

# Performance Management and Managing Poor Performance Policies: Equality Analysis

March 2012

## Introduction

1. This equality analysis is being conducted under the revised public sector duty introduced in September 2011.
2. The aim of the analysis is to show that due regard to equality has been paid in the development of these policies. A detailed equality analysis of the performance management and managing poor performance policies has already been undertaken by Civil Service Employee Policy (Annex A) as the overarching policy owner. This equality analysis will consider any changes that DfE will make to the core documents provided by Civil Service Employee Policy (where DfE has utilised the flexibilities afforded to them) and will consider how the policies are to be implemented to ensure that they are applied fairly and consistently.

## Background

3. DfE, incorporating its Executive Agencies, will be introducing new policies on performance management and managing poor performance. The new policies support the Civil Service Reform Agenda to improve performance across the Civil Service, which DfE is fully committed to. The policy on performance management will be introduced from 1 April 2012; the policy on managing poor performance will follow in August 2012.
4. Civil Service Employee Policy (CSEP) is one of three expert services established to provide policy content to departments as part of a programme of change across Civil Service HR (Next Generation HR). DfE was one of a number of government departments who commissioned new policies and supporting products on performance management and managing poor performance, with a view to implementing them from 1 April 2012 onwards. An outline of the policies is set out in Annex A, Section 3.

## Consultation

5. The core CSEP performance management and managing poor performance policies were developed in consultation with a range of groups including:
  - The Strategic Centre (Cabinet Office)
  - The HR Management Team (a group of the most senior HR leaders in the Civil Service, which acts as the decision making body for CS Employee Policy) which includes representation from DfE.
  - The Civil Service Steering Board responsible for the strategic leadership of the Civil Service
  - CS Employee Policy Senior Leadership Group
  - Treasury Solicitors
  - Diversity Groups

6. A full list of groups is set out in Annex A, Section 4. It should be noted that DfE was fully engaged in the development of these policies, providing information (e.g. performance management outturn data relating to equality) and advice as requested, and through participation at various meetings/groups.

7. Within DfE the Departmental Trade Union Side has also been consulted, and will continue to be consulted as the policies are fully embedded and evaluated.

#### Information and Data

8. The 2010/11 performance award outturn analysis, looking specifically at individuals identified as being in the top 25%, showed:

- There are no statistically significant differences for staff of differing gender or sexuality.
- There is a clear trend that younger staff are significantly more likely than older staff to receive a top 25% box mark for all age groups.
- There are no statistically significant differences for staff with disabilities.
- BME staff are significantly less likely to receive a top 25% box mark than white staff.
- Part time staff are significantly less likely to receive a top 25% box mark than full time staff.

9. Results from the November 2011 staff survey on how people feel about their line manager and team show:

- That 63% of people think their performance is evaluated fairly;
- That 44% think that poor performance is dealt with effectively in their team.

So there is improvement to be made through the introduction of the new policies.

All these results relate to the out-going performance management process and do not include any staff transferring to the Department and its Executive Agencies from 1 April 2012.

10. As mentioned above, past performance management outturn data and staff survey results have fed into the development of the CSEP policies and how they are implemented within the Department and its Executive Agencies. We are confident that the design and build of the new policies will sufficiently mitigate against the areas identified by CSEP and the Department, backed up by the package of support we are putting in place for individuals and line managers for use throughout the full reporting year.

11. That said, we will be fully evaluating the impact of the policies to ensure they are applied fairly across all protected characteristics covered by the Equality Act 2010.

12. Annex A, Section 5 sets out the full analysis undertaken by CSEP and what mitigating factors have been built into the policies.

#### Departmental Customisations and Assessment

13. Key areas of change to both the existing performance management and managing poor performance policies are listed below:

Area of change	Reasons for the amendment	Assessment of equality implications, including how information will be gathered if none is currently available
<b>Performance Management</b>		
A move to three performance ranking categories instead of two	The three performance ranking categories is a core element of the CSEP performance management policy (which DfE is adopting). The two category system currently in place was intended as a vehicle to help determine non-consolidated pay awards during a time of pay freezes across the Civil Service.	2012-13 mid and end year performance ranking outturn data will be collected and analysed to determine whether there are any equality issues present across the performance ranking categories. Undertaking a mid-year analysis will allow us to consider what action may need to be taken to improve our equality position before the end year.
The communication of a guided distribution, ensuring managers and staff understand organisational expectations	This is a core element of the CSEP performance management policy (which DfE is adopting). This is viewed as a welcome change and aims to address the issues raised in 2011 people survey that people felt the process was not transparent.	<p>The research CSEP undertook in developing the performance management policy looked at best practice in both the private and public sectors in order to design a fair, transparent and robust system.</p> <p>2010-11 DfE outturn data identified issues with some protected groups. We will analyse the 2011-12 outturn data alongside the 2012-13 mid-year outturn data to determine what interventions could/should be put in place before 2012-13 end year.</p> <p>And the 2012-13 outturn data will be key in highlighting the impact of the new policies and will feed directly into our wider evaluation of year one.</p>
More emphasis on self-assessment throughout the performance management cycle	This is a core element of the CSEP performance management policy (which DfE is adopting). Whilst there has always been an element of self-assessment in past performance management systems this is the first time this has been an	2011 people survey results show there is room for improvement in how performance is assessed. Future people survey results in this area will help determine whether improvement has

Area of change	Reasons for the amendment	Assessment of equality implications, including how information will be gathered if none is currently available
	explicit part [of the system] for all employees. It clarifies that there is an equal role for line managers as well as employees which we hope will foster an inclusive culture.	been achieved – and we will specifically pick up in our wider evaluation the use of self-assessment and what staff think of it.
Individuals will be assessed equally on the 'How' as well as the 'What'. This is a shift from assessments focussing primarily on delivery (the What)	This is a core element of the CSEP performance management policy (which DfE is adopting), and one we believe will deliver the consistency and fairness staff have told us they want. It has been welcomed by staff during preliminary performance management discussions. Staff will be guided in developing the "How" in using the PSG competency framework, civil service values and 4Ps in determining the direction for the "How", PSG will be replaced by the new competency framework from April 2013 onwards.	2011 people survey results show there is room for improvement in how performance is assessed. Future people survey results in this area will help determine whether improvement has been achieved – and we will specifically pick up in our wider evaluation the use of self-assessment and what staff think of it. Online guidance and training will be available on the introduction of the new competency framework.
<b>Managing Poor Performance</b>		
Integration of informal stage of managing poor performance into day-to-day management activity	Adoption of a more streamlined process aimed at driving up performance across the Civil Service. The emphasis is on honest conversations and dealing with dips in performance early, feedback being given in a prompt and reasonable way, clarity around what is required, a genuine attempt to help the employee to reach that acceptable performance with timescales appropriate to circumstances rather than drawn out. Dealing with issues informally throughout the performance year should ensure that a move to formally managing poor performance is truly the last step in trying to help employees reach and maintain a satisfactory level of performance.	No staff were dismissed during the 2010-11 or 2011-12 reporting year for poor performance. People Survey results have consistently shown that employees do not feel poor performance is dealt with effectively.  Data will be analysed following the introduction of the new arrangements to determine its impact.
The appeal process – individuals will no longer be able to raise separate grievances, instead	This is a core element of the CSEP performance management policy and meets ACAS best practice guidelines. The focus will be on a fair and robust process and outcome.	We will undertake a review of cases to determine the impact of this change to policy/process, though because of the focus on helping employees improve

Area of change	Reasons for the amendment	Assessment of equality implications, including how information will be gathered if none is currently available
they will have the opportunity to appeal at each stage of the process but the appeal should cover all issues.		and maintain performance levels through dealing with dips on an on-going basis, we hope to cut down on levels of appeals overall once formal procedures are underway.

How will we ensure fair policy implementation?

14. We will take the following steps to ensure that the policies are applied fairly across all protected characteristics under the Equality Act 2010:

- There will be a detailed communication process in various Departmental media to ensure all staff are aware of the policies and their implementation. This will include:
  - Messages for all staff on the new performance management and managing poor performance processes on the intranet
  - Messages from the Board at key points during the performance cycle
  - A pack for SCS members to support Directorate specific face-to-face events aimed at ensuring a consistent implementation of the new performance management policy. This will remind managers of their responsibilities in terms of diversity and inclusion.
- We will, in addition to the pack for SCS members, implement development/support for staff/managers on how the new performance management system will work and their roles within this. This development/support will highlight how to embed equality and diversity into the performance management system. Staff will be offered a variety of online learning options with the aim of ensuring a consistent understanding of and approach to performance management - supplemented with SCS led workshops for staff and managers (mentioned above).
- A communication consistency check will be carried prior to mid-year to ensure the quality of objectives with guidance issued to ascertain consistency and fairness in approach.
- Equality monitoring will be carried out to ensure all staff have equal access to development opportunities and that those with specific protected characteristics are taking full opportunity to undertake these. An equalities review will be undertaken at mid-year (as part of the collection of indicative performance marks) to ascertain any negative or positive impact of the implementation of the policies on those with protected characteristics with the intention of drawing up and implementing an action plan, if appropriate.
- A validation exercise will be undertaken at end year to review ratings and the

implementation of the policies. Guidance will be issued to managers and staff to ensure these are carried out in a consistent and fair manner. A further equalities review will be carried out as part of the validation exercise.

### Next Steps

15. This equality analysis will be published on the Departmental Internet when the new policies are launched as business as usual.

16. We will undertake a full analysis of equality data collected at the end of each performance management cycle. This analysis will then be used to develop a plan of action, if necessary, to address any areas for further improvement. This will be integrated with any changes to the core policies by CSEP.

17. Data collected as part of the managing poor performance process will be analysed at regular intervals (at least quarterly). This analysis will inform any areas for improvement, including to HR support provided to line managers and staff.

18. It is expected that DfE will participate fully in any reviews of the core CSEP Performance Management and Managing Poor Performance policies, and should their shelf-life be such, that a full review will take place after three years.

## **Annex A**

### **Performance Management and Managing Poor Performance**

#### **Equality Impact Assessment**

**Civil Service Employee Policy**

**November 2011**

# Equality Impact Assessment for Performance Management and Managing Poor Performance Policies

## 1. Introduction

Civil Service Employee Policy (CS Employee Policy) has carried out an initial equality impact assessment (EIA) in line with the current public sector equality duties on the above policies. These policies have been commissioned by a number of government departments with a view to being introduced from April 2012.

This process will help to ensure that:

- The content of the policies, procedures and advice are free from unlawful discrimination
- Due regard is given to equality in decision making and subsequent processes
- Opportunities for promoting equality are identified.

This equality impact assessment considers the potential impact of the proposed policies in terms of race, disability, gender, age, gender reassignment, sexual orientation, pregnancy and maternity, religion or belief and marriage and civil partnerships.

## 2. Scope of this assessment

The existing public sector equality duties require Civil Service departments to show due regard when developing new policies or processes to the impact of the proposals on the above listed protected characteristics.

This assessment looks at the available evidence to determine the extent to which the effect of the proposed policies differs between persons sharing a protected characteristic and persons who do not.

Departments are responsible for the content and implementation of the policies and also for engaging with their appropriate trade unions and staff representative groups in accordance with their existing agreements and their duties under the Equalities Act 2010.

## 3. Brief outline of the policy or service

CS Employee Policy is one of the three Expert Services established to provide policy content to departments as part of Next Generation HR (NGHR), a programme of change across Civil Service HR. To avoid unnecessary duplication, 'model' systems and policies are developed rather than bespoke policies for each department who commission CS Employee Policy.

Most Civil Service departments have signed a memorandum of understanding with CS Employee Policy and may therefore potentially implement commissioned policies. The Scottish Government, Northern Ireland Office and Welsh Assembly are out of scope.

A small number of government departments have commissioned policies along with supporting products with a view to changing their current performance management systems from April 2012.



The proposed policies would affect all Civil Servants at grade 6 and below within departments that implement these specific policies. This is likely to include staff within a department's agency and their Crown NDPBs.

The model Performance Management policy focuses on regular in-year performance management and staff engagement. Performance and competencies will be assessed on "what" and "how" objectives have been met rather than box markings alone. Where appropriate, this will be supported by manager led validation which will assess relative staff performance and agree end of year markings.

The Managing Poor Performance policy will apply when an employee's performance falls below the standard to carry out the role effectively. It comprises a first written warning, a final written warning and a dismissal decision. It also includes review periods to allow employees to be supported to improve performance, and the facility to appeal decisions.

The model policies aim to provide a fair and rigorous system for effective performance management which will benefit both employees and the departments they work for. Effective performance management is key to driving up organisational performance and increasing employee engagement. The proposed policies will provide greater value for money, deliver higher quality public services to the tax payer, and improve individual employee contribution.

#### 4. Consultation and involvement

The following groups have been consulted throughout the development stages of the two policies in question:

##### **Governance and Departmental Involvement**

The key principles for Performance Management have been agreed by the following high level groups:

- The Strategic Centre (Cabinet Office)
- HR Management Team (HRMT), a group of the most senior HR leaders in the Civil Service, which acts as the decision making body for CS Employee Policy.
- The Civil Service Steering Board (CSSB) responsible for the strategic leadership of the Civil Service
- CS Employee Policy Senior Leadership Group

A number of HR representatives from a range of departments provided advice to CS Employee Policy to inform the scoping stage of the project. This group helped to establish high level principles and the approach to the development of the policy from their departmental perspective.

In addition each department has a Single Point of Contact (SPoC) who liaises directly with CS Employee Policy on issues relating to commissioned policies. This network is key to ensuring that the viewpoint of individual departments and agencies is taken into account.

SPoCs have taken part in a series of teleconference meetings in order to provide feedback on behalf of their departments and business colleagues on the Performance Management and Managing Poor Performance policies and supporting products. SPoCs were also requested to share any data or current best practice they

had regarding their current performance management systems and poor performance policies which has been used to help inform the development of the model system and poor performance policies.

Each department that has specifically commissioned the new policies with a view to changing existing performance management systems from April 2012 has also been consulted at various levels including Permanent Secretaries, HR Directors and HR teams.

### **Treasury Solicitors**

Legal advice has been obtained through the Treasury Solicitor's department. They will continue to provide legal advice on this project.

### **Diversity Groups**

The following employee network groups have been invited to provide feedback to help inform this impact assessment:

- Sharing Information Network
- CS Disability Network
- DWP Gender network
- a:gender
- CS Rainbow Alliance
- HO Sikh Association
- Christians in Government
- HO Islamic Network
- DWP Age Network
- DWP Work Life Balance

The Department for Work and Pensions diversity centre of expertise have provided advice and guidance regarding the approach in completing this assessment.

## **5. Impact of the Performance Management and Managing Poor Performance Policies**

To assess the impact of the Performance Management system and Managing Poor Performance policies we have considered the sources of information set out below:

- All departments who signed the Memorandum of Understanding with CS Employee Policy were requested to provide data relating to diversity in the context of the 2007 – 2010 Performance Management cycles
- Fourteen departments responded to this request representing over 70% of employees in the Civil Service. Of those fourteen, ten provided extracts or examples of internal reviews, or impact assessments featuring equality and diversity impact data
- As departments operate varying performance management systems and collate and report on equality and diversity data pertaining to these systems in a variety of formats, it has not been possible to conduct a like-for-like comparison of the data
- Where trends are evident from the data available it has been highlighted within this report, however, it is important to note that data provided here should not be treated as statistically significant unless stated. Additionally, each responding department did not consistently provide relevant data to match each of the protected characteristics
- Data on the total number of Civil Service employees and percentage breakdowns by group has been obtained from the Office of National Statistics
- Civil Service diversity networks were consulted, and where data was provided within their feedback we have referenced this.

## **Protected Characteristics**

### **Disability**

Data from the Office for National Statistics show disabled employees as percentage of known disability status in the Civil Service is 7.7%. The percentage of employees not reported or not declared in this category is 24.8%

(Civil Service Statistics 2011: <http://www.ons.gov.uk/ons/publications/re-reference-tables.html?edition=tcm%3A77-229310>)

For the purposes of the EIA, data was provided from a number of Departments ranging from the 2007 - 2010 Performance Management cycles. Of the ten departments who shared relevant data on this category, analysis of trends found that:

- Three departments suggested that non-disabled staff are more likely to be awarded higher performance markings than disabled staff
- Nine stated either that low declaration rates resulted in statistically insignificant results, and/or that they had no evidence of adverse impact on this group.

To mitigate against the risks identified, the Performance Management system requires managers to consider the use of reasonable adjustments when setting and agreeing objectives with individual employees. Supporting material has been provided by CS Employee Policy to assist managers and employees in setting objectives and to assist managers at the end-of-year validation and consistency checking process to ensure a fair process is conducted.

The Civil Service Disability Network (CSDN) expressed a number of concerns including the accessibility of the documents and format of contents as well as compatibility with specialist IT software. As a result of this feedback the documents and formatting are currently under review to ensure they meet agreed Civil Service accessibility standards. Text versions of the forms and images in the documents are being produced.

Guidance on conducting consistency checks and validation meetings contains a number of best practice recommendations based on feedback. These include diversity and equality training for managers and chairs, providing available diversity data to managers to aid fairness of distribution, the appointment of an independent person in validation meetings and sets out the behaviours expected at these meetings. These actions together with effective monitoring and evaluation measures are intended to mitigate against the risks identified.

This and all of the other feedback received both as part of this EIA exercise and stakeholder consultation throughout the development of the policy has been considered. Where risks to disabled employees have been identified, steps have been taken to strengthen the policies, procedures and advice to try to provide suitable mitigation.

### **Ethnicity**

Data from the Office for National Statistics show ethnic minority as percentage of known ethnicity in the Civil Service is 9.2%. The percentage of employees not reported or not declared in this category is 20%

(Civil Service Statistics 2011: <http://www.ons.gov.uk/ons/publications/re-reference-tables.html?edition=tcm%3A77-229310>).

For the purposes of the EIA, data was provided from a number of Departments ranging from the 2007 - 2010 Performance Management cycles. Of the eight departments who shared relevant data on this category, analysis of trends found that:

- Five departments suggested that employees from an ethnic minority background are less likely to receive higher performance markings
- Two departments stated that low declaration rates resulted in statistically insignificant results
- One department stated that they had no particular concerns regarding this category.

To mitigate against risks identified, the Performance Management system provides a fair and rigorous process which engages employees in the process. Employees share ownership for agreeing their objectives and the process provides for regular performance discussions throughout the year. The system also recommends that employees regularly seek feedback from colleagues and customers so that they can collate a broader understanding of their performance.

There will be an opportunity for managers to check, challenge and monitor how ratings are awarded and this is likely to be assessed through a light touch consistency checking process. Detailed guidance is provided to support managers through the consistency checking process.

CS Employee Policy have provided supporting material for managers and employees which contains advice and support on how to set objectives, how to hold performance discussions and how to conduct consistency checks and end of year validation meetings. There is an emphasis on fairness throughout these processes. Both the Performance Management and Managing Poor Performance policies contain a straightforward appeal process which is accessible by all employees. Guidance on conducting consistency checks and validation meetings contains a number of best practice recommendations based on feedback. These include diversity and equality training for managers and chairs, providing available diversity data to managers to aid fairness of distribution, the appointment of an independent person in validation meetings and sets out the behaviours expected at these meetings. These actions together with effective monitoring and evaluation measures are intended to mitigate against the risks identified.

## **Gender**

Data from the Office for National Statistics show gender breakdown in the Civil Service as follows:

- Male: 234,321 (47%)
- Female: 264,112 (53%)
- Total 498,433 (Headcount)

(Civil Service Statistics 2011: <http://www.ons.gov.uk/ons/publications/re-reference-tables.html?edition=tcm%3A77-229310>)

For the purposes of the EIA, data was collected from a number of Departments ranging from the 2007 - 2010 Performance Management cycles. Of the nine departments who shared relevant data on this category, analysis of trends found that:

- Five departments pointed to evidence suggesting that females are slightly more likely to achieve higher performance marking to their male counterparts

- One department found males were more likely to receive higher markings than female counterparts
- One department stated that gender was not a significant characteristic overall
- Two departments found there was little or no discernible difference in outcomes regarding performance markings between male and female staff.

On a related topic, trends also suggest a greater incidence of part time working amongst female employees, and a tendency for those working part time to achieve poorer outcomes than those who work full time.

All employees should be treated fairly under the Performance Management system and the Managing Poor Performance policy. The Performance Management system provides advice to managers when setting objectives and recommends that working hours are taken into consideration when setting objectives for employees.

To mitigate against any potential risk of unequal treatment between sexes, the Performance Management system provides for a fair and rigorous process which engages employees with the process. Employees share ownership for agreeing their objectives and the process provides for regular performance discussions throughout the year. The system also recommends that employees regularly seek feedback from colleagues and customers so that they can collate a broader understanding of their performance.

Guidance on conducting consistency checks and validation meetings contains a number of best practice recommendations based on feedback received. These include diversity and equality training for managers and chairs, providing available diversity data to managers to aid fairness of distribution, the appointment of an independent person in validation meetings and sets out the behaviours expected at these meetings. These actions together with effective monitoring and evaluation measures should mitigate any disproportionate impact.

### **Gender reassignment**

No data is available to assess whether the content of the Performance Management system or Managing Poor Performance policy will have an equality impact relating to gender reassignment. However, it is not anticipated that that gender reassignment will adversely impact on the performance management of an employee. It is the intention of the policies, procedure and advice to promote a fair and rigorous performance management system.

A: gender raised a concern that absence due to gender reassignment could have a detrimental impact on the performance rating of an employee. Where non-attendance is raised for any reason it is dealt with within the Performance Management system which has been designed to reduce any adverse impact through appropriate objective setting and adjustments to take into account any long-term absence.

### **Sexual Orientation**

For the purposes of the EIA, data was collected from a number of Departments ranging from the 2007 - 2010 Performance Management cycles. Low declaration rates in this area across the board resulted in statistically insignificant results, or no evidence of adverse impact on this group.

It is the intention of the policies, procedure and advice to promote a fair and rigorous performance management system.

## **Age**

Data from the Office for National Statistics show age breakdown in the Civil Service as follows:

- 16-19: 0.2%
- 20-29: 11.6%
- 30-39: 21%
- 40-49: 32.8%
- 50-59: 27.1%
- 60-64: 6.2%
- 65 and over: 1.1%

(Civil Service Statistics 2011: <http://www.ons.gov.uk/ons/publications/re-reference-tables.html?edition=tcm%3A77-229310>)

Data was collected from a number of Departments ranging from the 2007 - 2010 Performance Management cycles. Trend data examined found mixed outcomes for staff within differing age groups. Of the eight departments who shared relevant data in this category, analysis of trends found that:

- Two departments stated that younger staff were more likely to achieve better outcomes
- One department stated that younger people were less likely to achieve better outcomes
- One department stated that older staff were found to have had poorer outcomes than those in other age groups
- Four departments stated they found no adverse impact on staff on the basis of age.

The DWP Age Network was supportive of the policies and reported that they could see nothing which might negatively impact on groups of employees as a result of age.

The Performance Management system provides for a fair and rigorous process which engages employees with the process. Employees share ownership for agreeing their objectives and the process provides for regular performance discussions throughout the year. The system also recommends that employees regularly seek feedback from colleagues and customers so that they can collate a broader understanding of their performance.

## **Religion or Belief**

Data was collected from a number of Departments ranging from the 2007 - 2010 Performance Management cycles. From the data available there was no evidence to suggest that the content of the Performance Management system or Managing Poor Performance policy will have an equality impact relating to religion or belief. Feedback from staff faith groups did not offer any data to suggest inequality in this category.

Guidance on conducting consistency checks and validation meetings contains a number of best practice recommendations based on feedback received. These include diversity and equality training for managers and chairs, providing available diversity data to managers to aid fairness of distribution, the appointment of an independent person in validation meetings and sets out the behaviours expected at

these meetings.

It is the intention of the policies, procedure and advice to promote a fair and rigorous performance management system.

### **Pregnancy and maternity**

No data is available to assess whether the content of the Performance Management system or Managing Poor Performance policy will have an equality impact relating to pregnancy and maternity. However, it is not anticipated that pregnancy and maternity will adversely impact on the performance management of an employee. Objectives should be set and any adjustments made to take pregnancy and maternity related absences into account.

It is the intention of the policies, procedure and advice to promote a fair and rigorous performance management system

### **Marriage and civil partnerships**

No data is available to assess whether the content of the Performance Management system or Managing Poor Performance policy will have an equality impact relating to marriage and civil partnership. However, it is not anticipated that marriage and civil partnership will adversely impact on the performance management of an employee.

It is the intention of the policies, procedure and advice to promote a fair and rigorous performance management system

### **Summary of mitigating measures**

All of the feedback received both as part of the EIA consultation exercise and stakeholder consultation which has taken place throughout the development of the policies has been considered.

All of the policy documents are under review to ensure they meet agreed Civil Service accessibility standards.

Where risks to equality and diversity have been identified, steps have been taken to strengthen the policies, procedures and advice. Departments will be provided with clear guidance and support to implement the new system in a fair and transparent way and be reminded of their legal responsibilities and relevant equality duties.

In summary, the policies, procedure and advice set out:

- A requirement for managers to consider the use of reasonable adjustments and taking working hours into consideration when setting and agreeing objectives with individual employees
- Supporting material for managers and employees containing advice and support on how to set objectives, how to hold performance discussions and how to conduct consistency checks and end of year validation meetings
- Guidance is provided on special circumstances that can affect performance, including adjustments to assessments and objectives due to health conditions or maternity
- Guidance on conducting consistency checks and validation meetings contains recommendations based on feedback received including diversity and equality training for managers and validation meeting chairs, providing available diversity data to managers to aid fairness of distribution, appointment of an independent person in validation meetings and setting out the behaviours expected at these meetings

- Employees share ownership for agreeing their objectives and the process provides for regular performance discussions throughout the year
- Absence is managed with appropriate objective setting and adjustments take account of long-term absences
- A consistent approach for awarding performance ratings to staff absent due to maternity leave
- Guidance dealing with dips in performance offers additional support to managers to ensure fair and consistent treatment, acknowledging where protected characteristics may impact on performance and require reasonable adjustments
- Both the Performance Management and Managing Poor Performance policies contain a straightforward appeal process which is accessible by all employees
- Implementation guidance to departments stresses signposting to core diversity learning products both internal and on Civil Service Learning and departments are advised to offer further references, where appropriate, to additional help and advice.

## 6. Monitoring and evaluation

Departments choosing to implement the Performance Management system and / or Managing Poor Performance policy will be responsible for monitoring and evaluating the impact on employees in accordance with their requirements under the Equality Act 2010. CS Employee Policy will provide support and advice to departments as required.

CS Employee Policy will review the results of the People Survey held annually in October. The Cabinet Office Employee Engagement Team will consider the results of the People Survey and discuss them with CS Employee Policy.

## 7. Next steps

Departments who choose to change their existing policies and commission the model Performance Management system and / or Managing Poor Performance policy from CS Employee Policy will coordinate the process through their departmental Single Points of Contact (SPoCs).

SPoCs will liaise with their HR teams to determine how this should be implemented within their department. The exact arrangements may differ according to each department. CS Employee Policy will also allocate a designated contact within the Performance Management project team to support these departments.

Under the Equality Act 2010, departments will need to ensure that they monitor the impact on staff appropriately, and that any necessary adjustments resulting from local impacts are made.

## 8. Contact details

If you require further information about this report please contact:  
[civilservice.employeepolicy@dwp.gsi.gov.uk](mailto:civilservice.employeepolicy@dwp.gsi.gov.uk)

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