

**WEST YORKSHIRE FIRE AND RESCUE SERVICE
PERFORMANCE IMPROVEMENT PROCEDURE.
GUIDANCE FOR MANAGERS**

1. Introduction

1.1 The purpose of this procedure is to give guidance to line managers when employees have been identified as failing to meet satisfactory performance standards.

2. Background

2.1 West Yorkshire Fire and Rescue Service endeavours to ensure that all employees are adequately trained and competent to undertake their duties.

2.2 Where an employee's performance of duties in their post is giving cause for concern the situation should be investigated and action taken in consultation with the employee and in accordance with this guidance. Performance is defined as skill, aptitude, qualifications, attitude and mental or physical qualities.

2.3 Where line managers have identified issues related to performance, such as a poor sickness record, disciplinary action or competency concerns they may withhold their approval for an individual to attend a promotion Assessment and Development Centre (ADC) and/or the payment of Continual Professional Development (CPD).

2.4 This procedure does not affect the responsibility of line managers to supervise staff on a day-to-day basis to ensure that standards are maintained and poor performance is challenged.

2.5 If a line manager has concerns over an employee's current performance to the extent that it is felt CPD may not be awarded or may not be renewed, he/she should use the procedures in this guidance to give the employee every opportunity to reach the required level of performance before sanctions are applied.

2.6 This guidance is for line managers of all employees covered by the National Joint Councils, Scheme of Conditions of Service (Grey Book).

3. Stages of the procedure

The framework is built around three key stages: -

3.1 Stage 1 is to be used in the early stages following identification of unsatisfactory performance. Line managers should consider the use of a Performance Improvement Action Plan (PIAP) (Appendix f) and/or a Stage 1 memo (Appendix a) as appropriate.

3.2 Stage 2 is to be used when the employee's unsatisfactory performance continues. Stage 2 should be resolved by the application and monitoring of an appropriate PIAP.

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3.3 Stage 3 is the final stage to be used when an employee has failed to meet the standards of the Stage 2 PIAP and their unsatisfactory performance continues.

3.4 Following completion of all three stages, it may be necessary to undertake further action using the discipline procedure.

4. Stage One

4.1 If an employee's ability to perform the duties of their post is in question the line manager should discuss the matter with the employee at the earliest opportunity.

4.2 Where subsequent unsatisfactory performance is identified as arising from a lack of ability or ineffectiveness a specific PIAP should be considered. In all cases a memorandum outlining the reason for the discussion should be placed on the employee's Personal Record File (PRF) and a copy issued to the employee. (Appendix a)

4.3 Where appropriate the line manager and employee should agree a specific PIAP. The purpose of the agreed action plan should be to make the employee aware of the standard to be achieved and set a realistic timescale for completion. All staff involved should be fully briefed on their part of the action plan and agree an appropriate method of monitoring. This should include;

- The performance problem,
- The improvement that is required,
- The timescale for achieving this improvement,
- A review date and
- Any support the employer will provide to assist the employee.

4.4 Once the PIAP is agreed this should be placed on the PRF and a copy issued to the employee. Managers should remind employees that if performance is not improved it may affect their future CPD payments and approval to attend an ADC may be withheld.

4.5 Where unsatisfactory performance is identified as arising from a lack of ability or ineffectiveness and where a PIAP is not appropriate a memorandum outlining the reason for the discussion should be placed on the PRF and a copy issued to the employee.

4.6 If it is identified or suspected that the unsatisfactory performance is due to an identifiable or suspected physical or mental condition, the line manager may refer the matter to the Authority Medical Adviser (AMA) for an opinion on the condition and request a prognosis as to the duration and rehabilitation if required.

4.7 If the AMA identifies an illness, injury or other physical or mental cause for the unsatisfactory performance of the employee, which is short term in nature, the line manager should include this information in the PIAP ensuring support for the

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employee whilst affected by the condition. The medical condition should be taken account of and a memo put on the employees PRF.

4.8 If the AMA does not identify an illness, injury or other physical or mental cause for the unsatisfactory performance of the employee then the line manager should include this information on the PRF and continue to complete the PIAP.

4.9 If an employee does not achieve satisfactory completion of the PIAP or there are further instances of unsatisfactory performance, the line manager should move to Stage 2.

5. Stage Two

5.1 If an employee has failed to improve performance or to meet the standards of the Stage 1 PIAP or further poor performance is identified then Stage 2 should be applied.

5.2 The line manager should inform the employee in writing (Appendix b) that they will be interviewed as part of the Stage 2 process within a reasonable timescale and that they will be provided with clear details (including examples) of where performance has been identified as unsatisfactory. The employee should be advised that they will be given the opportunity during the interview to discuss the reasons for poor performance. Line managers should always explore the possibility that personal circumstances are causing the poor performance. If required the employee may be accompanied to the interview by a trade union representative or a work colleague.

5.3 The line manager and employee should agree a specific PIAP. The purpose of the agreed action plan should be to make the employee aware of the standard to be achieved and set a realistic timescale for completion. All staff involved should be fully briefed on their part of the action plan and agree an appropriate method of monitoring (Appendix f). This should include:

- The performance problem,
- The improvement that is required,
- The timescale for achieving this improvement,
- A review date and
- Any support the employer will provide to assist the employee.

5.4 Once the PIAP is agreed this should be placed on their PRF and a copy given to the employee. Managers should remind employees that if performance is not improved it may affect their future CPD payments and approval to attend an ADC.

5.5 After the agreed completion date a further interview should be held with the employee to review performance. If required the employee may be accompanied to the interview by a trade union representative or a work colleague.

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5.6 If the requirements of the PIAP have been satisfied and the employee's performance is deemed to be satisfactory the employee should be informed at the interview and in writing that this has been concluded. A copy of this letter should be placed on the employee's PRF. (Appendix i)

5.7 If the requirements of the PIAP have not been satisfied and the employee's performance is deemed to still be unsatisfactory, consideration may be given to the extension of the PIAP or an alternative PIAP may be drawn up. The employee should be informed personally and in writing of any proposed action (Appendix g). During this process the employee may be accompanied by a union representative or work colleague. A copy of the letter should be placed on the employee's PRF. If a PIAP is extended or revised then guidance from the appropriate AM or F&RS manager should be followed.

5.8 Where the employee has failed to meet the requirements of Stage 2 then the third, and final stage, should be followed.

6. Stage Three

6.1 If an employee has failed to improve performance or meet the standards of the Stage 2 PIAP then Stage 3 should be applied.

6.2 The line manager should inform the employee in writing within a reasonable timescale (Appendix d) that they will be interviewed as part of the Stage 3 process and that they will be provided with clear details (including examples) of where performance has been identified as unsatisfactory. The employee should be advised that they will be given the opportunity during the interview to state their point of view. If required the employee may be accompanied to the interview by a trade union representative or a work colleague.

6.3 At this stage, if performance remains unsatisfactory, the employee should be given the stage 3 letter (Appendix e) outlining the consequences of failure to improve.

6.4 If there are additional reasons or new information is presented this should be assessed and where necessary a revised PIAP should be agreed (Appendix g)

6.5 Line managers should remind employees that if performance is not improved it may affect their future CPD payments and approval to attend an ADC may be withheld.

6.6 If all stages have failed to assist the employee to improve and all options have been exhausted the next step may be the use of the discipline procedure. If this is the case the employee should be informed in writing and a copy of this letter should be placed on the employee's PRF (Appendix h).

6.7 If the line manager has decided that, following completion of all stages that the CPD payment should not be awarded, the employee should be informed in writing

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within a reasonable timescale. A copy of this letter should be placed on the employee's PRF (Using Appendix 1 of the CPD implementation guidance for managers document). An employee is entitled to raise the decision not to award or continue the payment through the grievance procedure.