

Performance Management Policy



<u>Policy Title</u>	NCG Performance Management Policy
<u>Policy Category</u>	Compliant
<u>Owner</u>	Executive Principal (People & Culture)
<u>Group Executive Lead</u>	Chief Executive Officer
<u>Date Written</u>	July 2023
<u>Considered By</u>	N/A
<u>Approved By</u>	Executive Board
<u>Date Approved</u>	August 2023
<u>Equality Impact Assessment</u>	The implementation of this policy is not considered to have a negative impact on protected characteristics. This policy is available in alternative formats, if required.
<u>Freedom of Information</u>	This document will be publicly available through the Groups Publication Scheme.
<u>Review Date</u>	August 2026
<u>Policy Summary</u>	The purpose of this policy is to outline the performance management process for all NCG colleagues and assist and encourage the development of colleagues to achieve, maintain and exceed satisfactory standards of work in accordance with the annual performance review process.

<u>Applicability of Policy</u>	<u>Consultation Undertaken</u>	<u>Applicable To</u>
Carlisle College	Yes	Yes
Kidderminster College	Yes	Yes
Lewisham College	Yes	Yes
Newcastle College	Yes	Yes
Newcastle Sixth Form College	Yes	Yes
Professional Services	Yes	Yes
Southwark College	Yes	Yes
West Lancashire College	Yes	Yes

<u>Linked Documents</u>	
<u>Document Title</u>	<u>Relevance</u>
NCG Code of Professional Conduct	Linked Policy
NCG Grievance Policy	Linked Policy
NCG Disciplinary Policy	Linked Policy
NCG Probation Policy	Linked Policy
NCG Sickness Absence Policy	Linked Policy
NCG Safeguarding Policy	Linked Policy
NCG TLA Policy	Linked Policy
NCG Pay Policy	Linked Policy
NCG Tutorial, Progress and Attainment Policy	Linked Policy

<u>Changes to Earlier Versions</u>	
<u>Previous Approval Date</u>	<u>Summarise Changes Made Here</u>
May 2019 (reviewed July 2021)	3: Performance managed 'alongside' as opposed to referring to TLA policy
	4: Removed image of performance cycle
	5: Added wording to improve explanation of ways to effectively manage performance. Removed wording in regards to levelling process.
	6: Removed wording relating to appeal process for not receiving pay increments.
	7: Removed being in informal performance management as a reason for not receiving increment.
	11: Includes reference to meetings being held virtually
	16: Detail included re the purpose for appeal
	17: SPH wording in line with updated wording
September 2021 (Reviewed July 2023)	Policy added to link document section
	5.1: Referred to NCG induction framework
	5.4 Referred to development plan review in end of year review section. Added information in relation to types of leave.
	7. Changed wording to correct language in NCG policies.

Performance Management Policy

1. Scope and purpose of policy

This policy does not form part of a colleague's contract of employment and does not confer any contractual rights. It applies to all NCG colleagues, who are employed either on a permanent or temporary basis and who have successfully passed their probationary period.

2. Introduction

The purpose of this policy is to provide a framework in which performance is managed fairly, consistently, and promptly. Performance management will assist and encourage the development of colleagues to achieve, maintain and exceed satisfactory standards of work in accordance with the annual performance review process.

3. Referral to an alternative policy / procedure

Where performance issues arise within a probationary period, this will be managed in line with the NCG Probation Policy.

Where performance issues relates to long-term absence or an underlying health condition, this may be managed in line with the NCG Sickness Absence Policy.

Where there are concerns as a result of carelessness, negligence or misconduct, this will be managed in line with the NCG Disciplinary Policy.

For colleagues undertaking an educator role, where there are concerns with the quality of education and /or learners not receiving the required level of education, this will be managed alongside the NCG TLA policy. Colleagues classed as an educator include student facing roles such as teachers, lecturers, instructors, skills trainers, learning support practitioners, coaches/mentors, work experience coaches and teachers in managing positions.

4. Benefits of performance management

Actively managing performance enables us to continuously improve the quality of the learner experience. It also provides additional benefits including;

- Supporting colleagues to be as effective as possible, building confidence and helping to empower them.
- Providing a clear understanding of what is expected in a role and a framework for how performance will be consistently measured, managed and recognised.
- Providing an opportunity to discuss areas for improvement and to create development plans to help strengthen individuals and teams, as well as supporting longer term career aspirations.
- Encouragement of colleagues to evaluate and take responsibility for their own performance and development.
- Providing an opportunity for constructive two-way feedback and communication between a colleague and their manager.
- Providing an understanding of how every role, task and team is linked to or supports the NCG strategy or local business objectives.
- Providing a pipeline for identified future talent.

5. Performance management process

The performance management process is facilitated by the manager in order to continually drive standards. All colleagues have a responsibility to consistently achieve a satisfactory level of performance and actively participate during the process. Performance is supported in a number of ways throughout a colleague's NCG career, including but not limited to:

5.1 Induction & Onboarding

The NCG induction framework is a great way to welcome and integrate new colleagues into NCG, allowing them to understand the work they will undertake and the expectations which will be placed upon them.

5.2 Probationary Period

The probationary period enables managers to fairly, consistently and objectively assess a colleague's suitability against the role they were recruited to. It commences on the first day of a colleague's employment for an agreed period of time as outlined in their terms and conditions of employment.

5.3 One to one meetings

During a colleague's time with NCG, their manager will support them through discussions as part of regular one to one meeting's, which should usually take place every 4-6 weeks. One to one meeting's are informal meetings that build and maintain strong work relationships between a manager and a colleague, drive high performance and create an environment where colleagues can be supported and developed. One to one meeting's are an opportunity to discuss:

- Updates on the actions from previous meetings.
- Current workload and any support which is required (i.e. coaching, training, development etc).
- Progress being made towards objectives and development plans and if there any issues or challenges to be resolved.
- The colleagues demonstrated behaviours and whether they are in line with NCG Values.
- Colleagues' wellbeing and any support which is required (i.e. referrals to Occupational Health, Employee Assistance Programme, signposting to other relevant services etc).
- Any other updates that may affect the colleague, the team or the wider organisation.

5.4 Annual performance review

Where a colleague is new to NCG or in their probationary period, they will receive objectives as part of their probationary period. Please see NCG Probation Policy.

All colleagues, except those still within their probationary period, will be invited by their manager to attend an annual performance review meeting between 1st August and 31st October. The purpose of this meeting is for the manager to carry out an end of year review of performance and behaviours for the previous academic year and set objectives and discuss continuous professional development (CPD) for the new academic year.

- **End of year performance review rating:** Colleagues and managers should prepare for this meeting and provide evidence of work done in line with the previously set objectives, a demonstration of how the colleague

has met NCG's values and behaviours and rationale in support of the overall performance rating they should receive. Colleagues and managers should also reflect on their development plans and any key learnings.

- **Objective Setting:** Performance and behaviour related objectives for the new year should then be set, which outline the expected standard against which a colleague's performance will again be measured. For example, key performance indicators (KPI's), project work, collaborative working.
- **Continuous Professional Development (CPD):** A discussion surrounding CPD should take place to analyse the colleagues skills and identify any gaps or areas where further development or training would be of benefit in regards to their career. For educator roles, these discussions should be clearly detailed in a development plan in line with the TLA policy. For non-educator roles, a development plan should be identified and recorded as part of the objective setting documentation.

Please note for colleagues going on maternity, adoption, or shared parental leave etc. their objectives may need to be reviewed and amended to suit the time they have in work until their leave commences. Their end of year review should take place before their leave starts. However, where this has not been possible or the leave has been unexpected, e.g., in cases of long-term sickness absence, the annual performance review should take place on their return. Where colleagues are on a pay scale and due to go up an increment, this will be backdated upon successful completion of their review.

6. Incremental Pay Scale Progression

Where a colleague is appointed into a role which attracts an incremental pay scale, colleagues will normally progress through it at a rate of one point per annum until they reach the top of their grade. This is done in accordance with the annual end of year performance review process. Progression to the next pay point will not take place where:

- A colleague has not overall achieved their annual end of year performance review objectives, including satisfactory demonstration of values and behaviours **or**,
- A colleague has been part of the formal performance improvement process in line with section 9 of this policy **or**,
- A colleague has a formal live written sanction on record during the academic year in which they are being assessed (i.e., for performance, conduct or attendance).

Where a colleague has not achieved their objectives by the end of the relevant academic year and a decision is taken to manage their performance formally in line with section 9 of this policy, it is the year in which they are managed through the formal performance management process that they will not receive their increment.

6.1. Incremental pay where formal performance improvement process that spans two academic years

Where a colleague's performance is being managed via the formal process and this period falls across the end of one academic year and the start of the next academic year, they will not receive their increment for the academic year in which the formal process was started.

If their performance improves to satisfactory levels within the continuous period of formal management in the next academic year, and they are not issued with a formal sanction, they will still be eligible to receive their increment for the new academic year.

However, if at a later date in the academic year their performance requires them to be placed back into the formal performance improvement process, they will not receive the increment for the new academic year, meaning it is possible for someone to not receive their incremental progression for consecutive and / or multiple years.

Please note, there may be some situations which will require review on a case-by-case basis, based on the individual circumstance. A review such as this

should not be carried out in isolation by the manager but in conjunction with the relevant People and Development Representative.

7. Performance that does not meet expectation

Performance that does not meet expectation can occur for a number of reasons and due to the adverse effect it can have on learners, colleagues and the wider business, it is vital that it is dealt with effectively and in a timely manner.

Examples of performance concerns could be:

- Targets or deadlines not being met.
- Colleagues avoiding meetings or conversations with other colleagues and/or managers.
- Colleagues not completing tasks or achieving outcomes.
- Colleagues not overall achieving objectives set as part of the annual performance review cycle.
- Inconsistent behaviours or behaviours outside of the NCG values.
- Negative feedback from others.
- Inconsistency in performance.
- For teaching colleagues, feedback may come from evaluation methods outlined in the TLA policy i.e., not meeting the NCG 'standard' in evaluation of teaching practice, quality of progress reviews and student feedback and student voice concerns.

8. Informal performance improvement procedure

Where a colleague's performance is below the required standard, in the first instance this will normally be managed informally. This should be done through discussions as part of regular one to one meetings and open communication between the colleague and their manager is encouraged at all times. As these meetings are informal, there is no automatic right to be accompanied.

During these meetings, the manager will outline the performance concerns, giving the colleague the opportunity to respond and provide any background

information or mitigation that they would like taken into consideration.

The manager will highlight what they expect from a colleague in their role, set clear objectives and will jointly determine what support or training is required to help the colleague achieve and maintain the expected standard. This will be detailed in a performance improvement plan (PIP). A colleague's performance will be reviewed in line with their performance improvement plan, usually for a minimum period of four weeks. At the end of the informal procedure, the outcome may be:

- No further action is taken, as performance has improved
- The informal performance review period may be extended
- The formal procedure commences

9. Formal performance improvement procedure

Where the required improvements in performance are not achieved, or consistently sustained following the informal process, or where performance concerns are deemed significant enough, the manager can progress to any point of the formal performance improvement procedure, depending on the severity of the performance issues.

10. Invite to a formal performance improvement meeting

Reasonable notice of a formal performance improvement meeting will be given in order to prepare. Normally this will be 7 calendar days, unless otherwise agreed.

Timeframes may be adjusted at the discretion of the chairing manager to allow sufficient time for the provision of alternative formats of documents to be made available.

The invite to the meeting will confirm that the formal procedure is being implemented, the date, time and venue of the meeting and confirm any entitlements (i.e. the right to be accompanied) and the possible outcome as a result of this procedure. Colleagues will also be provided with any relevant documentation. Meetings may be held face to face or virtually through relevant business software, such as, Microsoft Teams. Colleagues will be given notice

of how the meeting will be conducted. If the meeting is to be held virtually, the importance of privacy will be stated and confirmed before the meeting commences.

11. Right to be accompanied

At formal meetings, colleagues have the right to be accompanied by a trade union representative or an NCG colleague.

The chosen companion will be allowed to address the meeting, respond on a colleague's behalf to any view expressed and sum up the case on their behalf. However, the meeting is essentially between the colleague and the manager, and is the colleague's opportunity to provide further details, so any questions put directly to the colleague should be responded to by them and not their companion.

Colleagues should make every effort to attend. If the colleague or their companion cannot attend a meeting at the date or time arranged, they should let the manager know as soon as possible and within reason agree an alternative date and time. If a colleague fails to attend without explanation, or fails to attend a rescheduled meeting, the meeting may take place in their absence.

If a colleague has disclosed an underlying health condition, suffer from a chronic illness or disability, the manager will consider requests for a non-participating health care provider to be present during formal meetings.

12. Note taking & recording

Other colleagues attending the meeting will include a note taker and may involve a member of the People & Development team.

Recording equipment cannot be used at any time during meetings. Non verbatim notes will be taken during the meeting, and colleagues will be provided with a copy of the notes from their meeting. The colleague or their representative are welcome to take their own notes.

13. During the formal meeting

At the meeting the manager will outline the performance concerns, give the colleague an opportunity to respond and to provide any background information or mitigation they would like taken into consideration. They will highlight what they expect from the colleague, set clear objectives and the colleague / manager will jointly determine what support or training is required to help the colleague achieve and maintain the expected standard of performance. This will be detailed in a performance improvement plan.

The manager will summarise what has been discussed and adjourn the meeting before making a decision regarding the outcome.

14. Outcomes following the formal meeting

The manager will take due consideration of occupational health advice or arrangements before determining any outcome. Therefore, it is imperative that colleagues disclose any underlying health conditions, chronic illnesses or disabilities early on in any process.

Following any formal performance management meeting the outcome may be:

- No formal sanction is issued and the formal review period commences / is extended to allow sufficient time for performance to improve (usually for 4 weeks).
- A formal sanction is issued which may include:
 - A first written warning to be kept on file for 12 months,
 - A final written warning to be kept on file for 12 months,
 - An alternative outcome short of dismissal (i.e. redeployment) or,
 - Dismissal with notice.

It is normal when managing performance that if performance does not improve, warnings may escalate from a first written warning, to final written warning prior to considering dismissal. Though in some circumstances, where there are serious concerns, steps can be missed.

Where the required standard is not achieved, the formal performance review period will continue (usually for 4 weeks) and further formal meetings will be

arranged to review progress. Additional recommendations may also be applicable i.e. training and coaching, temporary or permanent adjustments to duties and/or changes to working hours.

As soon as possible following the formal meeting, the colleague will be informed of the outcome in writing and of any next steps. Where a formal sanction has been issued or if the outcome is dismissal, the colleague will also be notified of their legal right of appeal.

15. Right of Appeal

Colleagues have the right to appeal against the outcome of a formal sanction. They should appeal in writing to the person identified in the outcome letter, stating the full grounds of their appeal, within one calendar week of receipt of the outcome letter. If an appeal is not made within one calendar week, it will be assumed that the colleague accepts the decision.

Any appeal should be exercised under the relevant policy rather than raising a grievance under the NCG Grievance Policy.

An independent manager will be appointed and a further meeting will be held to discuss the appeal. The colleague will have the right to bring a companion in line with other formal meetings. As the appeal meeting is formal, the same principles will apply to that of other formal meetings with regards to the meeting invitation rights, attendees, responsibilities and expectations.

The purpose of the appeal is to consider any of the following raised by the colleague:

- Any new evidence provided
- Specific appeal reasons
- Procedural matters
- Whether the sanction issued was appropriate

Following the formal appeal meeting, the outcome may be:

- The original decision is upheld.
- The original decision is overturned.

- The colleagues position is reinstated where redeployment or dismissal was deemed too severe.

The outcome will be confirmed in writing outlining any next steps, where appropriate. The appeal managers decision is final and there is no further right of appeal.

16. Senior Post Holders and Senior Executive

Senior Post Holders (SPH) are defined in the Article of Government and have been agreed within NCG as the members of Group Executive including the Principals of each of the Colleges. Whilst all of these roles are classified as SPH reporting lines do vary with the following having been agreed:

Reporting to the Chair of Corporation:

- Chief Executive Officer.
- Chief Operations & Compliance Officer and Secretary to the Board.

Reporting to the Chief Executive Officer:

- Executive Principals
- All other Senior Post Holders (excluding the College Principals)

Reporting to the Executive Principals:

- College Principals

Any performance concerns will be managed by an appropriate person. This will normally be as per the table below however with agreement from the CEO and Chair of Corporation this can be delegated to another appropriate manager.

Post Holder	Investigation	Appeal
Chair of Corporation	Vice Chair of Corporation	Chair of Appraisal and Remuneration

CEO	Chair of Corporation	Vice Chair of Corporation
Chief Operations & Compliance Officer and Secretary to the Board	Chair of Corporation	Vice Chair of Corporation
All other Senior Post Holders	CEO	Chair of Corporation

Where there is a recommendation to progress to a formal performance management process, the colleague will be invited to a formal performance improvement meeting as per the process outlined in this policy and an appropriate outcome issued. They will receive a response in writing in line with the above process. Should they wish to appeal the decision the appeal should be in writing to the members of the Corporation, via the Executive Director & Secretary to the Board

17. Variations to this policy / procedure

This procedure is intended as an overview of how performance is managed, however, it may need to be adapted to suit the needs of each situation. On occasions, it may not be appropriate to follow each of the stages in turn or in the timescale suggested. Regardless of the stage at which this procedure is started, support will be offered and implemented to assist colleagues throughout the process.