REACHE North West Performance Improvement Procedure May 2018

Member Summary

This is a summary of a policy, hopefully made simple – if you want to read the full policy please ask in the administrative office and you will be provided with a copy

This policy is to help all REACHE North West members to achieve and maintain high standards of behaviour and progress that are needed for safe and effective practice in the NHS. We aim to make sure that all members have fair and consistent treatment.

This policy explains how we will deal with situations where members *repeatedly* do not perform in the way that we expect at REACHE North West.

GENERAL PRINCIPLES

REACHE North West receives NHS funding to help refugee and asylum seeking health care professionals become safe and effective professionals in the NHS and all the staff are committed to this. A clear part of our objectives is to help members’ adapt to the cultural expectations of the UK and the NHS.

We know from experience that the way people behave at REACHE North West predicts the way people behave in the workplace. We have built a good reputation over the last 15 years and REACHE North West has had free access to a large number of placements and paid roles in the health service that are only offered to REACHE North West members.

We know that because of their individual circumstances some members may have issues and problems in their life that may mean that progress, attendance and behaviour at REACHE North West is not ideal.

Our experience is that problems that at first seem to be disciplinary or performance are sometimes an indication of deeper issues. In order to make sure that affected members get all the help and support they need at the earliest possible stage it is important that staff are made aware of all the issues.

REACHE North West is part of Salford Royal NHS Foundation Trust (SRFT) and all staff and members must follow the Trust Values and Procedures. This policy will be used for any member who breaks REACHE North West or SRFT Disciplinary rules against patients, their relatives, members of the general public, members of staff, the Trust or its property or interests. The Disciplinary Rules are divided into three main groups:

(i) Gross misconduct -These are detailed in the Trust HR policy (to be found on the intranet) but cover things like stealing, assaulting a patient, fraud, breaking confidentiality, being intoxicated etc

(ii) General Disciplinary Rules – These are detailed in the Trust HR policy ( to be found on the intranet) such as repeated lateness, uniform, rudeness, not doing the job properly

(iii) Departmental or local rules- These are detailed in REACHE NORTH WEST rules that are signed on joining REACHE North West

This policy will also be used if there is poor performance in class, for example where

* there is failure to make enough progress in either mock or real examinations ( English or Clinical)
* a REACHE North West tutor, volunteer or referee from eg a placement feels that there is inadequate knowledge or attitudinal problems that may affect safe performance in the NHS in the future
* it is felt that a member’s health may be impairing their performance or putting other members, patients or staff at risk particularly if the member lacks insight or fails to follow advice .

We want most issues to be dealt with without using this procedure so they will be dealt with **informally** . As soon as a concern is identified by a member of REACHE North West staff they will arrange a meeting with the member to discuss these concerns.

1. INFORMAL PROCEDURE – consists of monitoring, coaching and counselling

All members will have regular discussion with their tutors about their classes, progress, attendance and overall performance. Tutors will regularly monitor the level of performance REACHE North West by members. Where a problem is noticed, the tutor or another REACHE North West staff member will counsel the member. This initial counselling is not formal action.

We will make sure that the member is fully aware that counselling is taking place and this should take place in private. The meeting will allow the tutor to explain the areas of concern in detail and the impact this is having on the organisation.

The member should be provided with the chance to give his/her opinion and any information about other factors which may be contributing to the problem.

After the meeting the tutor will identify what needs to change and book a follow up appointment for review. This will recorded in an action plan that will be sent to the member within 10 working days. The tutor will make sure that the action plan is clear and that the actions needed are detailed.

It should be made clear that if the action plan is not followed by the agreed time then the formal procedure will be implemented

1. FORMAL ACTION

Where, after reasonable opportunity for improvement, performance remains below the required standards, the tutor will consider formal action. The member should be informed of the tutors continued concern.

The formal stages of the Performance Improvement Procedure has three stages –

• First Stage

• Second Stage

• Final Stage

At each stage there is a Performance Improvement Meeting, an action plan and a follow up meeting ( Review )

At all stages, REACHE North West staff will write to the member giving reasonable notice of a formal performance management meeting. It will be emphasised that REACHE North West still wishes to support the member to succeed but that ongoing REACHE North West support depends on the member taking action.

At the meeting, the member has the right to be accompanied by a fellow member or someone of their choosing from outside of the organisation. The fellow member or colleague may speak but not answer any questions addressed to the member. This should be encouraged as it may help the memberto feel supported and to remember afterward what was discussed

At all stages the written notification will stay on the member file for 12 months after which time it will be inactive as long as the members’ performance remains satisfactory. Any recurrence of poor performance during the 12 months may result in further formal action commencing at the stage previously reached

If poor performance reoccurs after the 12 month period, the full procedure will normally start again although when setting timescales for improvement REACHE North West will consider previous interventions.

Throughout the formal stages of the procedure, two members of REACHE North West staff will be present in any meeting

**First Stage**

Meeting

This meeting should be constructive to allow the tutor an opportunity to explain the performance issues and areas of concern in detail and the impact this is having on the organisation

At the meeting, the member 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. It is important to be as honest and open as possible so that the right support can be offered

The possibility of the member performing satisfactorily in another role should be discussed. Eg Plan B

After the meeting the tutor will identify what needs to change and book a follow up appointment for review. This will normally be within 3 months. This will recorded in an action plan that will be sent to the member within 10 working days. The tutor will make sure that the action plan is clear and that the actions needed are detailed. It will also describe the likely consequences of a failure to improve performance by the review date

Sometimes conditions and/or a sanction may be applied if it is felt to be needed.

* + An example of a condition is - you can continue to attend if you are punctual or you can continue to attend if the amount of homework handed in is appropriate
  + An example of a sanction is - suspension from classes for a certain period or postponement of a Taster Placement, Clinical attachment, Clinical Practical training or external courses until the behaviour has been shown to improve

Any condition or sanction that is given will be specific and measurable for a specified time with review at the end of this time. When setting conditions or sanction the tutor will provide explain what evidence should be produced at the review hearing to demonstrate that the member has done what they were asked to do. This may be class attendance records, meetings with a mentor, references from paid or voluntary work, reflective writing, and completion of portfolios

Review meeting

At the end of the review period, the Performance Improvement Review meeting should take place to review the performance. The purpose of the follow up meeting is to establish whether the performance issues have been resolved.

The meeting should be constructive and supportive. The tutors will the opportunity to review progress made by the member, explore any ongoing issues and areas of concern in detail and explain the impact this is having on the organisation

The possibility of the member performing satisfactorily in another role should be discussed. Eg Plan B

At the meeting the member 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 tutor will determine whether the performance has REACHE North West 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 member by the tutor.

If the member performance has not met acceptable standards, the member 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**

The same as the first stage- meeting, action plan, possible sanction and review

At the second stage review meeting the tutor 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 member by the tutor.

If the member’s performance has not met acceptable standards, the member 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**

Same as the second stage – meeting, action plan, possible sanction, review

At the end of the final review period a Final Performance Improvement Meeting should take place with

* + Director of REACHE North West (Chair) and another REACHE North West staff member
  + The member and colleague.

Following the 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 member by the Chair.

If the Chair considers that performance fails to meet an acceptable standard at this stage, the member will be told that REACHE North West can no longer provide support. They will also inform the member whether information on the reasons for leaving REACHE North West will be passed to the General Medical Council ( GMC) or other appropriate professional registration body.

Wherever possible, the decision (including closure of membership) will be communicated verbally following an adjournment. 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. A copy of the notes of the meeting will be enclosed with the letter and recorded on the member’s file.

The member will be provided with a copy of any letter sent to the GMC or relevant body

**Appeal Procedure**

A member who wishes to appeal against the decision to dismiss should inform the Director of REACHE NORTH WEST within five working days of the date of the letter containing the decision

An appeal may be made on the following basis:

• Perceived unfairness of the judgement made by REACHE North West

• New evidence coming to light

• Procedural irregularity

If the member appeals against the notice of closure of membership, this shall not take effect until the outcome of the Appeal has been determined.

The Appeal Hearing will be chaired by a an independent person (not staff or member representative), who has had no previous involvement

The member will have the right to be accompanied at the meeting by a colleague.

Also present at the Hearing will be the Director of REACHE North West who made the recommendation for dismissal of the individual, and another member of the REACHE North West staff.

Both the REACHE North West team and the individual must submit a Written Statement of Case, outlining all the information they wish to use in the Hearing, 5 days before the hearing. This will go to the Chair who will then pass them on to both parties.

The decision of the Appeal Panel will be final and binding and should be told to the individual following an adjournment of the Hearing. The written decision will then be sent no later than five working days after the Appeal Hearing unless this is not practical for any reason.

This letter will specify the reasons for the decision of the Appeal Panel and, if appropriate, the date on which the REACHE North West membership ends and that there is no further right of appeal.