

Work Performance Policy

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Contents

1. Introduction.....	5
2. Principles	5
3. Values.....	6
4. Roles and responsibilities	8
1.1 Council and committee.....	8
1.2 Executive Management Team	8
1.3 Operational Management Team	8
1.4 Employees	8
1.5 Human resources (HR).....	9
5. Policy	10
6. Procedure	10
1.6 Informal process	10
1.7 Formal process	11
1.8 Arranging a performance improvement meeting	12
1.9 Conducting a performance improvement meeting	12
1.10 Outcome of a performance improvement meeting	13
1.11 Performance improvement plan.....	13
1.12 Review meetings	14
1.13 Senior management review.....	14
1.14 Performance Hearing.....	15
1.15 Appeal	17
1.16 Arrangements for meetings	18
1.17 Companions.....	18
1.18 Special circumstances	19
7. Further information	19
1.19 Learning and development	19
1.20 Sources of support.....	19

1.21 Related documents 19

1. Introduction

Purpose

We have a highly skilled, knowledgeable, and experienced workforce. We support employees to meet their performance and development goals through our development discussion process.

Most of our employees perform well at work. Where we identify performance concerns and these cannot be resolved through routine supervision and development discussions, this policy provides a way of supporting employees to make the required improvements.

Scope

This policy applies to all permanent and temporary employees.

Where we consider another policy or procedure (eg Disciplinary, Grievance, Attendance etc) may apply we will decide which of these is the most appropriate to use.

Legislation, codes of practice and guidance

This policy has also considered the following:

- Employment Relations Act 1999
- Employment Rights Act 1996
- Equality Act 2010
- Code of practice on disciplinary and grievance procedures

Data protection

We will process any personal data collected in relation to this policy keeping to our [Data Protection Policy](#) and will record only the personal information required and keep the information only for as long as necessary.

Monitor and review

Human Resources and the Partnership Forum are responsible for monitoring this policy to make sure that we are fairly and consistently applying it and that we meet the stated principles and values. We will review this policy every three years (or earlier if legislation changes) and make appropriate amendments in consultation with the Partnership Forum. We will outline minor amendments in the change log and update the version control. Where there are major changes, we will consult more widely and follow the consultation cycle.

2. Principles

Guiding Principles

The SSSC recognises that a work performance process can be stressful for all concerned so this policy is based on the following principles:

- We offer you support and guidance to help you achieve and maintain the standards of performance expected of you.
- We make you aware of acceptable standards of performance and give regular feedback.
- We make you aware of any concerns about your performance as and when issues arise and manage these.
- We provide appropriate, additional support where underlying personal or work-related factors contribute to your underperformance.
- You have the right to be accompanied to formal meetings by a trade union representative or workplace colleague.
- The SSSC will meet all relevant legal requirements regarding any performance related decisions.
- We provide guidance and support to help manage performance issues fairly and effectively.
- We give due respect for the privacy of everyone involved and all information will be shared on a confidential, need to know basis and in accordance with data protection and UK GDPR

When applying this policy and procedure, we expect you and our managers to treat each other with dignity and respect by acting in accordance with our organisational values.

3. Values

In everything we do, we believe the people of Scotland have the right to be safe when accessing social care services. We do this by listening, learning and doing the right thing.

Work together

We treat each other with kindness and respect and value the contribution every member of staff makes.

- We make sure you have access to advice, support and guidance to help you understand this policy.
- We help one another to improve our individual and collective performance.
- We recognise the value of positive and constructive involvement and participation from our recognised trade union. Our commitment to partnership working is integral to the development and maintenance of harmonious employee relations.

Accept responsibility and accountability

We recognise the trust placed in us to ensure the safety and wellbeing of people who use social services and that is our guiding mission.

- We raise performance concerns with you in a timely manner and recognise our responsibility to help you.
- We respect confidentiality and only share information with those who have good reason to know.

Recognition and respect for others

We value the social service workforce and the life changing work they do. Our work increases recognition of, and further develops, their role. All our stakeholders contribute to our success and we recognise and respect their views.

- We take a positive approach to helping you improve and seek to support you in a way that works best for you.
- We make sure that you understand your entitlements under this policy and that you feel able to exercise your rights.

4. Roles and responsibilities

4.1 Council and committee

People management policies which include any of the following are reserved for Council:

- associated extra costs that are outwith the current budget
- any proposed fundamental change to terms and conditions of employment
- where Council has a clearly defined role to play.

Council is responsible for:

- approving this policy
- making sure that the application of this policy does not breach any statutory requirement placed upon the SSSC
- making sure that the Chief Executive and EMT have in place appropriate and up to date policies and procedures for the effective management of employees
- making sure we apply policies and procedures fairly and keeping to the law.

4.2 Executive Management Team

The EMT is responsible for:

- overall responsibility for the implementation of the policy and creating a culture in which employees can flourish through interesting and rewarding work
- delegating responsibilities related to the policy to Operational Management Team (OMT) and line managers
- making sure that managers and employees receive appropriate development, support and training to implement the policy appropriately
- making sure that the application of this policy and procedure does not breach any statutory requirement placed upon the SSSC
- setting a positive example to employees by following this policy
- treating complaints seriously and dealing with them promptly.

4.3 Operational Management Team

The heads of department are responsible for:

- making sure their managers and employees are aware of the required behaviours and the details of this policy
- signposting employees to relevant information
- dealing with issues kindly, sensitively and showing compassion
- respecting confidentiality and only sharing information, as appropriate, with relevant postholders
- setting a positive example to employees by following this policy
- setting consistent performance standards and applying these consistently.

4.4 Employees

Employees are responsible for:

- identifying their own learning and development needs
- participating in learning and development opportunities

- being open and honest about any issues that might be having a negative impact on your performance at work
- fully engaging with this process, which includes working to meet expected standards in performance, achieving the performance improvement plan and attending review meetings
- asking your manager for clarity if you are unsure about what has been agreed/what is expected
- looking at the process as a positive opportunity to develop and improve through an enhanced level of support and regular and supportive dialogue with your manager
- understanding that discussions around performance will continue, even if you have recently returned from sickness absence
- giving consent to an occupational health (OH) referral where appropriate
- raising any issue you have where you recognise you need more support.
- complying with our [Code of Conduct for Employees](#). We expect the highest standards of integrity and conduct from all employees
- co-operating fully with this policy
- acting appropriately and always keeping to our values of treating one another with dignity and respect
- completing and following mandatory training.

4.5 Human resources (HR)

Human resources are responsible for:

- updating this policy and procedure in line with the agreed schedule or as changes occur to comply with employment and other pertinent legislation, best practice and the SSSC People Strategy
- developing this policy and procedure collaboratively to meet legal and business requirements
- developing template letters, forms and guidance if required
- offering advice on how to apply the policy and procedure
- making sure employees follow the process in line with the policy
- reminding employees and managers of their responsibilities under the policy, if required
- monitoring use of the policy and processes and reporting any non-compliance to heads of department / directors.

5. Policy

We expect high standards of performance from you and provide support to make sure that you have the resources to achieve this. Where you do not meet these standards we take timely action to make sure that you are aware of the gap and provide support to you to attain the required standard. We recognise that there can be many reasons for underperformance and take a holistic approach to supporting you.

6. Procedure

6.1 Informal process

It is important that your manager discusses your performance with you on a regular basis – this will help you to know how well you are doing. These discussions are a normal part of our day to day activities and take place frequently and informally. Discussions cover both adjusting and affirming feedback as well as future development.

You must listen carefully to any feedback and discuss this with your manager to make sure that you understand what you are doing well and what you need to work on. We do not require every discussion to be documented but either of you can record your successes and the areas to work on.

There is no requirement for a manager to wait until a one-to-one discussion to provide feedback. Equally, where you require help you do not need to wait for a one-to-one to request it. Where we have a specific concern we will work with you to help improve it and where you have a talent we will support your efforts to further develop it.

There are a range of steps that both you and your manager can take on an informal basis to improve performance (this can include progressing from below standard to acceptable as well as from acceptable to high performance). We have grouped these for ease of reading not to limit who can take which action.

• **Manager options**

- Give positive and adjusting feedback
- Seek advice from occupational health
- Amend duties on a temporary basis
- Closer or more regular supervision for a limited time period
- Additional quality assurance
- Take time to recognise and celebrate your achievements
- Conduct a skills audit
- Identify additional training
- Consider whether tasks can and should be delegated.
- Raising issues during a development discussion.

• **Your options**

- Focus on specific tasks (ie avoid multi-tasking)
- Identifying and make a list of your priorities
- Limit distractions eg use 'do not disturb' for set periods to allow you to focus on specific areas of work
- Consider asking for a mentor
- Consider whether you have the right software or equipment
- Consider whether your diet / lifestyle is impacting on your performance
- Discuss with a knowledgeable or more experienced colleague
- Complete a time recording exercise
- Complete or refresh training
- Ask a colleague for feedback

- **Manager options**
- **Your options**
 - Reflect on your own practice
 - Schedule regular breaks
 - Set yourself clear goals
 - Tidy your work station / digital workspace
 - Use Outlook to schedule time for specific activities.

The informal process describes normal day to day management activity. Concerns with performance must be raised in specific terms and detailed written feedback provided to you.

We expect to resolve the majority of performance issues through normal day-to-day management (ie the informal process). The informal process is part of normal day-to-day management and is not an additional step or process to be completed. You and your manager must make and be able to evidence that both any shortfall in performance has been discussed and that reasonable efforts have been taken to address it. Your manager must give you a fair opportunity to improve before seeking to escalate to a formal process taking into account the nature and significance of the shortfall.

6.2 Formal process

Your manager can start the formal process where one or more of the following apply:

- They have a persistent and serious concern regarding your performance
- They have a concern that is part of a range of less serious and longstanding concerns regarding your performance
- Where the shortfall is sufficiently significant and serious that an informal approach is not appropriate. The invite letter will explain why the shortfall is considered significant and serious.

Your manager will demonstrate in writing that these concerns have been raised with you previously in clear and detailed terms and that reasonable efforts to address them have been attempted. **Where your manager is unable to do so, the concerns cannot be escalated to a formal process.**

While you may feel concerned at this process starting it is essential that you remember that the purpose and focus of this process is to help you improve to an acceptable standard for your role.

Prior to initiating the formal process your manager will:

- Identify the specific areas that they think require improvement
- Consider the evidence to support their position (ie that there is a lack of performance)
- Identify the actions that have been taken to date (including training provided)
- Discuss with an appropriate colleague (eg a peer in the same role but another team or a more senior manager) whether they consider initiating the formal process as appropriate
- Seek advice from HR.

We recognise that a formal process can be stressful despite our intention being to help you. We always adopt a sensitive and constructive approach in any discussions. We provide access to the Employee Assistance Programme to offer you further support and we allow you to be accompanied at formal meetings.

Your manager will discuss and explain to you why they consider it appropriate to move to a formal process **prior** to inviting you to the first meeting.

6.3 Arranging a performance improvement meeting

Your manager will invite you to attend a formal performance improvement meeting in writing. The letter will include details of the following:

- Where and when the meeting will be held
- Who will attend the meeting
- A description of the specific areas of concern regarding your performance and supporting evidence
- Details of reasonable efforts they have taken to give you a fair opportunity to improve (eg provided training, seeking OH advice)
- Copies of the written performance feedback and specific concerns being raised to you
- Your right to be accompanied at the meeting by a co-worker or union representative from a trade union
- A copy of any relevant documents or refer to them specifically
- A copy of the most recent job description for your role (where this is not current a list of amended duties will be included)
- A copy of this policy.

This gives you an opportunity to understand the concerns and to prepare for the meeting with a view to contributing to the development of an action plan. We always provide at least 7 days' notice of the meeting.

Where you consider there are relevant documents that should be a feature of the discussion you must identify this to your manager (and provide a copy where you have one) prior to the meeting where possible. Equally where there are specific points that you wish to raise you must raise these prior to the meeting so that your manager can prepare.

The intention of sharing key points for discussion prior to the meeting is not to have the meeting by email prior to the meeting occurring. It is to signal the key points for discussion so that both parties can better prepare prior to the meeting. This means you both will have a more effective and focussed discussion.

6.4 Conducting a performance improvement meeting

At the meeting your manager will discuss and explore with you the following:

- The purpose of the performance improvement meeting
- The areas of concern, seeking your response to each of these
- What training has been provided
- The factors you or your manager think are impacting on your performance (eg health)
- What would help you to improve
- Draft performance improvement plan
- Set actions and timescales for completion
- Set an end of review date
- Redeployment Policy (where relevant).

It is **essential** that your voice is heard during this meeting. You must actively participate in the discussion including, but not limited to, making suggestions that you think will help

you, identifying points that you agree / disagree with and commenting on proposals put forward.

Working together will result in a better understanding of the issues at hand and to achieve better outcomes for all.

6.5 Outcome of a performance improvement meeting

Your manager will issue a letter to you within one week of the meeting occurring (unless notified otherwise). The letter will include details of the following:

- Summary of the meeting
- Describe the areas of your performance that you need to improve
- Targets and timescales for improvement
- The support arrangements that we will put in place (where appropriate)
- The date when we will review your performance
- The possible consequence where you do not satisfactorily improve
- Completed performance improvement plan (which may encapsulate the above).

Where you disagree with the summary or performance improvement plan you must confirm this in writing within a week of receipt of the letter and detail the specific areas that you disagree on and what you think is the correct position. Your manager will note your comments and try to reach agreement on them but where agreement cannot be reached the disagreement will be recorded and the performance improvement plan will be implemented.

Where an outcome of the performance improvement meeting is to obtain an occupational health report, interim support, adjustments and actions are put in place. Depending on the seriousness of the health condition and the impact on your ability to work, you may request that the formal process and any performance improvement plan is paused until the OH report is received. This will be judged reasonably on a case by case basis. Once the OH report is received the PIP is reviewed and adjusted where appropriate.

6.6 Performance improvement plan

It is expected that a performance improvement plan will cover a range of short, medium and long term tasks depending on the nature of your role and the area of improvement that is required.

We recognise that a performance improvement plan cannot identify every area that requires improvement at the outset as this could be demotivating for you and every area may not be known. Your performance improvement plan will identify the priorities and timescales to help you improve. Where these are interim steps to help you rather than an end goal they will be clearly identified as such.

Where a new performance concern is identified that is not already addressed by the performance improvement plan, we presume this has been or will be addressed informally. Only performance concerns that are sufficiently serious and significant in nature can be added to your performance improvement plan in agreement with you without the need for a review meeting. Where agreement cannot be agreed then a review meeting will be arranged.

Your performance improvement plan is a live document. As you progress through each aspect your manager will update the performance improvement plan to record your achievement.

We do not prescribe how long an improvement plan lasts as this varies depending on the nature of the improvement required. As a guide, we expect a performance improvement plan to last between a minimum of two months and a maximum of four months. You must be given a reasonable and fair opportunity to improve taking into account the circumstances. These guidelines can be adjusted by your manager.

Relevant circumstances may include:

- Your leave (eg family leave, annual leave, jury duty)
- The hours you work per week
- Absences of key personnel that impact on your performance
- Any directly relevant health issue or personal circumstances
- Availability of training provision
- Organisational change or other organisational events
- The nature and extent of any shortfall in performance
- The impact of any shortfall in performance.

Where there is a circumstance that you consider relevant that is not listed above you must raise this with your manager and discuss whether they agree that it is appropriate to take into account.

6.7 Review meetings

Your manager will conduct review meetings with you on a regular basis, typically monthly (but timescales can be shorter if appropriate), to discuss the progress that has been made, to address any issues that have arisen and to update the performance improvement plan. A summary of this will be recorded on the performance improvement plan.

Where you disagree with the summary or performance improvement plan you must do so in writing and detail the specific areas that you disagree on and what you think is the correct position. Your manager will note your comments and try to reach agreement on them but where agreement cannot be reached the disagreement will be recorded.

6.8 Senior management review

We recognise that no-one chooses to underperform and we take action to help and support you where we can. We cannot support underperformance indefinitely. To make sure that progress is achieved within a reasonable timeframe and to provide oversight of the process we require your manager to report on progress to their Head of Department (or where they are your manager, a member of the Executive Management Team) where they want to end, extend or progress to a different stage. Your manager will notify you of their request.

Your manager must share the performance improvement plan, relevant letters and any other documentation and request one of the following:

- That the formal process ceases as you have reached an acceptable standard
- An extension to the work performance process
- Move to enhanced performance improvement
- Move to a Performance Hearing.

The Head of Department (or a member of the Executive Management Team) will approve or reject the request or can instruct an alternative, usually within two weeks of receipt. Where they instruct an extension or progression to the next level they will specify the maximum time periods for improvement to be achieved (typically between two and four months).

Where they decide that progression to a Performance Hearing is required the procedure detailed below is followed. We expect you to complete both a performance improvement and an enhanced performance improvement cycle prior to a Performance Hearing occurring. Where there are exceptional circumstances (eg severe underperformance) we do not require both parts to be completed.

The Head of Department (or a member of the Executive Management Team) is responsible for communicating their decision to your manager who in turn is responsible for sharing this with you.

Ending formal process

Your manager will advise you of this decision and confirm it to you by letter.

Extension

Your manager will advise you of this decision and write to you to arrange a review meeting. Where your performance does not improve to an acceptable level within the time period your manager will repeat the process described under Senior management review.

Progression to next level

Your manager will advise you of this decision and invite you to an enhanced performance improvement meeting following the same process identified for arranging a performance improvement meeting (6.3 Arranging a performance improvement meeting). This invitation will include copies of previous letters and the most recent performance improvement plan.

The enhanced performance improvement meeting is arranged and conducted in the same manner as a performance improvement meeting except that an additional manager attends as nominated by the Head of Department (or a member of the Executive Management Team). The purpose of the enhanced performance improvement meeting is to provide you with additional support. The additional manager attends on the same basis as your manager and has the same goal of supporting your improvement.

Where your performance does not improve to an acceptable level within the time period your manager and the additional manager will repeat the process described under Senior management review.

6.9 Performance Hearing

We will arrange a Performance Hearing where we consider that the performance improvement process is unlikely to result in sufficiently improved performance within an acceptable timeframe.

The purpose of a Performance Hearing is to review your performance and to determine whether your employment can continue and if so on what terms. To make sure you are well prepared the Chair will set out the following in writing to you:

- Date, time and location of the meeting
- A summary of your employment history with us
- A copy of your performance improvement plan

- A copy of your training record (where relevant)
- Copies of Occupational Health reports (where relevant)
- Copies of letters relating to your performance improvement meetings
- A narrative statement of your role and its key duties or job description
- Description of the impact of your performance
- List of vacancies
- Details of reasonable adjustments that have been considered (where relevant)
- Details of reasonable adjustments that were implemented and their efficacy (where relevant)
- A clear statement that we are considering ending your employment
- That you have the right to be accompanied by a Companion (please see below for details).

You will be given written notice of the date and time of the Performance Hearing at least 14 calendar days in advance unless otherwise mutually agreed.

The meeting will be chaired by a member of the Executive Management Team with support from HR and will discuss the following (at a minimum):

- Identity and role of those present
- Purpose and structure of the meeting
- Remind you of the role of the companion
- Check that you have received the documentation provided
- The nature and causes of the performance and any progress achieved
- The impact this has had on the business
- The interventions that have been made and their effectiveness
- The adjustments that have been considered and the impact of these (where relevant)
- Redeployment opportunities that are available
- Your view of the impact your health has had (where relevant)
- The Occupational Health advice that has been provided (where relevant)
- The view of your Companion
- When a decision will be made and details of any appeals process.

It is essential that your voice is heard during the Performance Hearing. You must actively participate in the discussion including, but not limited to, making suggestions that you think will help you, identifying points that you agree / disagree with and commenting on proposals put forward.

Where you consider there are relevant documents that should be a feature of the discussion you must identify this to the Chair (and provide a copy where you have one) prior to the Performance Hearing where possible. Equally where there are specific points that you wish to raise please raise these prior to the Performance Hearing so that the Chair can prepare.

The intention of sharing key points for discussion prior to the Performance Hearing is not to have the Performance Hearing by email prior to the Performance Hearing occurring. It is to signal the key points for discussion so that both parties can better prepare. This means you both will have a more effective and focussed discussion.

At the Performance Hearing a range of decisions are open to the EMT member to consider. These include but are not limited to:

- No action
- Adjustment of role, hours, times or place of work

- Redeployment to another role
- Ending employment (with notice)
- Any other action that is reasonable in the circumstances.

A representative from HR will attend this Performance Hearing. You may be accompanied by a Companion or a representative from a trade union.

A record of the hearing and any decision will be communicated to you usually within 14 calendar days of the hearing.

Where we issue notice you will be paid at your normal 'at work' rate of pay throughout your notice. You will be required to take any accrued annual leave during this period. Where you are paid in lieu of notice you will receive a payment in lieu of notice and a separate payment in lieu of accrued but untaken annual leave.

Where you do not confirm that you will attend the Performance Hearing we will make reasonable attempts to contact you by telephone and email. Having made these attempts the Chair will rearrange the Performance Hearing and invite you to attend. Where you do not attend this subsequent Performance Hearing without adequate reason, we will conduct it in your absence.

6.10 Appeal

If you wish to appeal a decision made at a Performance Hearing you must submit your written grounds of appeal and your desired outcome to the Head of Human Resources within 14 calendar days of receipt of the written record of the decision. A member of the Executive Management Team will write to the Chief Executive.

Grounds of appeal could include but are not limited to those listed below:

- New evidence has come to light since the hearing which may have an impact on the decision.
- An issue with the process and procedure followed.
- The decision was too severe or inappropriate in the circumstances.
- The employee's situation in relation to the underlying reason for their performance has materially changed since the hearing and this may have an impact on the decision.

Your appeal cannot take place without clear relevant grounds of appeal being set out and a clear desired outcome. The Head of Human Resources will clarify these with you where they are insufficient for an Appeal Chair to consider.

Where an appeal is lodged this will not delay the implementation of any action although these may be amended or revoked as a result of the appeal process.

A manager who has not been previously involved in the case will hear the appeal. This will normally be a senior manager. The Chair for the original decision will attend the appeal hearing to present the reasons for their decision. Where your appeal is against a decision to dismiss the appeal will be conducted by an Employment Appeals Panel comprising of three Council Members.

You will be given written notice of the date and time of the appeal hearing at least 14 calendar days in advance unless otherwise mutually agreed. The appeals procedure is detailed in the appendix.

Where you do not confirm that you will attend the appeal hearing we will make reasonable attempts to contact you by telephone and email. Having made these attempts and where we do not receive a satisfactory reason for your lack of confirmation the Appeal Chair will dismiss the appeal. Where satisfactory reasons are provided the appeal will continue.

An Appeal Hearing may be adjourned if we need to gather further information or consider matters discussed at the hearing. You will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened (this may include during the hearing where the new information or its impact is slight).

The potential outcomes of the Appeal Hearing are:

- the appeal is fully or partially upheld and the previous decision is overturned
- the appeal is fully or partially upheld and a new Performance Hearing is instructed to be arranged
- the appeal is fully or partially upheld and a different outcome is substituted
- the appeal is not upheld and the original decision remains
- in the case of an Employment Appeals Panel, any action the panel considers appropriate.

A representative from HR will attend this hearing. You may be accompanied by a Companion or representative from a trade union.

A record of the hearing and any decision will be communicated to you, in writing, usually within 10 working days of the hearing.

In all events, the decision of the Appeal Chair or Panel is final.

6.11 Arrangements for meetings

The sooner you let us know if you think you may need additional time or support, the more likely it is that we can make any necessary arrangements or adjustments. During any meeting (or hearing) you may request a break or another adjustment and we will happily consider these as and when they occur.

We work in an agile manner and many of the meetings and discussions that we have will be conducted using Teams or similar video technology. It is essential for meaningful discussion to take place that when meeting on Teams that all parties have their cameras and audio turned on throughout the discussion. Where this is not possible then meetings must take place in person.

Your manager may consider it useful to hold meetings in the office or at another location. Where this is the case, they will specify this in their letter to you.

A minute taker may attend meetings or hearings to produce a minute.

6.12 Companions

You can be accompanied by a trade union representative or a co-worker (known as a Companion) at any meetings under this policy. Please confirm to your manager prior to any meeting who your companion is and make sure that you have briefed them.

Your Companion can, at your request, explain your key points and can respond on your behalf. You can also confer with them during the meetings. They must not answer questions put directly to you or try to prevent us asking questions or outlining our points.

6.13 Special circumstances

Health or disability

We want to support you as fully as possible and will consider reasonable adjustments for you. Where you have a disability under the Equality Act we have a legal obligation to make reasonable adjustments. Examples of reasonable adjustments are described in the appendix. Where you know of a reasonable adjustment that would help please suggest this at the earliest opportunity to your manager.

Where you or your manager consider that your health may be a contributing factor to your performance we will seek medical advice from our Occupational Health provider. We prepare the plan on the information we have at the time and update it when new information is received, such as their advice.

Past trauma

We recognise that you may have had a previous negative experience regarding work performance either with us or another organisation. We adopt a supportive and collaborative approach when managing performance and treat everyone with dignity and respect.

Multiple procedures

Where different procedures could be involved eg overlapping grievance, dignity at work, disciplinary, retirement, flexible working request and absence; Human Resources will identify whether to address these concurrently, consecutively (and if so, the sequence) or to combine some or all of these into a single process.

7. Further information

7.1 Learning and development

To support the fair and consistent application of this policy, we will identify the opportunities and implications for managers. We will do this by incorporating training on this policy within line management development programmes. We will consider the implications for employees and make sure that they receive suitable training. We will also provide refresher training.

7.2 Sources of support

Further sources of support include:

- day to day support from line managers
- the employee assistance programme
- help advice and support from recognised trade union representatives
- ACAS
- Estates, health and safety
- Human resources.

7.3 Related documents

This policy has strong links to other people management policies and guidance. We have listed these below.

- [Code of conduct for employees](#)

- [Development discussion information](#)
- [Dignity at work policy](#)
- [Equality, diversity and inclusion policy](#)
- [Flexible working policy and procedure](#)
- [Health and wellbeing policy](#)
- [People strategy](#)
- [Redeployment policy](#)



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If you would like this document in a different format, for example, in larger print or audio-format, or in another language please contact the SSSC on 0345 60 30 891.

We promote equality by removing unlawful and unfair treatment on the grounds of any protected characteristic wherever possible.

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Appendix 1 - Reasonable Adjustments

Policy changes

We operate this policy to achieve a consistent approach in how we support you and others. We can adjust certain aspects of this policy where it is appropriate and necessary to do so to support you. We will only do this following careful consideration of the impact on you and our business activities.

Stress

We know that you will experience different levels of stress in work and we recognise the positive consequences that stress can have. We also recognise that excess levels of stress can become negative and harmful.

Where you identify experiencing stress as having an adverse impact on your health we will discuss with you the causes of stress, what you and what we can do to reduce the stressor and agree key actions. Where 'work' is causing the stress we will have this discussion during your absence as we cannot remove or address the stressor without doing so.

We have details of how to develop your personal resilience and how your manager can support you when stressed in our **Health and Wellbeing Policy**.

Wellness Action Plans

A **Wellness Action Plan** is a plan that details what you need to do to keep yourself well at work and what your manager can do to support you. It is a plan that you develop with your manager on the specific steps, early warning signs, and other actions to take as a positive preventative measure. There are details of how to prepare an action plan for line managers.

Phased return

You will continue to receive your normal pay while on a reduced working arrangement during a phased return. A phased return must not last longer than 4 weeks. Where a longer phased return is required you will either be paid for the hours worked or you can use annual leave to cover the unworked hours. Ideally the plan for a phased return will be based on advice given by a GP / medical professional.

Short-term reduction in hours

Where you are unable to work your full hours due to a health issue but can work in part we will consider whether we are able to support you. We offer flexitime arrangements for all employees which allow you to vary your times of work and the number of hours that you work in each week. Where you require more flexibility than this, your manager can support a reduction in hours without a reduction in pay where this lasts for less than 4 weeks (per financial year).

Long-term reduction in hours

We will consider a reduction in hours, whether temporary or permanent, to support you. This can help you to achieve the best work/life balance for you. This may become a permanent arrangement in some circumstances. If you decide to formally reduce your contracted hours of work then your salary will be adjusted accordingly.

Change in times or days of work

Where working at different times or on different days will benefit and support you we will consider the extent of the benefit to you and the impact on business activities. We operate in a very flexible manner and will seek to find a mutually agreeable solution wherever possible.

Change or restriction of duties

Where there are specific duties that are difficult or impossible for you to perform we will discuss whether these can be achieved in a different manner with support. We can remove certain duties from you on a temporary or permanent basis as an adjustment but will discuss doing so with you before we implement this change. Where this significantly changes the nature of your role this may become a redeployment circumstance and your terms and conditions will need to change.

Additional training

We provide all employees with training on how to do their job. Where you would benefit from refresher training, whether formal or informal, to make sure you have the necessary skills and / or confidence to perform your role we will make this available to you where possible. This training may not be immediately available or within our budgetary constraints. Where this occurs, we will seek an equivalent alternative.

Temporary reassignment

Where you are unfit to perform your substantive role then we will consider temporarily reassigning you to another role. The possibility of a temporary role will depend on the availability of work elsewhere in the SSSC. Your existing rate of pay will be protected during a temporary reassignment unless you reduce your hours in which case you will be paid the hours worked in line with your current salary point. Temporary placements to help you will normally last no longer than 6 months. We do consider reassignment on a supernumerary basis but due to financial constraints these are necessarily very limited in scope and can only be agreed with the approval of the relevant budget holder.

Redeployment

We will consider redeployment where it appears that you will be unable to return to your substantive role. Any offer of redeployment will be subject to there being a suitable vacancy, that your skills and experience are suitable for the alternative role and that we are confident you will be able to perform in the alternative role. If you accept an offer of redeployment on medical grounds then you will receive the salary and terms and conditions associated with that role.

Place of work, meeting venue

Where your place of work or a meeting venue is not suitable for you please raise this with us. We are committed to finding a workable solution wherever possible. This can include changing your place of work, changing the venue or the workstation 'setup.' The bigger the change the more time we might need so early discussion is encouraged.

Equipment and software

We provide all employees with suitable equipment and software for their role. Where you require specialist equipment or software we will consider whether we are able to provide this to you. We will work with you and appropriate specialists (eg Occupational Health, Posture Rite) to identify the best option available. Where the cost of this is prohibitive we will explore any funding opportunities that are available with you (eg Access to Work).

Breaks

When meeting under this policy or when working we recognise that you may benefit from additional breaks or more time. We are flexible in our approach and will happily consider this where they will help you. Please let us know where this will be beneficial for you. Please note that we do not pay for breaks.

Peer support

Where you would benefit from additional peer support or from support from someone outwith the team we will consider this on a temporary basis. This support may take the form of a 'buddy,' mentor or technical specialist.

Additional supervision

We know that having protected time to discuss concerns with your manager is a good source of support. Where you would benefit from additional time with them as supervision we will consider this taking into account the benefit received and the availability of your manager to provide this support.

Companions

We permit trade union representatives and co-workers to support you. Where you would benefit from another person attending (eg as a signing interpreter) in addition due to a disability that you have we will consider this as a reasonable adjustment.

Secondment

We offer secondment opportunities to all employees. Where you wish to explore the option of a secondment please discuss this with your manager and check the details of our [Secondment Policy and Procedure](#).

Appendix 2 – Appeals Procedure

The chair will:

- carry out introductions – confirm members of the panel and explain their roles
- advise on logistics – toilets, fire alarm, breaks, and adjournments
- confirm representation with the employee. If the employee does not have a companion then confirm with them that they are happy to continue without one
- confirm if any witnesses are being called from either side
- confirm why the meeting has been convened – formal appeal hearing against dismissal
- confirm the grounds of appeal as contained in the employee's letter of appeal.

Process

- The employee will present their case first.
- The panel can then ask any questions of the employee.
- The panel will then ask questions of the management representative and any witnesses.
- Witnesses may be recalled by either party or by the panel if clarification is required on any point of the case.

Presentation of appeals

- The appellant will present their case first followed by the management representative.
- The management representative, the appellant and his/her representative will then withdraw. The panel will then deliberate in private in the presence of officer/s appointed to assist them.
- If the panel can reach a decision on the day, both parties will be called back in and advised of the outcome.
- If the panel is unable to make a decision on the day, they will advise the hearing that the outcome will be delivered in writing within 14 calendar days of the date of the hearing.

Under the Code of Corporate Governance, the panel is authorised to hear and decide on the merits of appeal which includes but is not limited to:

- uphold the appeal in full and reinstate the employee from the date of their dismissal
- uphold the appeal in part reinstating the employee but specifying certain conditions to their decision
- uphold the previous decision of dismissal.

Note

Where an appeal against dismissal is substantiated and the panel vary the dismissal issued at the Performance Hearing, the employee is deemed to have been reinstated to the SSSC with effect from the date of the dismissal.