



**ABERDEEN**  
**CITY COUNCIL**

**MANAGING  
PERFORMANCE**

**POLICY & PROCEDURE**

Issue Number	Date Approved	Pages Amended	Originator Approved By
2	12/11/12	Page 4	KT
			JC

**Approved by Finance & Resources Committee on 17 June 2010**

# Contents

**Section 1: Introduction**

---

- Policy Statement

**Section 2: Scope and Principles**

---

- Scope
- Core principles

**Section 3: The managing performance procedure**

---

- Three critical stages

**Stage 1: Initial discussion and opportunity to improve**

**Stage 2: Performance review and further opportunity to improve**

**Stage 3: Capability (performance) hearing**

**Section 4: Appeals**

---

**Section 5: Review of procedure**

---

## SECTION 1: INTRODUCTION

### Policy statement

---

Employees have a contractual duty to perform their duties to the standards required by their employer. The Managing Performance procedure provides a framework to ensure that employees who fall below these standards are managed through early intervention in a fair and consistent manner.

The procedure ensures that the employee is informed of the concerns with their performance and provided with reasonable time and support to meet the required standards. The employee will also be informed of the consequences of their failure to improve, which could ultimately be dismissal from the Council.

## SECTION 2: SCOPE AND PRINCIPLES

### Scope

---

This procedure applies to all employees of Aberdeen City Council, except teachers whose performance will be considered under the General Teaching Council Code of Practice on Teacher Competence.

### Core principles

---

- A supportive and constructive approach to performance issues will be encouraged and applied by employees, managers and trades unions
- Every effort will be made to ensure poor performance is dealt with promptly and effectively, demonstrating clear outcomes at all stages
- Managers will ensure that all employees know and understand the performance standards expected of them
- Reasonable efforts will be made to identify sustainable solutions to overcome individual performance difficulties. Whilst the Council will make all reasonable efforts to assist the employee, it cannot guarantee to maintain employment
- Employees will be offered the opportunity to be accompanied by a trade union representative or work colleague of their choice at the formal stages of the procedure. The employee will not normally be permitted to be accompanied by a legal practitioner, partner, spouse or family member

## SECTION 3: MANAGING PERFORMANCE PROCEDURE

### Three critical stages

---

The procedure comprises **three** critical stages:

**Stage 1: Discussion and opportunity to improve**

**Stage 2: Performance review and further opportunity to improve**

**Stage 3: Performance Capability Hearing**

### Stage 1: Discussion and opportunity to improve

---

- **Discussion and explanation**

Where an employee is performing below the acceptable standard, the employee's line manager should raise their concerns with the employee and ask for an explanation.

This discussion may result in a **performance improvement plan** designed to address the issue(s).

- **Performance improvement plan**

The performance improvement plan will confirm:

- the required improvement(s) in performance
- what support / training will be provided
- the timescale for improvement
- how progress will be monitored and reviewed

The performance improvement plan will be agreed by both the line manager and the employee. The plan will be confirmed in writing to the employee, highlighting the agreed timescale for improvement and the potential consequences for failing to meet this.

### Stage 2: Performance review and further opportunity to improve

---

#### Performance review meeting

If the required standard is not achieved within the agreed timescale the employee will be required to attend a **performance review meeting** with their line manager to investigate the continuing poor performance.

Following this meeting, the manager will decide whether to:

- extend the review period

(to be considered where there has been a genuine attempt to reach the required standard but there are additional training needs to be met)

OR

- proceed to a capability hearing  
(to be considered where there has been a genuine attempt to reach the required standard but despite additional training and support they have failed to meet or maintain this)

OR

- commence an investigation under the Managing Discipline policy  
(to be considered where there is a reasonable belief that the poor performance is a conduct/attitude issue)

The line manager will confirm their decision in writing to the employee.

### **Stage 3: Performance capability hearing**

---

If the required standard is still not achieved then the employee will be required to attend a performance capability hearing on the basis that dismissal is being contemplated.

The hearing will take the same form as a disciplinary hearing under the Council's Managing Discipline policy. Prior to the hearing the employee must be informed in writing as to why the hearing has been called and the format that it will take. The employee should be given a reasonable opportunity to prepare their response.

The chair of the hearing will make a decision based on the evidence presented as to whether dismissal is justified.

The outcome of the hearing must be confirmed in writing to the employee and if the decision is to dismiss, the employee must be notified of their right to appeal.

## **SECTION 4: APPEALS**

Any employee who feels that they have been unfairly dismissed on grounds of performance capability has the right of appeal.

The employee can request that their appeal be heard at a minimum at Head of Service level or by direct request to the Council's Appeals by Employees Committee. The appeal must be submitted in writing within 10 working days from the written confirmation of the decision.

## **SECTION 5: REVIEW OF PROCEDURE**

Human Resources will review this procedure every three years. It will, nevertheless, be subject to continual review and amendment in the light of experience of its operation, employment best practice and statutory requirements. Changes will only be put into effect following the normal consultation arrangements.