**Knowledge Questions Guidance**

**NCFE Management Level 3**

**Unit 7 – Manage Individuals’ Performance**

**Unit 7 – Element 1: Understand the management of underperformance in the workplace**

* 1. Explain typical organisational policies and procedures on discipline, grievance and dealing with underperformance

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| Disciplinary PolicyThe objective of this policy is to set out the standards of conduct expected of all staff and to provide a framework within which managers can work with employees to maintain satisfactory standards of conduct and encourage improvement where necessary.Meaning of the policy is to ensure that any disciplinary matter is dealt with fairly and consistently. And explain the necessary steps to establish the facts and to give employees the opportunity to respond before taking any formal action. The procedure may vary as appropriate in any specific case. The policy applies to all employees regardless of length of service.In Puddleducks Nurseries minor conduct issues such as underperformance can often be resolved informally between the employee and the Room Leader. These discussions should be held in private and without undue delay whenever there is a cause for concern. Where appropriate a note of any such discussions may be held on the employees personnel file, but may be discounted for the purpose of future disciplinary issues. Formal steps may be taken, if the matter is not resolved, or if informal discussion is not appropriate due to the serious nature of the allegation made. An employee is not usually dismissed for a first act of misconduct, unless the nursery deems the offence amounts to gross misconduct, or the employee has not yet completed their probationary period.**Puddleducks Nurseries Disciplinary Penalties Policy**In the first instance, where less serious offences are concerned, the employee concerned is more than likely to receive a verbal warning. This warning will be recorded and a copy maintained in the employee’s personnel file with a time scale for improvement or to not re-offend. If further action becomes necessary and there is already an active warning on your record, or the misconduct is sufficiently serious, a written warning will be given. This warning will be recorded and a copy maintained in the employee’s personnel file for a specified period of time.If the employee continues to fail to meet the required standards and there is already an active written warning on record, or the misconduct is sufficiently serious, a final written warning will be issued indicating that further behaviour of a similar nature within a specified time period could result in dismissal. This warning will be recorded and a copy maintained in the employee’s personnel file for a specified period of time.If the employee continues to fail to meet the required standards and there is already an active final warning on record, or the matter amounts to gross misconduct, dismissal may be authorised.The Manager and Deputy Manager have the authority to suspend an employee pending investigation. The Manager only has the authority to dismiss an employee.**Disciplinary Procedure**In Puddleducks Nurseries disciplinary procedure has three stages.Stage 1We will investigate any allegations/concerns quickly and thoroughly to establish whether a disciplinary hearing should be held.The amount of investigation will depend on the nature of the accusation and will vary accordingly. It may involve interviewing and taking statements from you and any witnesses, and/or reviewing relevant documents.If the investigations lead us to reasonably believe there are grounds for disciplinary action, we will write to the staff member outlining the allegations against, he/her the basis of the allegations and the potential consequences. He/she will be invited to a disciplinary hearing to discuss the matter. Member of staff will be sent any copies of evidence which may be referred to in the hearing (e.g. witness statements (or a summary of the statements if the witness’s identity is to remain confidential and minutes of meetings).Stage 2We will hold the disciplinary meeting to discuss the allegations. Staff member will have the right to bring a companion to the meeting, and a companion may be a work colleague or trade union representative. We must be informed prior to the meeting who is chosen companion. If your companion is unreasonable (for example, there may be a conflict of interest), we may require you to choose someone else.If staff member persistently fail to reply to invitations, or persistently fail to attend the arranged hearing without good cause, it may be carried out in his/hers absence and he/she will be notified of the decision in writing. Staff member will retain the right to appeal.Staff member will be notified of the decision in writing, usually within seven working days of the hearing.Staff member will be given the opportunity to appeal the decision. She/he wish to appeal, he/she should state his/her full grounds in writing and the letter should be sent to our deputy manager within seven working days from the date the decision was communicated to you. Stage 3The appeal meeting will be conducted impartially by the Manager, where possible, who has not previously been involved in the case.Staff member will be able to bring a companion to the meeting, and the companion may be a work colleague or trade union representative (as stated above).The appeal hearing may adjourn if further investigations need to be carried out, and staff member will be given reasonable opportunity to consider any new information before the hearing is reconvened.The final decision will be informed to the staff member in writing as soon as possible, usually within seven working days of the appeal hearing. There is no legal right to appeal beyond this stage.**Grievance Policy** The nursery acknowledges the importance of good working relationships between everyone in the setting and endeavours to establish an atmosphere in which problems can be discussed and resolved. The aim is to encourage open communication in the belief that it is in everyone’s best interest to ensure that employees’ grievances are dealt with quickly and fairly and that a grievance procedure enables individuals to raise issues with management that affect them in the workplace.The grievance policy and accompanying procedure is non-contractual but applies to all employees who should familiarise themselves with its provisions, it may be amended at any time and management may depart from it depending on the circumstances of any case. The procedure applies to all employees regardless of length of service.If the problem is not resolved through informal discussions, then formal process of Grievance Procedureis to be followed.**Grievance Procedure**Try to resolve any grievance with the individual concerned on an informal basis; most grievances can be resolved quickly through discussion. The Room Leader, or the Manager/Deputy Manager will assist with this process if requiredStage 1Verbally raise any grievance with Room Leader, who in most cases, will be best placed to respond to your complaint. If complaint relates to an issue regarding a Room Leader grievance should be taken to the Deputy Manager. Stage 2If the matter cannot be suitably resolved verbally, the issue should be presented in writing via the Deputy Manager. This written statement will form the basis of any investigations and the subsequent hearing, so it is important that there is clearly explained the nature of your grievance and any dates and names of individuals involved. The outcome being sought should be indicated. If a grievance is unclear, clarification may be requested before any meeting takes place. Before proceeding to a full grievance hearing, it may be necessary to carry out investigations of any allegations made. The person who has raised the grievance will be given a copy of the evidence gathered in the course of investigations prior to the hearing in order for them to consider their response. **The Grievance Hearing**The hearing will be held as soon as reasonably possible following any investigations, and within 5 working days of the receipt of your written complaint. It will be conducted by the Deputy Manager. The person raising the grievance is entitled to bring a companion to the grievance meeting if a rational request to do so has been made. This request must be in advance of the meeting and the nursery should be informed of companion’s name. All meetings should be attending when possible. If meetings cannot be attended due to circumstances beyond control, the Room Leader should be notified as soon as possible and a further meeting will be re-arranged.  |

* 1. Explain how to identify causes of underperformance

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| In Puddleducks Nurseries Manager does supervision/annual appraisal where together with the member of the staff I agree specific targets for he/her to achieve and we set timetable/date when it/these needs to be achieved. During every supervision meeting we review these targets, have any of them achieved, and if not why. Staff member can explain from her/his part why things are not done. Sometimes there is no acceptable excuse and this may lead other actions such disciplinary. We also look into member of staff absences and lateness’s and reasons why these has happen. In the nursery it is important that everybody knows what they should be doing and when. If this isn’t happening children’s development is not going forward and it also effect other staff members work load as well as working moral. In Puddleducks Nurseries clear inkling of underachievement is when lesson planning, observations and children’s learning journeys are not done, constant absences and lateness. If any of these keeps happening there will be disciplinary action.Also customer satisfaction/feedback can show who is underachieving as well as team may bring up issues informally/formally. |

* 1. Explain the purpose of making individuals aware of their underperformance clearly but sensitively

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| Good communication and interpersonal skills are vital when dealing with underperformance as messages can be interpreted differently. It is important to be clear about what is discussed and be sensitive. If discussion is held in negative atmosphere it most likely ends even worse situation than it was in the beginning. When discussion is held evidence based, sensitively and clearly explained the meaning of it enables and motivates to make changes accordingly. |

* 1. Explain how to address issues that hamper individuals performance

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| In Puddleducks Nurseries I have one to one informal discussion with staff members in private when I see something that makes staff member to not perform well. sssRecently I have observed staff member quite often to arrive late to work not much but still. I did ask this staff member into office to have private informal discussion. In this meeting I explained to her why I asked her into office and also told that I was concern about her lateness effecting her work and other staff morale. I did have to explain why it is not good to the nursery and for her, but I did have to do it sensitively meaning that I needed to think what to say and also let her to talk and me to respond to her. In the meeting I told her and showed evidence. Together we came in agreement that she will leave from home earlier to be in time if this is not happening and I still get other staff telling me that she is still constantly late it would become disciplinary matter I gave her one month when I would review her case again.  |

* 1. Explain how to agree a course of action to address underperformance

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| The best thing would be that during discussion/s the person whose underperformance is discussed would come up some ideas her/himself how to start to perform better, how to correct their ways and time line for it. It might be that the person needs some tutoring, extra training or possible change of duties. All this should be written down and agree of new target/s and time when to review them. |