



<u>Policy Title</u>	NCG Performance Management Policy
<u>Policy Category</u>	Compliant
<u>Owner</u>	Director of People and Development
<u>Group Executive Lead</u>	Chief Executive Officer
<u>Date Written</u>	May 2019
<u>Considered By</u>	N/A
<u>Approved By</u>	Executive Board
<u>Date Approved</u>	September 2019 / Review Date Updated: May 2021
<u>Equality Impact Assessment</u>	The implementation of this policy is not considered to have a negative impact on protected characteristics and an assessment was carried out on 26 April 2019. 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>	July 2021
<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
Professional Services	Yes	Yes
Kidderminster College	Yes	Yes
Lewisham College	Yes	Yes
Newcastle College	Yes	Yes
Newcastle Sixth Form College	Yes	Yes
Southwark College	Yes	Yes
West Lancashire College	Yes	Yes

<u>Changes to Earlier Versions</u>	
<u>Previous Approval Date</u>	<u>Summarise Changes Made Here</u>

<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

1. Scope and purpose of policy

This policy does not form part of colleague's contracts 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 probation period.

2. Introduction

The purpose of this policy is to provide a framework within which performance is managed fairly, consistently and promptly. The performance management process 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 probation period, this will be managed in line with the NCG Probation Policy.

Where the performance concern relates to long-term absence or an underlying health condition, this will 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 standard of performance in line with the 12 Key Principles of Great Teaching this will be managed in line with the NCG TLA Policy.

4. Benefits of performance management

The NCG Performance Management process is a continuous two-way process and is not just an event which happens once a year. Colleagues and Managers have joint responsibility for making sure it happens and it requires commitment from both parties to be successful.

There are many benefits of managing performance, the main one being the improved quality of the learner experience.

5. Colleague benefits of performance management

- Provides a clear understanding of what is expected of colleagues in their role and how performance will be measured.
- Encourages colleagues to evaluate their own performance and receive and discuss feedback from their manager, as well as providing an opportunity for colleagues to provide feedback.
- Provides an understanding how their role links to the overall business objectives



- Supports colleagues to become as effective as possible and develop their skills for the future by providing an opportunity for:
 - Discussions about job performance
 - Identify training and development needs
 - Discussing career aspirations

6. NCG benefits of performance management

- Everyone's activities are focused on achieving NCG objectives.
- Provides a framework to help fairly and consistently manage and assess performance and give feedback
- Provides a potential pipeline of identified future talent.
- Colleagues are developed in accordance with individual and NCG needs
- Colleagues' efforts are recognised, valued and rewarded.

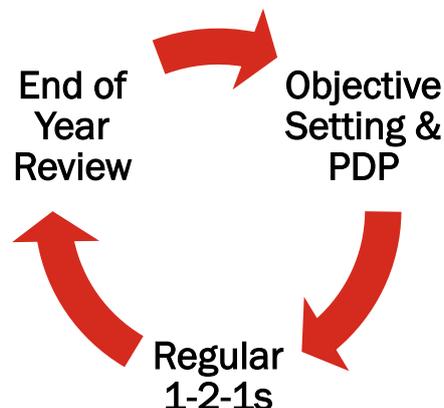
7. Performance management process

It is the manager's responsibility to deliver the performance management process and continually drive standards. All colleagues have a responsibility to consistently achieve a satisfactory level of performance and actively participate in the annual performance review process.

8. Annual performance cycle

The annual performance management cycle includes objective setting at the start of each year, which incorporates the development of a personal development plan, regular 121s with a colleague's manager and an end of year review, to confirm a final performance rating.

Where colleagues continue to achieve the required standard of performance, the process is repeated on an annual basis.



9. End of year review rating

All colleagues (except those still within their probationary period) will be invited to attend an end of year review meeting between 1st August and 31st October by their manager to discuss their performance.

During this meeting the colleagues overall rating for their performance will be discussed, however the rating will not be confirmed until a later date.

A localised levelling process, whereby overall grading is reviewed, will take place to ensure consistency and transparency, and facilitates the final rating being agreed.

There is no right of appeal against overall rating.

10. Pay scale incremental progression

Each college has their own arrangement in regard to pay scale increments. Overall performance in role and satisfactory completion of objectives including satisfactory demonstration of the values and behaviours will contribute towards the criteria for making decisions on the application of pay progression. In addition, evidence of informal or formal disciplinary / performance management interventions may also be a contributory factor.

Where the outcome is that a colleague has not achieved incremental progression, they will be given the right to appeal the decision, in line with the application of their college increment scheme and not in line with their end of year review rating.

Colleagues who wish to exercise their right of appeal against an incremental progression decision must do so under the Performance Management Policy and not the Grievance Policy. This should be done in writing to the Principal / member of the SLT stating the full grounds of the appeal and within one calendar week of the decision to withhold a pay increment being confirmed.

Colleagues will be invited to a meeting to discuss their appeal. The appeal manager's decision is final and there is no further right of appeal, this is the final step in the process and colleagues are not then able to submit a grievance.

11. Recognising good performance

NCG is committed to acknowledging and rewarding good performance through praise, recognition and encouraging colleagues to share their achievements and contributions with others.

12. When poor performance can occur

Poor performance 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 issues could be:

- Targets or deadlines not being met.
- Colleagues avoiding meetings or conversations with other colleagues and managers.
- Colleagues not completing tasks or achieving outcomes.
- 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. observations, learner feedback, learner/teacher's work.

13. Managing performance improvement informally

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 1-2-1 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 a minimum four weeks.

Following 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

14. 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.

15. 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.

16. 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.

17. Note taking & recording

Other colleagues attending the meeting will include a note taker and may involve a member of the HR 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.

18. 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.

19. 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.

For the above outcomes additional support may also be applicable i.e. training, coaching, temporary or permanent adjustments to duties and/or 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.

20. Right of Appeal against formal sanctions

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.

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.

Following the formal appeal meeting, the outcome may be:

- The original decision is upheld
- The original decision is overturned
- The colleague's 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 manager's decision is final and there is no further right of appeal.

21. 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 and 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.
- Executive Director of Governance, Assurance and Risk – Governance responsibilities only.

Reporting to the Chief Executive Officer:

- All other Senior Post Holders.
- Executive Director of Governance, Assurance and Risk for non-Governance responsibilities.

Any performance concerns will be investigated by the Chair (or the Chief Executive Officer as appropriate), or an appropriate manager as delegated by the Chair / CEO. Where there is a recommendation to progress to a formal performance management, the colleague will be invited to a formal performance management 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 corporations, via the clerk of the corporation.



22. 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.