



**WILLIAMSBURGH**  
HOUSING ASSOCIATION LTD

## **Performance Management Policy**

### **Revision History**

<b>Policy</b>	Performance Management
<b>Reviewer(s)</b>	HR
<b>Committee Name</b>	Management Committee
<b>Number and Date of Meeting</b>	546 27 <sup>th</sup> March 2024
<b>New Policy or Description of Revision</b>	New
<b>Equality Impact Assessment Complete</b>	N/A
<b>Data Protection Impact Assessment Complete</b>	N/A
<b>Health and Safety Risk Assessment Complete</b>	N/A
<b>Consultation Complete</b>	March 2024 (Staff forum)
<b>Next Review Date</b>	March 2027

## Introduction

The success of Williamsburgh Housing Association (WHA) depends on contributions from all our staff. We recognise that the majority of our staff meet or exceed the demands of the role. Through our appraisals, 1:1s and general discussions managers will ensure that staff are aware of what is expected of them and will support them to achieve and maintain high standards of performance.

However, performance issues can and do arise. We are committed to ensure that our staff are treated consistently and fairly in these situations. Managers will, where possible, seek to resolve performance issues informally.

Matters relating to performance will be dealt with as quickly as circumstances allow. Performance matters will be treated in confidence at every stage. WHA reserve the right to start the formal procedure at any level depending on the seriousness of the performance issue, or where an earlier pattern of unacceptable performance has been established.

## Objectives

The main focus of this policy is to ensure that where there is a performance concern, the employee is made aware at the earliest opportunity and supported to ensure they are able to attain an acceptable level of performance on an informal basis.

Where this is not possible this policy sets out a framework for managers and employees to work through to ensure that issues are managed sensitively, fairly and consistently.

## Procedure

### Informal Resolution

It is our firm commitment to aim to resolve minor cases of unsatisfactory performance informally as we recognise that these situations are usually best resolved using an informal approach.

This may include, but is not limited to:

- An informal conversation between manager and staff member
- Identifying coaching, mentoring or training needs
- Discussion with the relevant parties (Manager, HR, member of the Senior Management Team (SMT) or Management committee member)
- A stress risk assessment being carried out

All managers will undertake performance management training and should ask for support when required from either their SMT or HR. A guide for managers: Supporting your staff when there is a performance concern has also been developed.

If there is no improvement in performance, or the issue is not resolved following this conversation then specific actions and timescales for improvement must be agreed as a result of an informal meeting. This will be documented by the line manager with the

employee receiving a copy and another stored on the personnel file. A template is available in [Appendix 1: Performance Improvement Plan](#).

If informal action does not result in improved performance, or poor performance is considered too serious to be resolved informally, the formal procedure will be initiated. The line manager should discuss the potential of moving to a formal stage with HR prior to invoking formal proceedings. The member of staff must be made aware that failure to improve performance at this stage could result in progressing to a formal stage.

Where there may be stress within work or home life impacting on an employee's ability to carry out their job, managers should discuss our Employee Assistance programme and a stress risk assessment should be undertaken.

### **Formal Procedure**

The Line Manager should be able to clearly demonstrate to the individual why the matter is progressing to the formal stage of the policy, what support has been provided and examples of continued underperformance. The formal procedure is aligned to WHA Disciplinary Policy and HR must be consulted through all formal stages of the policy.

### **What you can expect from WHA**

- Consistent, fair and reasonable treatment of performance matters across the organisation
- To act promptly when potential performance matters come to light.
- To deal with minor performance issues informally
- To advise you in writing at all stages of the formal procedure of the nature of the issue of performance and give you the opportunity to state your case, present any evidence and mitigating factors before a decision is reached.
- The right to be accompanied by a 'companion' – a colleague or trade union representative at each stage of the formal procedure.
- Not to be dismissed for a first breach of performance (following a Performance improvement hearing) except in the case where actions or inactions have resulted in a significant impact to the business, for example in relation to health and safety, reputation or financial loss.
  - Please note that where there is the risk of a dismissal due to the seriousness of the performance concern as noted above, the individual will be advised of this risk in the invite to the Performance improvement hearing.
  - In line with our Standing Orders, Delegated Authorities, where there is the risk of dismissal, the Decision maker will be a minimum of SMT of another department, the CEO or in more senior positions the Management Committee.
- To have the right of appeal against performance sanctions issued.
- To be treated with courtesy and respect throughout any performance process.

- Any employee who disagrees with the content of the conversations should raise this with their line manager at the time, or as soon as is reasonably possible. If you continue to disagree you can raise this with either the next in line manager (i.e. your manager's manager), or seek advice from HR.

### Procedures

Once a formal stage has been reached for performance, the employee must be given at least 5 working days' written notice of a formal Performance Hearing and informed of:

- The date, time and location of the meeting
- The purpose of the meeting
- The right to be accompanied by a trade union representative or a work colleague
- HR will be in attendance
- That a warning in relation to the performance levels may be given (which could lead to the termination of employment when relevant)
- As this is part of a formal process, the employee is entitled to appeal the outcome. To request an appeal there must be clear details of new evidence or an appeal based on the organisation not following proper procedures.

**Table 1.1 – Level of Delegated Authority**

Stage in the process	Decision maker	Appeal
Informal	Line Manager	n/a
Formal	SMT	CEO
Formal where a dismissal may be considered	SMT of another department	CEO

Should the Employee in question be of SMT level then formal stages will be handled by the CEO with the appeal being Management Committee. If the employee is the CEO then all stages will be handled by the Management Committee

### The Performance Improvement Hearing

As per [Table 1.1 – Level of Delegated Authority](#), an appropriate manager will be appointed to hear the case.

The purpose of the Performance Improvement Hearing is to discuss the concerns and to:

- Clearly define the expected level of performance and the gap between that and the employee's current performance
- Explore possible causes of the unacceptable level of performance, review the support which has already been put in place and explore what other support could be provided.
- Provide the individual with an opportunity to present any facts and evidence

- Set and agree a supporting Performance Improvement Plan ([Appendix 1](#)) and agree how and when it will be monitored.

Any formal action will reflect the seriousness of the performance issue and will be either:

- First written warning
- Final written warning
- Dismissal

The Chair of the Hearing will carefully consider the evidence presented and determine the appropriate outcome. The outcome of the hearing will be confirmed in writing to the individual within 5 working days.

### **First Written warning**

A first written warning will set out the nature of the performance issues, the details of the expected levels of performance and any available support and will remain as a live warning on the personnel file for 6 months, subject to satisfactory performance.

During the period of the warning being live, regular review meetings will take place.

Unsatisfactory improvement or further breaches under this procedure may lead to a final written warning or dismissal if the issue is sufficiently serious.

### **Final Written warning**

If there is a current live warning in place about performance, then unsatisfactory improvement or further performance issues may warrant a final written warning. This may also be the case where a 'first offence' unsatisfactory performance is sufficiently serious but would not justify dismissal.

A final written warning will set out the nature of the performance issues, the details of the expected levels of performance and available support and will remain on the individual's record for 12 months, subject to satisfactory performance.

Unsatisfactory improvement or further breaches under this procedure may lead to a dismissal.

### **Review meetings**

The Line manager will carry out the review meetings and an assessment of progress will be undertaken. Dependent on progress, the range of outcomes are:

- The employee's performance has improved satisfactorily and no further formal action is required
- The individual has made substantial progress, but not to the full level required – the line manager can extend the review period for a further agreed period of time.
- The individual has made little or no improvement – the matter will progress to the next level of the formal process.

## Dismissal

In reaching a decision to dismiss, prior careful consideration must be taken to ensure that all avenues have been exhausted. The employee will be notified in writing of the outcome and the reason for it.

The employee will receive a letter confirming:

- The reason(s) for dismissal
- The date on which their employment will terminate.

An employee dismissed under this practice is entitled to their contractual notice. A decision will be made as to whether the individual will work their notice or to be paid in lieu of notice. The decision should be made by giving consideration to the circumstances of the case.

## Appeal

Every employee has the right of appeal following a formal outcome. The reason for appeal must be in relation to:

1. There is new evidence the employee would like the appeal chair to consider.
2. There has been a failing in the process by WHA.

All appeals must be lodged within 5 working days of the notification of the decision.

All appeal hearings should be convened within 10 working days of the appeal being lodged.

## Data Protection

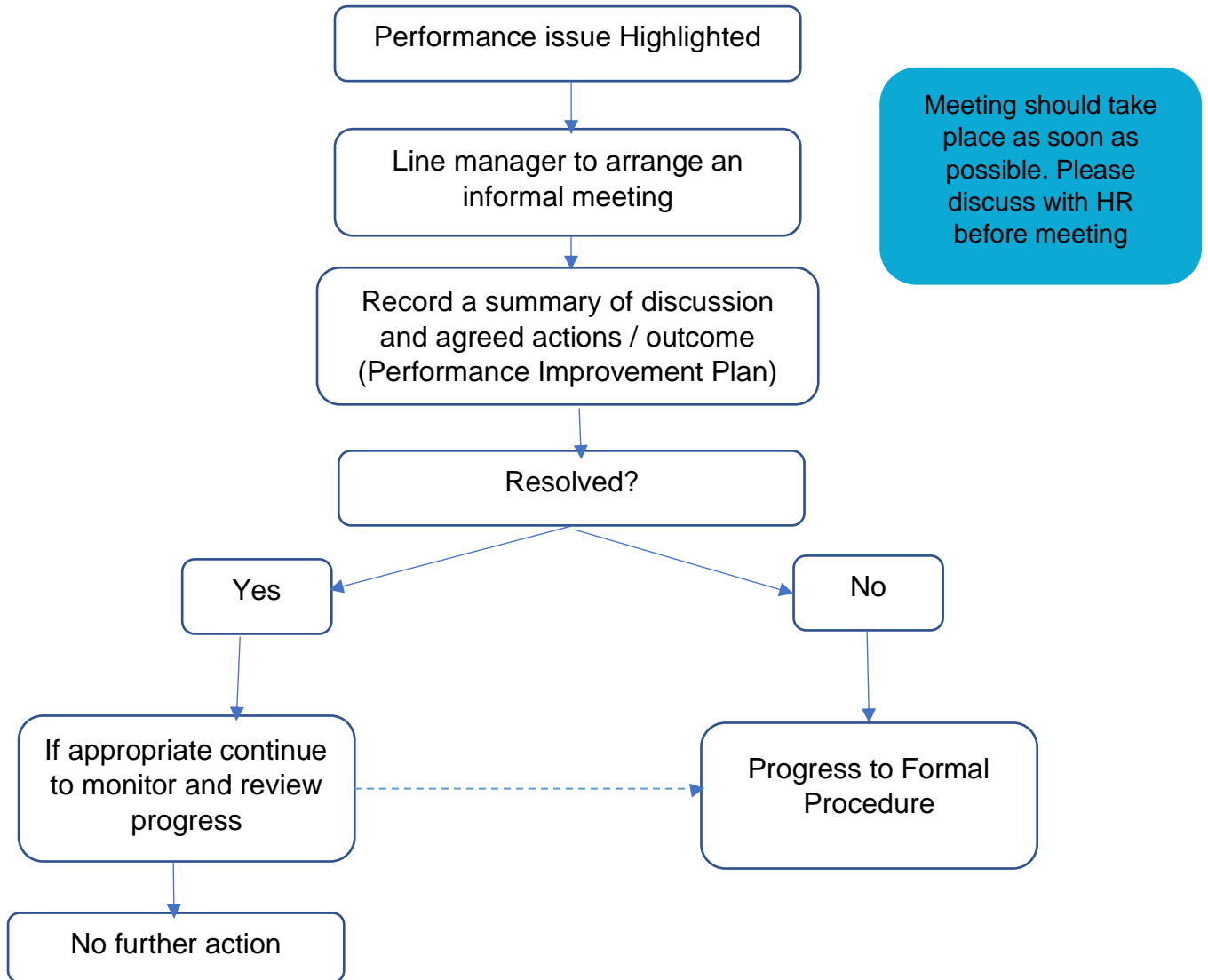
The organisation will treat your personal data in line with our obligations under the current data protection regulations and our own Data Protection policy.

## Review

This policy will be reviewed by the Management Committee or relevant sub committee every three years to ensure that it responds to any changing circumstances.



## Appendix 2: Informal Resolution Flowchart





## Appendix 3: Formal Procedure Flowchart

