



Treetops Nursery

Performance improvement policy (for poor attendance and poor performance):

Management must ensure that all employees operate at the required level of performance for their role and has the right to take management action in accordance with this procedure to address issues of under-performance.

An employee's performance may be affected by factors, including:

- Lack of facilities crucial to the employee's performance
- Lack of proficiency and poor overall organisation
- Changes in the nature and allocation of work, including heavy workload
- Lack of aptitude, skill or experience
- Lack of training
- Personal/family difficulties
- Short-term health problems
- Reorganisation or redefinition of role
- Poor attendance at work

We recognise that all employees need a clear understanding of the scope and nature of their role and the duties expected of them. The context of this will be via a job description, which may be revised through discussions with the employee, the appraisal process, ongoing instructions from relevant managers, general or expected practice within the immediate work team.

In the interest of ensuring that performance issues are resolved as speedily as possible, time limits are provided within the procedures for guidance purposes only. These may be amended by management if deemed appropriate. If the suggested timeline cannot be met by management, an explanation will be offered to the employee wherever possible.

At all stages the line manager should consider and explore with the employee realistic and viable support arrangements (such as staff development, on the job training, re-induction), which may assist in reaching the required standard of performance. These should be agreed with the employee wherever possible.

Concerns about an employee's performance should not be confused with a disability. Where employees have a disability or become disabled during employment, management actions will be governed by the requirements of the Disability Discrimination Act.

Normally, the procedure will be followed in the order of the stages set out in this Procedure, although management reserve the right to jump a stage where serious performance issues are involved, if any earlier stage would not be appropriate.

Where an employee successfully completes an action plan agreed under this Procedure, but his/her standard of work performance subsequently becomes an area of concern within the life of any penalty imposed, he/she shall re-enter the procedure at the point of exit.

In exceptional circumstances, it may be necessary to temporarily redeploy an employee immediately from their substantive role where serious concerns of lack of performance and/or lack of competence arise. Management will determine if this course of action is appropriate. The temporary redeployment will be without prejudice and will continue until such time as the facts of the matter have been established. This temporary redeployment will be reviewed on a regular basis throughout its duration and the employee would continue to receive his/her full contractual benefits for the substantive role throughout.

Where appropriate and in accordance with any relevant statutory reporting requirements, the Management will liaise with the appropriate, relevant professional or regulatory body regarding performance concerns.

A flowchart explaining the different stages of the Performance Improvement Procedure is enclosed as Appendix One.

Informal Stage

It is important to recognise that many issues of required performance improvement can be resolved without recourse to the formal stages of the performance improvement procedure.

As soon as a concern is identified by the line manager, he/she should arrange a meeting with the employee to discuss these concerns. This meeting should be constructive to allow the manager an opportunity to explain the performance issues and areas of concern in detail and the impact this is having on an expected level of service.

At the meeting, the employee should be provided with the opportunity to express his/her opinion and provide any information regarding factors which may be contributing to the unsatisfactory performance. If external factors (such as bereavement or domestic circumstances) have contributed to the reduced effectiveness during the review period these will also be taken into consideration.

Following this discussion, the manager will identify areas for improvement and determine an appropriate review period. A record of the performance improvement areas discussed, the objectives set for the employee and associated timescales will be recorded by the line manager. This record should be provided to the employee as soon as practicable following the meeting, but no later than ten working days following the meeting.

At the meeting the employee will be informed that failure to meet the established reasonable standards expected within the agreed timescale will lead in the future to the formal stages of the procedure being implemented.

As this meeting is in accordance with the informal stage of the procedure, this meeting would not require a recognised Trade Union representative to be present.

The employee's performance should be reviewed after the determined review period. It is anticipated that in most cases this will resolve the matter and there will be no need to invoke the formal stages of the procedure. If there are continuing shortcomings the formal stages of the procedure will commence.

Formal Stage

The formal stages of the Performance Improvement Procedure are characterised by three stages –

- First Stage

- Second Stage
- Final Stage

Each stage will be comprised of a Performance Improvement Meeting to discuss the ongoing performance issues and progress made by the employee to address these concerns. These are outlined in diagrammatic form at Appendix One.

At all formal stages of this procedure the employee will be given the opportunity to state his/her case and any comments made or evidence put forward will be taken into consideration. An employee has the right to be accompanied by a representative of an accredited Trade Union or employee colleague at all formal stages of this procedure. Such a representative will have the right to speak at the meetings but must not answer any questions put to the employee.

If the employee fails, without good reason, to attend a Performance Improvement Meeting, the meeting will take place, and a decision will be made, in his/her absence. However, if the chosen representative of the employee is unavailable on the date of the meeting, the employee may request a delay, once, for up to five working days, to enable the chosen representative to attend.

First Stage and Second Stage Performance Improvement Meetings will comprise:

- The appropriate line manager
- The employee and trade union representative/workplace colleague

For the First Stage and Second Stage Performance Improvement Meetings, the following format will normally be applied:

- Introductory remarks by line manager
- Performance issues outlined by line manager
- Presentation of relevant information by employee
- Consideration of all information by line manager
- Conclusions and next steps

The format is intended as a guide only and in particular circumstances may be varied at the reasonable discretion of the line manager.

First Stage

Where a serious performance issue has been identified and it is not appropriate to deal with this in accordance with the informal stage of the procedure, or where the informal stage has not resolved the performance issues, a Performance Improvement Meeting (Part One) in accordance with the First Stage of the formal procedure will need to take place.

The employee should be invited to attend the meeting and informed that the meeting is under the First Stage of the Formal Procedure. A standard template is enclosed at Appendix Two (document 2[i]). This meeting should be constructive to allow the manager an opportunity to explain the performance issues and areas of concern in detail and the impact this is having on an expected level of service.

At the meeting the employee should be provided with the opportunity to express his/her opinion and provide any information regarding factors which may be contributing to the unsatisfactory performance. If external factors (such as bereavement or domestic circumstances) have contributed to the reduced effectiveness during the informal review period these will also be taken into consideration.

Following this discussion, the line manager will identify areas for improvement and determine an appropriate formal review period. A record of the performance improvement areas discussed, the objectives set for the employee and associated timescales for improvement will be recorded by the line manager on a Performance Improvement Plan (Appendix 3). The date for the Performance Improvement (Part Two) Meeting to review the progress should also be determined. A standard letter is contained as Appendix Two (document 2[ii]). This document should be provided to the employee as soon as practicable following the meeting, but no later than ten working days following the meeting.

Monitoring and assessment of the employee's performance should continue for the timescale specified in the action plan. During this review period the employee may be appointed a workforce mentor to assist with the employee's training and workplace support.

Following completion of the review period, the Performance Improvement (Part Two) meeting should take place to review the performance. The purpose of the follow up meeting is to establish whether the performance issues previously identified have been resolved. The follow up meeting should be constructive and allow the manager the opportunity to review progress made by the employee, explore any ongoing performance issues and areas of concern in detail and explain the impact this is having on expected levels of service. At the meeting the employee should be provided with the opportunity to express his/her opinion on progress during the period of review and provide any information regarding factors which may have contributed to the levels of performance.

Following the discussion, the line manager will determine whether the performance has reached an acceptable standard or whether there are continuing shortcomings.

If the performance issues have been resolved, no further action will be required. This will be confirmed in writing to the employee by the line manager. A standard letter is enclosed at Appendix Two (document 2[iii]).

If the employee's performance has not met acceptable standards, the employee will be issued with a First Caution and the meeting will continue at that time in accordance with the Second Stage of the procedure.

Second Stage

Having determined that the employee's performance does not meet acceptable standards and the issuing of a First Caution, the meeting will continue to identify further areas for improvement and determine an appropriate review period. A record of the performance improvement areas discussed, the objectives set for the employee and associated timescales will be recorded by the line manager on a Performance Improvement Plan- Example of this seen in appendix Three. Following the meeting, the line manager should write to the employee confirming the issuing of the First Caution, the date of the next Performance Improvement Meeting where progress will be reviewed, and enclosing the Performance Improvement Plan. A standard letter is contained at Appendix Two (document 2[iv]). This letter should be provided to the employee as soon as practicable following the meeting, but no later than ten working days following the meeting.

Monitoring and assessment of the employee's performance should continue for the timescale specified in the action plan. During this review period the employee may be appointed a workforce mentor to assist with the employee's training and workplace support.

Following completion of the review period, the Second Performance Improvement Meeting should take place to review performance. The purpose of the follow up meeting is to establish whether the performance issues previously identified have been resolved. Again, the meeting should be constructive and allow the manager the opportunity to explore any ongoing performance issues and areas of concern in detail and explain the impact this is having on expected levels of service. At the meeting the employee should be provided with the opportunity to express his/her opinion on progress during the review period and provide any information regarding factors which may have contributed to the level of performance.

Following the discussion, the line manager will determine whether the performance has reached an acceptable standard or whether there are continuing shortcomings.

If the performance issues have been resolved, no further action will be required. This will be confirmed in writing to the employee by the line manager. A standard letter is enclosed at Appendix Two (document 2[v]).

If the employee's performance has not met acceptable standards, the employee will be issued with a Second Caution and the meeting will continue at that time in accordance with the Final Stage of the procedure.

Final Stage

Having determined that the employee's performance does not meet acceptable standards and the issuing of a Second Caution the meeting will continue to identify further areas for improvement and determine an appropriate review period. A record of the performance improvement areas discussed, the objectives set for the employee and associated timescales will be recorded by the line manager on a Performance Improvement Plan (Appendix Three). Following the meeting, the line manager should write to the employee confirming the issuing of the Second Caution, the date of the Final Performance Improvement Meeting, where progress will be reviewed, and enclosing the Performance Improvement Plan. A standard letter is contained at Appendix Two (document 2[vi]). This letter should be provided to the employee as soon as practicable following the meeting, but no later than ten working days following the meeting.

Monitoring and assessment of the employee's performance should continue for the timescale specified in the action plan. During this review period the employee may be appointed a workforce mentor to assist with the employee's training and workplace support.

Following this final review period a Final Performance Improvement Meeting should take place.

The Final Performance Improvement Meeting will comprise:

- A Director
- The employee's line manager
- The employee and trade union representative/workplace colleague

A format for the meeting is enclosed as Appendix Four to this procedure. The format is intended as a guide only, and in particular circumstances may be varied at the reasonable discretion by the Chair of the Meeting.

Following the discussion at the Final Performance Improvement Meeting, the Chair will determine whether the performance has reached an acceptable standard or whether there are continuing shortcomings.

If the performance issues have been resolved, no further action will be required. This will be confirmed in writing to the employee by the Chair. A standard letter is enclosed at Appendix Two (document 2[vii]).

If the Chair considers that performance fails to meet an acceptable standard at this stage, the employee will be dismissed.

Wherever possible, the decision (including dismissal) will be communicated verbally following an adjournment. Nevertheless, the Chair of the meeting will confirm in writing the decision of the Panel and key areas of the information where appropriate. The decision announcement will be accompanied by an explanation of the process of appeal, if appropriate. This information will be included in the letter confirming the decision. A copy of the notes of the meeting will be enclosed with the letter and recorded on the employee's personnel file. A copy of a standard letter is contained at Appendix Two (document 2 [viii]).

Any notice of dismissal will be in writing and will specify the reasons for the decision, the date on which the employment will end and the right of appeal against the notice of dismissal. An employee being dismissed by reason of capability should receive the appropriate period of notice or be compensated for failure to receive due notice.

Appeals Against Dismissal

An individual who wishes to appeal against the decision to dismiss should inform the Panel Chair within five working days of the date of the letter containing the decision which forms the subject of the appeal.

An appeal may be made on the following basis:

- Perceived unfairness of the judgement made by the Panel
- New evidence coming to light
- Procedural irregularity

If the individual appeals against the notice of dismissal, the dismissal shall not take effect until the outcome of the Appeal has been determined. During this time the individual would continue to receive the appropriate level of pay until the appeal is heard and a decision reached by the Appeal Panel.

The Appeal Hearing will be chaired by a Director who has had no previous involvement in the case or an externally appointed HR representative.

The Director will write to the individual confirming the details of the Hearing. A standard letter is contained at Appendix Two (document ix).

The individual will have the right to be accompanied at the meeting by an accredited trade union representative or employee colleague.

If the individual fails to attend the Hearing without good reason, the Hearing will take place and a decision will be made in his/her absence. In the event that the chosen representative of the individual is unavailable on the date of the Hearing, the employee may delay the date of that Hearing once, up to five working days, to enable the chosen representative to attend.

Also present at the Hearing will be the Panel Chair who made the recommendation for dismissal of the individual.

In order for the Appeal Panel to fully consider the recommendation for dismissal, both the original Panel Chair and the individual and his/her representative are required to submit a written statement of case, outlining all the information on which they will wish to rely on in the Hearing.

This information will be submitted by both parties by the due date to the Director, who will then ensure these are exchanged and supplied to all parties no less than five working days prior to the Hearing.

The Hearing will take place in accordance with the format outlined in Appendix Five.

At the Appeal, the dismissal recommendation will be reviewed. The decision of the Appeal Panel will be final and binding and should be communicated to the individual and his/her trade union representative or work colleague following an adjournment of the Hearing. The written decision will then be dispatched no later than five working days after the Appeal Hearing unless this is not practical for any reason. Where it is not possible to inform the employee in person following the adjournment, the individual will receive notification of the decision in writing.

This letter would specify the reasons for the decision of the Appeal Panel and, if appropriate, the date on which the employment ended and that there is no further right of appeal.

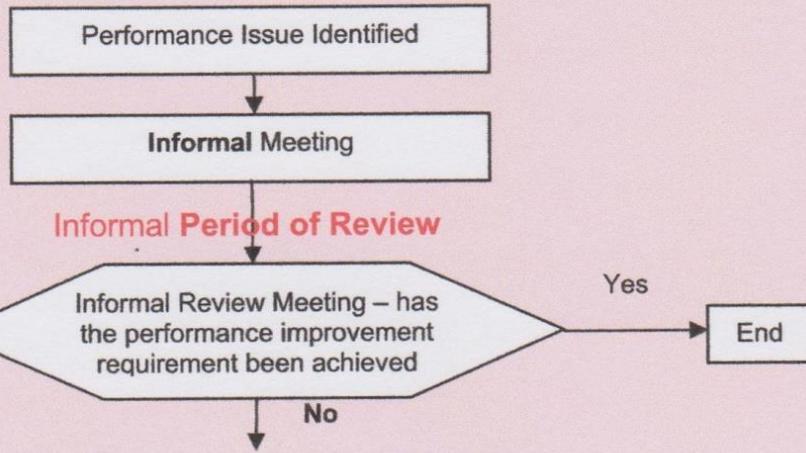
The non-attendance of the individual does not invalidate the proceedings.

Confidentiality and Record Keeping

All correspondence relating to performance improvement procedures shall be held centrally in accordance with Data Protection legislation. It should be noted that, whilst any penalty remains current, appropriate members of management will be made aware of performance issues, including new managers who may not have been involved in the original proceedings. In addition, formal current performance issues may be used as criteria for redundancy selection may be referred to in employee references and may be discoverable in court or tribunal cases. These examples are not intended to be exhaustive.

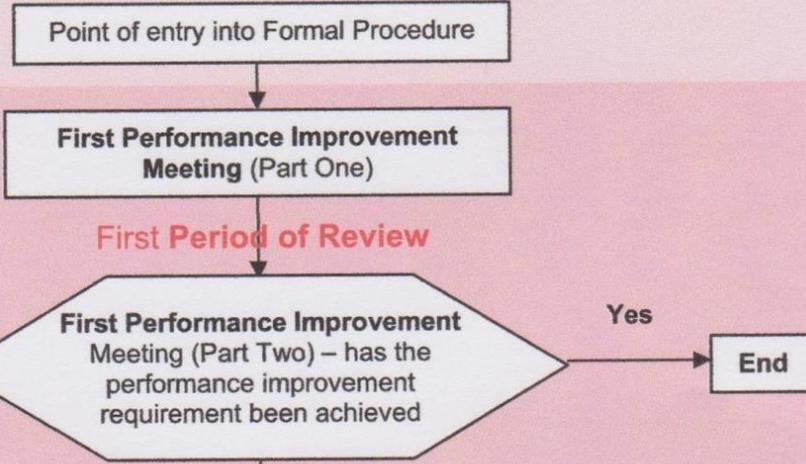
PERFORMANCE IMPROVEMENT PROCEDURE FLOWCHART

Informal Stage



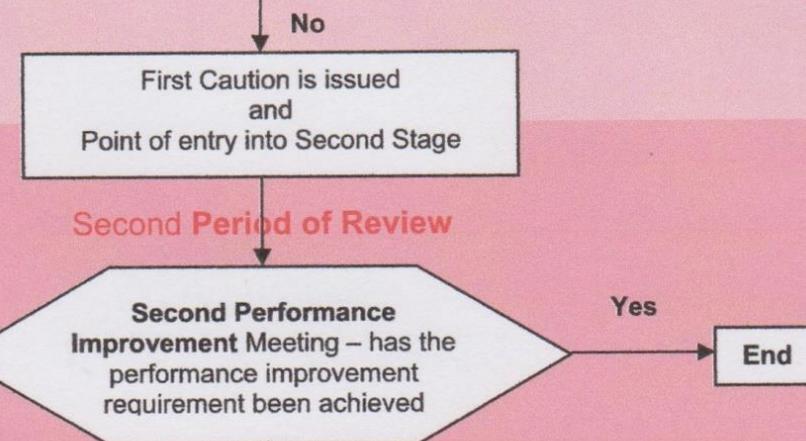
Formal Stage

FIRST STAGE



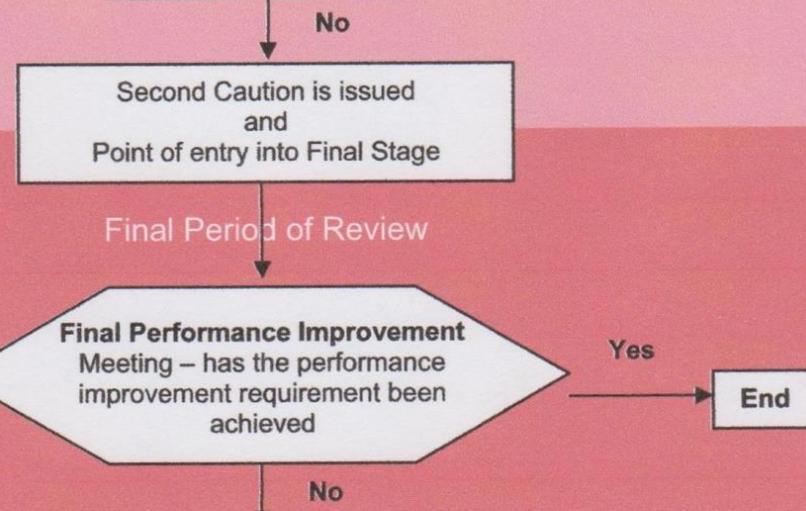
Formal Stage

SECOND STAGE



Formal Stage

FINAL STAGE



Standard Letter Template – Appendix 2i

Invite to First Formal Performance Improvement Meeting

Dear < name >

Performance Improvement Procedure – Formal Stage

First Performance Improvement Meeting (Part One)

I refer to our recent discussions, held on < date of review meeting from informal review meeting > where we discussed your performance in your role, and I explained that as these shortcomings had not been addressed satisfactorily, it would be necessary to progress to the formal stages of the Performance Improvement Procedure.

I now confirm that the following arrangements have been made for the First Performance Improvement Meeting:

Date:

Time:

Location:

The purpose of the meeting is explained in the Procedure (Section 4.2). I have enclosed a copy of the Performance Improvement Procedure for your information.

You are entitled to be accompanied by an accredited trade union representative or workplace colleague.

By entering the formal stage, I must highlight to you that should your performance not reach an acceptable standard during this process, your employment is at risk and may ultimately lead to dismissal.

Should you have any queries, please do not hesitate to contact me.

Yours sincerely

< Name >

< Job Title >

Standard Letter Template – Appendix 2ii

Conclusions from First Formal Performance Improvement Meeting (Part One) and invite to Part Two

Dear < name >

Performance Improvement Procedure – Formal Stage

First Performance Improvement Meeting (Part One)

I refer to our recent discussions held on < date of First Performance Improvement Meeting (Part One) > when we discussed your performance in your role, considered the areas of my concern and your performance more generally.

During that meeting we determined that during the period < date > to < date > you would need to improve the level of your performance in relation to a number of key areas, outlined in the attached Performance Improvement Plan.

It was determined that we would meet for the First Performance Improvement Meeting (Part Two) to review your progress as follows:

Date:

Time:

Location:

The purpose of this meeting is further explained in the Performance Improvement Procedure (section xx).

You are entitled to be accompanied by an accredited trade union representative or workplace colleague.

By entering the formal stage, I must highlight to you that should your performance not reach an acceptable standard during this process, your employment is at risk and may ultimately lead to dismissal.

Should you have any queries, please do not hesitate to contact me.

Yours sincerely

< Name >

< Job Title >

Standard Letter Template – Appendix 2iii**No further action following review period**

Dear < name >

Performance Improvement Procedure – Formal Stage

First Performance Improvement Meeting (Part Two)

I refer to our recent discussions held on < date of First Performance Improvement Meeting (Part Two) when we discussed your continuing performance in your role during the first formal review period, which ran from < date > to < date >.

As discussed at the meeting, I am pleased to confirm that during the review period your performance reached the required levels and this was sustained during the period of review.

On this basis your performance is no longer the subject of scrutiny using the Performance Improvement Procedure.

Should your performance fail to meet acceptable standards in the future, you will re-enter the procedure at the beginning of the Informal Stage.

Should you have any queries or require any further information, please do not hesitate to contact me.

Yours sincerely

< Name >

< Job Title >

Standard Letter Template – Appendix 2iv

Issue of a First Caution and Arrangements for Second Formal Review Period

Dear < name >

Performance Improvement Procedure – Formal Stage

First Performance Improvement Meeting (Part Two)

I refer to the recent First Performance Improvement Meeting held on < date > in which we discussed your recent performance during the review period and your performance more generally.

As a consequence of the discussions at the First Performance Improvement Meeting (Part Two) on < date >, I explained that I continued to remain dissatisfied with your level of performance and have now issued a First Caution to you in accordance with the Performance Improvement Procedure. This First Caution will remain current for a period of twelve months from the < date of meeting >.

I can now confirm that at the meeting a second formal review period was determined, which will operate from < date > to < date >. During this period of time you will be required to address the specific areas of unsatisfactory performance outlined in the Performance Improvement Plan (enclosed) and ensure the level of your performance more generally reaches an acceptable standard.

A Second Performance Improvement meeting has been arranged to review your performance at the end of this review period. The arrangements are as follows:

Date:

Time:

Location:

The purpose of the meeting is explained in the Procedure (Section xx). I have enclosed a copy of the Performance Improvement Procedure.

You are entitled to be accompanied by an accredited trade union representative or workplace colleague.

By entering the formal stage of the procedure, I must highlight to you that should your performance not reach an acceptable standard during this process, your employment is at risk and may ultimately lead to dismissal.

Should you have any queries, please do not hesitate to contact me.

Yours sincerely

< Name >

< Job Title >

Standard Letter Template – Appendix 2v

No further action following Second Formal Review period

Dear < name >

Performance Improvement Procedure – Formal Stage

Second Performance Improvement Meeting

I refer to our recent discussions held on < date of Second Performance Improvement Meeting > when we discussed your continuing performance in your role during the second formal review period, which ran from < date > to < date >.

As discussed at the meeting, I am pleased to confirm that during the review period your performance reached the required levels and this was sustained during the period of review.

On this basis your performance is no longer the subject of scrutiny using the Performance Improvement Procedure. Should your performance fail to meet acceptable standards in the future, you will re-enter the procedure at the beginning of Stage One of the formal procedure.

For your information the First Caution in accordance with the earlier stage of the procedure will expire on < date >.

You are entitled to be accompanied by an accredited trade union representative or workplace colleague.

I have enclosed a copy of Early Years Enterprises Ltd Performance Improvement Procedure.

By entering the formal stage of the procedure, I must highlight to you that should your performance not reach an acceptable standard during this process, your employment is at risk and may ultimately lead to dismissal.

Should you have any queries or require any further information, please do not hesitate to contact me.

Yours sincerely

< Name >

< Job Title >

Standard Letter Template – Second Caution Appendix 2vi**Issue of Second Caution and Arrangements for Final Formal Review Period**

Dear < name >

Performance Improvement Procedure

Second Performance Improvement Meeting

I refer to the Second Performance Improvement Meeting held on <date> in which we discussed your recent performance during the second review period and your performance more generally.

On <date> you were issued with a First Caution due to concerns regarding your level of performance in your role, in accordance with the First Formal Stage of the Procedure.

As a consequence of the discussions of the Second Performance Improvement meeting on < >, I explained that I continued to remain dissatisfied with your level of performance and have now issued a Second Caution to you in accordance with the Performance Improvement Procedure. This Second Caution will remain current for a period of eighteen months from the < date of meeting >.

I can now confirm that at the meeting a final formal review period was determined, which will operate from < date > to < date >. During this period of time you will be required to address the specific areas of unsatisfactory performance outlined in the Performance Improvement Plan (Enclosed) and ensure the level of your performance more generally reaches an acceptable standard.

The Final Performance Improvement Meeting has been arranged to review your performance at the end of this final review period. The arrangements are as follows:

Date:

Time:

Location:

The meeting will be chaired by < name >.

The purpose of this meeting is explained in the Procedure (Section xx).

Yours sincerely

< Name >

< Job Title >

Standard Letter Template – Appendix 2vii**No further action following Final Formal Review period**

Dear < name >

Performance Improvement Procedure – Formal Stage

Final Performance Improvement Meeting

I refer to our recent discussions held on < date > when we discussed your continuing performance in your role during the final formal review period, which ran from < date > to < date >.

As discussed at the meeting, I am pleased to confirm that during the review period your performance reached the required levels and this was sustained during the period of review. On this basis your performance is no longer the subject of scrutiny using the Performance Improvement Procedure.

Should your performance fail to meet acceptable standards in the future, you will re-enter the procedure at the beginning of Stage two of the formal procedure.

For your information the second caution in accordance with the earlier stage of the procedure will expire on < date >.

Should you have any queries or require any further information, please do not hesitate to contact me.

Yours sincerely

< Name >

< Job Title >

Standard Letter Template – Appendix 2viii

Notice of Dismissal and Appeal Arrangements

Dear < name >

Performance Improvement Procedure

Notice of Dismissal

I refer to the Final First Performance Improvement Meeting held on < date > in which we discussed your recent performance during the final review period and your performance more generally.

On < date > you were issued with a Second Caution due to concerns regarding your level of performance in your role, in accordance with the Second Formal Stage of the Procedure.

As a consequence of the discussions of the Final Performance Improvement Meeting on < date >, I explained that following a review of all the information presented I believed that your level of performance did not reach the expected levels despite supporting you in your role over an extended period of time through this procedure.

Therefore, with effect from < date > your employment with Early Years Enterprises Ltd will be terminated. In accordance with the Performance Improvement Procedure and your Contract of Employment you will be paid < x > weeks' notice, to which you are entitled.

Should you wish to appeal against the decision to dismiss, you should do so in writing to <name>, within five working days of this letter. Further information regarding the appeals process is contained in Section xx of the Performance Improvement Procedure.

Should you have any queries, please do not hesitate to contact me.

Yours sincerely

< Name >

< Job Title >

Standard Letter Template – Invite to Appeal Hearing Appendix 2ix

Dear < name >

Performance Improvement Procedure

Appeal Hearing

I refer to your letter dated < date > outlining your decision to appeal against the decision to dismiss you from your role of < job role > in accordance with the Performance Improvement Procedure.

I can now confirm the arrangements for the meeting as follows:

Date:

Time:

Venue:

I will act as Chair of the meeting and will be responsible for co-ordinating this process.

For your information, < name> and < name >, will present the Management Statement of Case.

In accordance with the Performance Improvement Procedure you have the right to be accompanied at the Hearing by an accredited union representative or employee colleague if you so wish, to assist you in the presentation of your case.

You are required to submit a written statement as part of this process. This should be received by < name > by no later than < time > on < date – 5 working days prior to meeting >.

I should also be grateful if you would advise < name > of the name of any representative you may wish to accompany you. < name > will ensure that he/she has received a written statement from the management representatives by this date and that these documents are subsequently exchanged and distributed to all parties to allow preparation for the meeting to be undertaken.

Arrangements have also been made for you to have access to room < room number >, < building >, to use prior to the meeting and during any adjournment. This room will be available from < time >.

For your information, enclosed a copy of the format for the meeting (Appendix5 of the Procedure). Should you require any clarification on the above or require any further information, please do not hesitate to contact me on < tel >.

Yours sincerely

< Name >

< Job title>



PERFORMANCE IMPROVEMENT PLAN

Plan under the _____ Stage of the Formal Stage of the Performance Improvement Procedure

Post Title:

by:

Performance Improvement Meeting:

Standards to Achieve	Specific Actions to Support Area of Improvement	Methods of Measurement	Timescales for Improvement

Towards the Action Plan

Next Review Meeting:

Line Manager) Date:

Date:

Signed: (Employee)

Date:

to be provided to all parties

Appendix Four

FORMAT FOR THE FINAL PERFORMANCE IMPROVEMENT MEETING

The Chair of the Final Stage Performance Improvement Meeting will introduce all those present.

Management Case

1. The line manager will present the details of the performance issue and report on the actions undertaken to date and any new evidence, which is pertinent to the proceedings.
2. The member of staff and his/her representative may question the line manager.
3. The Panel may question the line manager.

Employee's Case

4. The employee and/or representative will present their case and explain any special circumstances which may exist and any new evidence, which is pertinent to the proceedings.
5. The line manager may question the employee.
6. The Panel may question the employee.

Questions from the Panel

7. Should the Chair of the Final Performance Improvement Meeting wish to clarify any issue with either the employee or line manager they will have another opportunity to do so at this point.

Conclusions

8. The line manager will summarise the management case without introducing any new factors.
9. The employee and/or representative will summarise the employee case without introducing any new factors.

All parties will withdraw and the Panel will deliberate. The Panel shall deliberate in private only recalling both parties to clear points of uncertainty on evidence already give. If recall is necessary, both parties shall return, notwithstanding that only one is concerned with the point given rise to doubt.

Announcement of the Panel's Decision

10. Once the decision is made, the employee and his/her representative will be recalled and advised of the decision.
11. Written confirmation of the decision will be sent to the employee within five working days of the meeting.

During the meeting, adjournments may be requested by either party or the Panel and these will not be refused unreasonably. Where such a request is denied, an explanation will be given.

The format is intended as a guide for the conduct of the meeting. In particular circumstances the Panel can apply reasonable discretion to vary the format to suit the individual nature of the case being deliberated.

Appendix Five

FORMAT FOR THE APPEAL HEARING

The Chair of the Appeals Panel will introduce all those present.

Introduction

1. The management representative to give a short resume of the Appellant's post within Early Years Enterprises Ltd and place in the organisational structure.

Appellant's Case

2. The appellant and his/her representative will state their case and explain any special circumstances which may exist.
3. The appellant and his/her representative may call any witness(es) and ask questions of them.
4. The management representatives may question the witness(es) and appellant as appropriate.
5. The Chair of the Appeals Panel may question the witness(es) and the appellant as appropriate. The witness (es) should attend the Hearing on an individual basis and should withdraw once they have fulfilled their role at the Hearing.

Management Case

6. The management representative will state the management case.
7. The management representative may call any witness(es) and ask questions of them.
8. The appellant and his/her representative may ask questions of the witness(es) and management representative as appropriate.
9. The Chair of the Appeals Panel may question the witness(es) and the management representative as appropriate.

The witness(es) should attend the Hearing on an individual basis and should withdraw once they have fulfilled their role at the Hearing.

Conclusions

10. The management representative will summarise Early Years Enterprises Ltd case, no new factors to be introduced.
11. The Appellant and his/her representative will summarise the appeal, no new factors to be introduced.

All parties will withdraw and will deliberate in private only recalling both parties to clear points of uncertainty on evidence already given. If recall is necessary both parties shall return, notwithstanding that only one is concerned with the point given rise to doubt.

Announcement of the Panel's Decision

12. Once the decision is made, the two parties will be recalled and advised of the decision.

13. Written confirmation of the decision will be sent to both parties within five working days of the Hearing.

During the Hearing, adjournments may be requested by either party or by the Panel and these will not be refused unreasonably. Where such a request is denied, an explanation will be given.

The format is intended as a guide for the conduct of the Hearing. In particular circumstances the Panel can apply reasonable discretion to vary the format to suit the individual nature of the case being deliberated.

Author: Andrew Didwell

Date Written: August 2019

Reviewed: September 2021