



## STAFF APPRAISAL AND PERFORMANCE POLICY

### Equality

In accordance with the Equality Act 2010, we will make any reasonable adjustment necessary to assist those with a protected characteristic or substantive health condition to engage fully with the Commission. If you require any assistance with this document please let us know.

We are also a member of Happy to Translate (HTT) and can provide language assistance with this document or make it available in alternative formats if required upon request.



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### 1.0 Performance Management

- 1.1 The Scottish Criminal Cases Review Commission (“the Commission”) has a performance management and development system for managing and developing the performance of staff within the Commission. This consists of two parts: performance appraisal and development appraisal. The appraisal year runs from 1 April to 31 March.
- 1.2 Performance appraisal assesses your performance against an agreed set of objectives, determined prior to the start of the appraisal year, and updated as necessary throughout the year. The end-year performance management report (performance review and development plan) will be used to determine your pay award.
- 1.3 Development appraisal supports personal and professional development and can help you to improve your performance and to reach your full potential. This is a continual process throughout the appraisal year and is documented in the performance review and development plan.

### 2.0 Performance Review and Development Plan

- 2.1 The Personal Review and Development Plan (PRDP) is issued to staff at the end of March for completion by mid-April. It sets out objectives as agreed for the previous appraisal year and objectives for the forthcoming appraisal year. The plan also documents any developmental needs and action to be taken to address those needs.

2.2 In the PRDP form you are asked to comment on your perception of whether you have achieved your objectives, giving examples to substantiate your perception, during the preceding appraisal year. You are also asked to identify personal objectives for the next appraisal year.

2.3 The procedures and timescales are as follows:

- Personal objectives are agreed at the start of the reporting year to each member of staff.
- The Chief Executive or the Director of Corporate Services, as the case may be, will meet for at least one in-year review in September/October for the purpose of discussing your work and your training and development needs etc. Personal objectives can be amended as the reporting year progresses e.g. due to changing work priorities.
- The Chief Executive or the Director of Corporate Services, or any member of staff can request an in-year review at any time during the reporting year.
- Staff are issued with the PRDP during March each year. This should be completed and returned to the Chief Executive or the Director of Corporate Services, as the case may be, by 31 March, at which time a date will be arranged for the end-year review meeting, to take place no later than mid April. At least one week prior to that meeting, the Chief Executive or the Director of Corporate Services, as the case may be, will complete the relevant sections of the PRDP form and copy this to the member of staff concerned.
- If a member of staff wishes to query or disagrees with any comments contained in the PRDP this matter should be raised at the end-year review.
- If, after the end-year review meeting, a member of the admin staff remains dissatisfied with the content of the PRDP they should raise the matter with the Chief Executive who will have the final decision.
- Personnel issues concerning Legal Officers, the Senior Legal Officer and the Director of Corporate Services are a matter for the Chief Executive and it is only in exceptional circumstances that the Board of the Commission will intervene in relation to such issues.
- If a Legal Officer, Senior Legal Officer or the Director of Corporate Services considers that exceptional circumstances exist which merit a review by the Board of his/her PRDP s/he will prepare a written note setting out his/her grounds for considering that there are such exceptional circumstances and will submit the written note to the Board Members and to the Chief Executive, within 14 days of the date of his/her end-year review with the Chief Executive. The Board will consider the terms of the written note at the first Board meeting to take place after the expiry of 8 days from the submission by the member of staff of the written note. At that meeting if the Board is not satisfied that exceptional circumstances exist which merit review of the PRDP by the Board Members the member of staff will be informed personally of this at the Board meeting. If the Board is satisfied that the member of staff's note raises prima facie grounds for believing that exceptional circumstances exist in relation to the contents of the PRDP, the Board will give the member of staff the opportunity of raising his/her concerns with the Board members at that Board meeting. The Board members will then discuss the issues raised by the member of staff with the Chief Executive. The Board will have the final decision in respect of these matters and will have the right to change any of the comments in the PRDP and the overall assessment of satisfactory or unsatisfactory. The Board will issue to the Chief Executive

and to the member of staff concerned written reasons for its decision where it changes any of the comments or the overall assessment given by the Chief Executive.

### 3.0 Training and Development

3.1 Within the development plan section of the PRDP staff are asked to identify any specific training needs in the year ahead which will assist them to achieve their agreed objectives as well as provide personal development which will have a positive impact on their contribution towards the achievement of organisational objectives and personal careers. The Commission has in place a dedicated training budget to facilitate provision of such training. Identified training requirements and aspirations will be agreed as part of the review process and signed off by the Chief Executive or Director of Corporate Services. The Commission offers a number of training options to employees including:

- Internal Coaching.
- Internal Training Seminars.
- External University/College Courses.
- Access to training and development materials.
- Access to Scottish Government Training Services.
- Attendance at courses and conferences organised by relevant external groups.
- Secondment and job shadow opportunities.

3.2 This list is not exhaustive and all reasonable training requests will be considered. Where there is an ongoing cost associated with training, such as a professional qualification, once approved staff will be required to complete a standard Commission's training contract.

### 4.0 Performance Standards and Pay - Pay Progression

4.1 The Commission has an analogue pay arrangement in place with Scottish Government and all existing pay grades have been matched to existing Scottish Government grades. In line with Scottish Government's pay and reward system and the annual Pay Policy, progression payments are only applicable where the grade maximum has not been achieved and satisfactory performance has been awarded for the year.

4.2 The Chief Executive and Director of Corporate Services in awarding a performance marking for each member of staff will, where applicable, take into matters such as:

- Levels of attendance, timekeeping, attitude and appearance.
- Achievement of objectives.
- Achievement of targets.
- Knowledge of criminal law and procedure.
- Ability to recognise and analyse legal problems.
- Thoroughness of investigative work.
- Knowledge of employment law, human resource guidance, financial guidance, relevant public sector procedures and best practice.
- Quality of written work, in particular, attention to detail and clarity of issues.
- Adherence to procedures and policies.
- Acting on and adherence to instructions given.
- Willingness to assist others.

- Accuracy of finance and statistical information.

4.3 For each appraisal year the Commission has three performance markings which will be used to determine your pay award:

## 5.0 Satisfactory

5.1 Receiving a satisfactory performance marking means that you are entitled to a consolidated pay award of an increase of one point on the relevant salary scale.

5.2 The value of each scale point will be reviewed annually in line with the Commission's overall pay remit process to ensure equality of pay and affordability. The value of satisfactory performance progression will be costed within the pay remit process and will therefore be paid, where applicable, once the overall pay remit has been approved.

## 6.0 Unsatisfactory

6.1 No pay award is attached to an unsatisfactory box marking. Prior to your performance being marked as unsatisfactory you will, during the appraisal year, have been informed of the weaknesses in your performance and will have been given the opportunity to discuss those weaknesses. You will also have been given the opportunity to address those weaknesses with any training and/or guidance as required. If you receive an unsatisfactory box marking, you will be given an officially recorded written warning (as detailed in the Commission's Disciplinary Procedure).

6.2 If you receive an unsatisfactory box marking you will be given a further period of three months to address any matters and improve your performance. The Chief Executive or Director of Corporate Services will conduct a formal assessment of your performance after the three-month period. If your performance has improved, your performance will be assessed again after a further three-month period and if your performance at that point (6 months after the PRDP report) is considered satisfactory you will be eligible to receive a pay award as detailed above. If your performance has still not improved after the first three-month period you will be given a Final Recorded Written Warning (as detailed in the Commission's Disciplinary Procedure). Your performance will be re-assessed after a further three-month period. If your performance has still not improved at that point (6 months after the PRDP report) you will be dismissed with required notice.

## 7.0 Exceptional

7.1 An exceptional performance marking will be awarded where the Chief Executive considers that you have well exceeded the normal standards required in relation to your work. You may also be awarded an exceptional marking where you have undertaken a specific piece of work which in the Chief Executive's view is worthy of additional recognition. Exceptional markings will be given at the discretion of the Chief Executive. It should be noted that an exceptionally high standard of work will be required for the Chief Executive to consider whether an exceptional marking is appropriate.

7.2 Where you have been assessed as meeting the exceptional performance criteria, you will be entitled to receive a non-consolidated, non-pensionable lump sum bonus dependant on your

grade in addition to the pay award attracted by a satisfactory box marking. The current bonus rates are set out below and will be reviewed annually in line with the Commission's overall annual pay remit process, thus ensuring affordability.

- Management Grades (DoCS & SLO) - £1,500
- 'B' Grade Equivalents - £1,000
- 'A' Grade Equivalents - £500

7.3 In accordance with the analogue pay arrangement in place with Scottish Government and the application of the annual Scottish Government Pay Policy, the relevant guidance and rules in respect of bonus payments must be adhered to. There is currently a payment freeze on performance related bonus and this is reviewed annually.

Date approved:	2003
Date of last review:	December 2022
Date of next review:	December 2024