regarding their performance where:

- the individual has failed to meet the required level of performance as detailed at the second formal stage or
- information comes to light regarding serious performance and capability issues following an investigation. HR will have been consulted and a potential consequence may be suspension (on full pay) and ultimately dismissal.

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For out of hours support regarding the application of this Policy, i.e. in emergency situations, please contact the Head of Human Resources or the Director with responsibility for HR.

39. The steps taken in previous formal stages will largely be followed:
- The employee will be given written notice of the third formal stage at least twenty one calendar days in advance of the meeting. The employee will be informed in writing of the concerns over their performance, the reasons for those concerns and the likely outcome if it is decided, after the meeting, that the employee's performance has been unsatisfactory. The employee may bring a companion to the meeting as set out in paragraph 13 (above).
  - The areas where the employee's performance continues to fall below the required level of performance together with mitigating circumstances will be discussed.
40. On consideration of the evidence submitted and the employee's response, consideration will be given to one of the following:-
- That the employee has reached the required level of performance set in the previous stages.
  - Recommendation of further actions for improvement.
  - Re-deployment to a lower graded post (with no pay protection)
  - Termination of employment on the grounds of capability
41. Where a decision is made to offer redeployment to a lower graded post, the offer will be subject to there being a vacancy at the grade required.
42. Employees who are redeployed will be subject to a six month contractual probationary period in that role.
43. The employee will be notified in writing of the manager's decision, the reasons for that decision and of their right to appeal.

## SCHEME OF DELEGATION

44. Subject to training, competence and levels of delegated authority, the formal stages are as follows (minimum levels):-

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Stages	Management Responsibility	Appeal
Informal Stage	Crew manager/ Line Manager	No right to appeal – counselling stage
First Formal Stage	Watch Manager/ Line Manager	Station Manager/ Senior Manager
Second Formal Stage	Station Manager/ Senior Manager	Group Manager/ Function Head
Third Formal Stage	Group Manager/ Function Head	Chief Fire Officer/ Fire Authority (para.45)

### THE RIGHT OF APPEAL

45. Every employee who has been subject to the Employee Performance Management policy has the right to appeal against formal action taken against them (i.e. an improvement notice, final improvement notice or dismissal).
46. If an employee wishes to appeal against the decision taken, they should state their grounds for appeal in writing to the Head of Human Resources within seven calendar days of receiving written notification of the decision.
47. Appeals against formal action should be heard by the appropriate management level (as per SYFR Scheme of Delegation). Normally, the Appeal Manager will conduct the appeal hearing as a rehearing (in full or part), where this is required.
48. Where the appeal hearing is conducted as a review, the Appeal Manager will have available all the documents presented to the original hearing.
49. Appeals against dismissal will be heard by the Fire Authority Appeals Committee (as per SYFR Delegation) who will determine whether the appeal should be considered by way of a review or re-hearing. The Appeals Committee can only decide whether the appeal is allowed or dismissed. If allowed, the matter will be referred back to the third Stage Manager in order to determine an alternative sanction.
50. An appeal hearing will be arranged within twenty one calendar days upon receipt of an appeal letter (wherever possible), unless extended by mutual agreement. The employee will be provided with details regarding time, location and the name of the appeal manager. The employee has the right to be accompanied by a union representative or a SYFR work colleague. The onus is on the employee to arrange such representation. Employees must tell the manager conducting the hearing who their chosen companion is, in good time before the hearing.

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51. At the internal appeal hearing the employee and/or their representative will be given the opportunity to put forward their case by explaining the grounds for appeal and the management case will respond. Both parties will be given the opportunity to present any relevant evidence and call relevant witnesses.
52. Any evidence to be presented by either party at the hearing should be made available in documentary or hard copy format to the other party ten calendar days before the appeal hearing. Any evidence or information relied upon but not previously disclosed ten days beforehand will not be admitted at the hearing.
53. The appeal meeting may be adjourned if necessary to gather any further information or give consideration to matters discussed at the meeting. The employee will be given a reasonable opportunity to consider any new information obtained before the meeting is reconvened.
54. Where possible employees will be notified of the outcome of the appeal in writing no later than seven calendar days after the appeal hearing.

## MISCELLANEOUS

55. This policy supersedes Function 29 of the Personnel Order – Procedure for Managing the Performance of Probationary Fire fighters and any performance/capability matters in the Service's Disciplinary Procedure and Guidance.

***If you require any further guidance on this Policy please contact Human Resources.***

## EMPLOYEE PERFORMANCE MANAGEMENT

### DAILY/WEEKLY/TOUR FEEDBACK AND DEVELOPMENT LOG SHEETS

<b>EMPLOYEE NAME</b>		<b>DATE</b>	
<b>Feedback from Line Manager:</b>			
<b>Comments from Employee:</b>			
<b>Agreed Action:</b>			
Line Manager's Signature		Employees Signature	
Date		Date	
<b>How the development need has been met:</b>			
Line Manager's Signature		Employees Signature	
Date		Date	

**ACTION PLAN**

Appendix A

**Name:**

**Employee No:**

**Date:**

<b>Performance Issue</b>	<b>Improvement Required (Objective/Target)</b>	<b>Timescale</b>	<b>Review date</b>	<b>Support Offered (and by whom)</b>
1.				
2.				
3.				

**I agree that the above targets are reasonable and achievable and will be adhered to. I understand that failure to meet these targets may result in further formal action and may ultimately lead to dismissal. I understand that a copy of this document will be placed upon my PRF for a period of two months until review.**

**ACTION PLAN**

<b>Employee Signature</b>	
<b>Print Name</b>	
<b>Manager Signature</b>	
<b>Print Name</b>	

**COMMENTS**

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