

PERFORMANCE MANAGEMENT FRAMEWORK FOR APPRENTICES IN AN APPRENTICESHIP TRAINING PROGRAMME

This framework provides a process for addressing unsatisfactory performance of an Apprentice in respect of their ability to satisfactorily meet the requirements of the Apprenticeship scheme.

At SBC, we are whole heartedly committed to Apprenticeships as a means of growing our own talent to become qualified members of staff who will continue to grow and develop within the Council and contribute to delivering our future Service Plans. Therefore our aim is that all our Apprentices receive the full support, coaching and mentoring they require to successfully complete their Apprenticeships.

We recognise that sometimes other circumstances may affect an Apprentice's ability to meet the required performance standards during their training programme and we also recognise that individuals progress at different rates.

We have created this Performance Management Framework to ensure that all individuals are given every opportunity to succeed and that as an employer we have supported them in every way we can.

The objective of this framework is to support the Apprentice in making the necessary improvements to reach the required standard of performance and where there are concerns there is a process in place to address these concerns. It is recognised that one-to-one and performance review meetings may not always succeed in achieving the required level of performance improvement and, in such situations a more formal procedure is required.

In circumstances where it is deemed that the Apprentice is deliberately and/or wilfully underperforming, the Council's Disciplinary Policy and procedure will apply.

1 SCOPE

- 1.2 This framework applies to Apprentices who have successfully completed their probation period and existing employees who have transferred to Apprenticeship roles.

2 KEY PRINCIPLES

- 2.1 Good performance management helps an Apprentice know:
- what the business is trying to achieve
 - their role in helping the business achieve its goals
 - the skills and knowledge they need to fulfil their role
 - the standards of performance required
 - how they can develop their performance and contribute to the development of the organisation
 - how they are doing
 - when there are performance problems and what to do about them

2.2 Managing performance is crucial to the relationship between a Manager and their Apprentice. It can be a key element of good communication and foster the growth of trust and personal development. Managing performance is central to how well your Apprentice will be engaged in their work and how well they will perform.

2.3 An engaged Apprentice is someone who:

- takes pride in their job and shows loyalty towards their line manager, team or organisation
- goes the extra mile – particularly in areas where the Apprentice needs to be creative, responsive or adaptable

2.4 An Apprenticeship may be the first step into the workplace for some, so it is important to remember that they are also learning how to operate in a working environment. Managers are therefore advised to exercise a level of patience and understanding regarding these aspects.

3 RESPONSIBILITIES

3.1 In applying this procedure **Managers** are expected to:

- Ensure the Apprentice is aware of the performance standards expected and the consequences of failing to meet these standards
- Deal with concerns in respect of the Apprentice's performance promptly within regular one-to-ones / supervision meetings
- Ensure unsatisfactory performance is clearly explained to the Apprentice and provide specific examples
- Set clear targets for improvement – Specific, Measurable, Affordable, Realistic, Timely (SMART)
- Agree how targets for improvement will be monitored, confirm what will constitute satisfactory achievement of the targets and confirm the timeframe for targets to be achieved
- Seek advice from the Slough Academy Apprentice Specialist in advance of any steps being taken to progress to the formal stages of this framework
- Ensure the Apprentice has a current copy of this framework
- Keep an adequate and accurate record of all meetings
- Agree and action any support required for Apprentices to reach the desired performance standards
- Ensure there are sound and demonstrable reasons with supportive evidence if there is a requirement to progress matters through the formal stages of this framework

3.2 **Apprentices** are expected to:

- Know and fully commit to the performance standards required from them in to successfully complete their Apprenticeship
- Identify and request any support they require to meet the required performance standards

- Make themselves available for meetings with management, college representatives and their support network to discuss their performance and any improvements required
- Achieve the agreed targets within set timeframe

4 PROCESS

Informal Stage

- 4.1 Where an Apprentice's performance does not meet the required standard this should be discussed with them as soon as possible as part of the regular management/supervision process (e.g. one to one / supervision meetings). The Manager should communicate to the Apprentice that they are within the Informal Stage of this performance management framework and record this within the one to one / supervision meetings. This must include reasons why and how the performance issues will be addressed. Progress should continue to be monitored through regular one to one/supervision meetings.
- 4.2 If after the agreed timescale there has not been the required improvement in the Apprentice's performance and/or achievement of the agreed performance targets then the matter will be progressed to a Formal Performance Review Meeting.

5 Formal Procedure

Performance Review Meeting

- 5.1 The Apprentice will be asked to attend a Formal Performance Review meeting by their line Manager (or another appropriate Manager) where they will have the right to be accompanied by a work colleague or Trade Union representative. At least 5 working days' notice will be given. This will be confirmed in writing to the Apprentice by their line Manager.
- 5.2 The objectives of this meeting will be for the Manager to:
- Explain clearly the gap between the Apprentice's performance and the required performance standards with evidence and specific examples to support this view
 - Identify the causes of the poor performance and identify if these can be addressed by providing training/support to the employee to achieve the necessary performance improvement. This support may include retraining, further training, coaching, mentoring, closer supervision and support.
 - Set a reasonable period for the employee to achieve the required performance standards and agree a monitoring system during that period
 - Set a date for a review meeting at the end of this review period
 - Explain that, if there is any further deterioration in performance, or sufficient cause for additional serious concerns during the agreed review period, the Manager can progress to the Apprenticeship Termination Hearing.
- 5.3 At the end of the Performance Review meeting, a letter will be sent by the Manager to the Apprentice, with a copy to their representative, detailing:
- The agreed areas requiring improvement in performance
 - The agreed improvement targets and timeframe

- The agreed support to be implemented
- That, if there is a further deterioration in performance, or insufficient progress during the current review period, the Manager can progress to Dismissal Stage
- Failure to achieve the required standards within the agreed timescales could ultimately lead to considering termination of the Apprenticeship

6 Apprenticeship Termination Hearing - Dismissal Stage

- 6.1 The Apprentice will be asked to attend a formal hearing. The panel will consist of the:
- Service Lead or a nominated Senior Manager
 - Senior Manager
 - HR Representative
- 6.2 The purpose of this Hearing is to:
- Review all the facts and evidence provided by the line Manager in respect of the Apprentice's performance
 - Review assistance and support that has been offered to the Apprentice to secure improvements in performance
 - Allow the Apprentice to respond to the issues raised and to offer any further explanation or evidence in support of their case
 - Consider whether the employee's contract of employment and Apprenticeship should be terminated on the grounds of inadequate performance and failure to meet performance targets

7 Procedure for the Performance Review Hearing

- 7.1 Where it has been decided to proceed to a formal hearing the Apprentice will be advised in writing by the Manager who has been reviewing their performance and given at least 10 working days written notice. Shorter notice of the hearing may be mutually agreed. In exceptional circumstances, a deferment where further time is required to prepare for a hearing will not be unreasonably refused, but such a deferment will not normally exceed 5 working days.
- 7.2 The letter should be marked 'Private & Confidential' and include as appropriate:
- a) Date, time and place of the hearing
 - b) The areas of poor performance which are being considered
 - c) The names of the members of the Panel conducting the hearing
 - d) The name of the Manager presenting the management case
 - e) Copies of all written evidence, which will be referred to by management side
 - f) Names of any management witnesses who will be attending in person at the hearing
 - g) The employee's right to be accompanied by a Trade Union representative or work colleague (a second copy of the letter should be provided for use by the representative)
 - h) Reference to the Apprentice's right to call their own witnesses, present written submissions and witness statements; this information together with a list of the names of any witnesses must be supplied in writing to the delegated Manager at least 5 working days prior to the hearing;

- i) A copy of the Apprentice Performance Management Framework and procedure and the notification of the actions that may be taken by the panel (e.g. if dismissal could be considered)
- j) The requirement that the Apprentice to confirm their attendance at least 5 working days prior to the hearing;
- k) Consequences of non-attendance (i.e. that the hearing can proceed without the Apprentice)

7.3 Whenever possible, the letter should be hand delivered to the employee, where this is not possible (e.g. the Apprentice is not at work), the letter should be sent to the home address by recorded delivery and to their E mail address if provided.

7.4 The suitability of the venue and arrangements for the hearing should ensure equality of access, for example the hearing may need to be held at a specific venue or location that is away from the workplace to ensure confidentiality.

8 Witnesses

8.1 Witnesses should only be called where relevant. They should only be present to give evidence and to be questioned. Witnesses will be warned that they should keep matters confidential and should not collude with any other witnesses. Details of proposed witnesses should be communicated to either party in advance of the hearing, as indicated above.

8.2 Where the manager and/or Apprentice wish to call witnesses it is their responsibility to arrange their release from work so that they can attend. It is the Apprentice's responsibility to obtain the witnesses' agreement to speak on their behalf and to bring any relevant material.

9 Conduct of the Performance Review Hearing

9.1 The Council has a guide for the conduct of the hearing, which is attached as Appendix 1. However, the Chair of the Panel has the discretion to vary this to ensure fairness in the proceedings.

9.2 In accordance with the order laid out in the guide, the Manager and Apprentice are invited to present their cases in relation to the performance issues being considered and call witnesses. The Manager, Apprentice and the Panel are able to ask questions of either party and any witnesses, as directed by the Chair.

9.3 The panel may receive a request to present information or evidence to the Panel during the hearing, which has not previously been seen by either the Manager or by the Apprentice. The panel should consider the reason why this information was not made available prior to the hearing, its relevance to the proceedings, and whether it is reasonable to include the reviewed information. The Panel should decide whether the information should be included, or whether the hearing should be adjourned to permit additional consideration of the new evidence by both parties to take place.

9.4 It may be necessary for brief adjournments to take place during the hearing. Either party may request an adjournment. The Chair will consider these requests.

9.5 The panel's deliberations take place in private.

10 Outcome

10.1 The panel, depending on the circumstances of the case, will decide on one of the following actions:

(a) give a further period of review specifying the required levels of performance improvement, timescales and supporting actions, followed by a final review meeting with their line manager. If the performance remains unsatisfactory after this period the hearing will be reconvened. (The Apprentice should be warned that where there is a single error and the action or potential consequences of that error are, or could be extremely serious, there will be no further warnings and this could result in the termination of the Apprentice's contract)

(b) terminate the Apprentice's contract of employment on the grounds of poor performance with contractual notice. As the Panel has decided that the individual should not remain in the Apprenticeship, during their notice period it is likely the individual will be asked to carry out alternative duties. In addition during the notice period the employee may be offered and accept suitable alternative employment in accordance with the redeployment policy. The employee will be notified of the right to appeal against dismissal.

10.2 The Chair of the Panel presents the decision. This will normally be given verbally to both parties. The decision of the Panel should be confirmed in writing by no later than 5 working days after the end of the hearing.

11 Right of Appeal

11.1 In cases of termination of employment the Apprentice will be notified of a right of appeal. Such appeals will need to be submitted to their Service Director within 5 working days of receipt of the notice letter stating the grounds for the appeal.

11.2 The purpose of the appeal will be to review the decision of the Performance Review Hearing and determine if it is fair and reasonable based on the information available.

11.3 A copy of the letter confirming the outcome of the appeal should be forwarded to the People Services HR Business Partnering team to be placed on the personal file.

11.4 Notes of the hearing will be taken to support the Panel. A copy of the notes of the hearing, but not the Panel deliberations, will be agreed by the Panel and given to the employee after the hearing. The notes are for information only as record of the event and should not be taken as full and formal minutes of the meeting.