



Policy statement

Foxglove Violet Hill wants to make sure that members of staff get regular feedback about their performance. If you are not performing well in your job, we want to make sure that we give you every chance to improve and that there is a clear and fair process for giving feedback and setting expectations.

Who is this policy for?

All members of staff

When this policy applies

If your Manager does not think you are doing your job well enough to meet the standards that they have set you

Included in this policy

- How we decide if you are not performing well enough
- How we assess your performance fairly
- What your manager will do
- What you need to do
- What happens if you do not meet performance standards

What happens if my manager thinks I am not performing as well as I need to?

First of all they will talk to you to decide whether through no fault of your own, you are not able to carry out the tasks that you are being asked to do. We would say that you are **underperforming** due to **capability**.

If this is not the case, we will investigate whether you are being careless, negligent or not trying hard enough. This may lead to disciplinary action as it is a form of **misconduct**. Our responsibility is to do all that we can to perform to a satisfactory level. If something is affecting your ability to do your job well, you must let your manager know at the earliest opportunity.

If I am not performing well enough because of capability, what happens then?

Under performance due to capability is not intentional- we believe that everyone comes to work to do a good job. However, if you are not capable of performing to the required standard that your manager sets, we will have a meeting with you to try to understand why. Your manager will give you examples of where you are not performing well enough and ask you what you think the reasons are for this.

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Whatever the reasons we will try to help you as appropriate, for example by offering training, support and guidance on how to improve and by giving you a reasonable amount of time to improve to meet the standard needed.

We will make sure that you are clear about the standard of work you need to achieve, how we will measure it and the time period for improvements. We will also explain that if you do not meet the standards in the agreed time, you may receive formal warnings – see policy 31 Disciplinary and Appeals Policy.

What is a formal warning?

A formal warning means that we will explain in writing if you haven't met the performance standards that we have set. These are the potential formal warnings:-

Formal Written Warning - If you do not keep up the improved performance required, following the informal coaching and support for long enough, we will emphasise again what the problems are with your performance and give you another chance to improve with standards and timescales to meet and reviews to check progress. We will set down in writing what these are.

Formal Final Written Warning - If you still do not meet the standards set in the formal written warning we will give you a last chance to make and sustain improvements in a given timescale. This final written warning will also explain that you are likely to be dismissed if you do not improve to the standards needed.

What happens after a final written warning?

If you do not improve to the standards that we have set, there are three possible outcomes:-

1. Dismissal - If you are dismissed we will give you your required notice period or ask you to leave immediately and pay you for your notice period.
2. Demotion - If demotion to a similar role with less responsibility and usually lower pay and benefits is an option that you agree to, we will confirm it in writing, including:-

- the date it starts from
- the new position, job title with job description
- the terms and conditions of the demotion, including pay details

If you and your manager agree it is the best thing to do earlier on in the performance management process, demotion can happen then, you do not have to have received a final written warning.

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3. A different role - If it is in our company's interest and you agree to it, we can sometimes offer you another role in the business doing something different, if we agree that you should be able to carry out this role to the standards needed.

What if I do not agree with the performance warnings or my dismissal?

You have the right to appeal using the standard appeals procedure.

What happens if I am still on probation?

If you are still in your probationary period we can decide not to confirm your employment. This means you are dismissed. If appropriate, we may give you informal guidance and coaching as part of your probationary period assessment process to give you a chance to improve but we do not normally go through each of the disciplinary stages before dismissing you by non confirmation of employment.

How do we make sure that this process gives me a fair chance to put things right?

We set out how the process works clearly in this policy so everyone is treated the same way. Your Manager is responsible for carrying out the managed for improved performance process fairly. Here is what they must do:-

- Make sure that they follow the policy for everyone in the business who does not meet the standards needed in their job
- Give you regular feedback on your performance
- Provide support and guidance to help you improve where needed
- Set realistic and measurable standards of performance
- Explain the standards clearly and carefully to you
- Use their judgement assess how you are performing against the performance management process.

All documentation relating to this performance management process will be maintained on your personnel file.

At any formal stage of the managing for improved performance process you have the right to be represented by another member of staff of any level.

It is not compulsory to have someone with you, but if you want you can bring a representative who must be another member of the nursery staff of any level. If you are under 18 or have a disability you can bring a parent, guardian or support worker.

Your representative can help you prepare for the meeting but it is your responsibility to ensure that they have the information that they require. Your representative is able to address the hearing and to put and sum up the case, respond on your behalf to any views expressed at the meeting and confer with you during the hearing. The representative does not, however, have

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the right to answer questions on your behalf, address the hearing if you do not wish it or prevent the Manager from explaining their case

Signed for and on behalf of Foxglove Violet Hill

Lindsey Harvey (Principal) :

Date :

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