



September 2017

PCS DCLG MID YEAR PMR PROCESS AND ADVICE

This advice is intended to provide members with guidance as you prepare for your mid-year PMR review after the Department implemented changes to the process for 2017-18. It is not intended to be a guide to the entire PMR system as it is supposed to operate throughout the year. We will issue further advice for the end of year PMR when appropriate.

If you have any questions about this advice then please email the [PCS DCLG mailbox](#).

Contents

1. CHANGES TO PMR 2017-18
 - 1.1 What has changed from 2016-17
 - 1.2 What has stayed the same
2. GENERAL OVERVIEW
 - 2.1 Overview of the new process
 - 2.2 Development Conversations
 - 2.3 Collaborative Approach
3. REVIEW OF PERFORMANCE
 - 3.1 The Reporting Officer (RO) determines your box marking
 - 3.2 Assessments must be fair and based on objective evidence
 - 3.3 No Surprises
 - 3.4 Development Needed marking may lead to poor performance dismissal procedures
 - 3.5 Treat your marking seriously
4. MID YEAR PROCESS
 - 4.1 Mid-Year Review
 - 4.2 Line Manager's Assessment
 - 4.3 Review of Objectives (Annex A)
 - 4.4 Job Holder's Comments
 - 4.5 Moderation Process
 - 4.6 The moderating meeting
 - 4.7 Record of the moderating meeting
5. TAKING PART IN THE MID YEAR REVIEW PROCESS AS A JOB HOLDER
 - 5.1 Gather evidence
 - 5.2 Obtaining/keeping a record of discussions

- 5.3 Challenging the marking
- 5.4 Raising a Grievance

6. DIVERSITY INITIATIVES

- 6.1 Overview and Changes
- 6.2 Opt Out for Disabled Staff
- 6.3 Diversity Panel
- 6.4 Way Forward

1. CHANGES TO PMR 2017-18

For the reporting year 2017-18, the Department has implemented what it hopes will be a new approach to PMR based on more developmental conversations and less bureaucracy.

1.1 What has changed?

- There is a more streamlined form to be completed.
- The widely despised 'guided distribution' or quota system has been abandoned.
- The nine box grid has been scrapped for a simpler 3 box scale.
- The Department states its intention is for the system to be based more on developmental conversations.
- A written self-assessment is no longer mandatory.
- Line managers need to comment on performance against individual objectives (Annex A of the new form), as well as provide an overall narrative.
- The diversity initiative whereby BAME staff could OPT IN to moderation has been scrapped.
- PMR appraisals to be signed off on SAP HR.

1.2 What has stayed the same?

- The PMR is still a retrospective assessment of performance with the three box classification of Exceptional, Good and Development Needed staying the same.
- Moderation review meetings will continue.
- Disabled staff can still OPT OUT of moderation.
- The 'What' and 'How' remain the same with equal weighting
- As in previous years, job holders will receive mid-year box markings.

2. GENERAL OVERVIEW

2.1 Overview of the new process

Quarterly reviews and more informal 1 to 1 development and review conversations should continue throughout the year. Quarterly reviews are no longer recorded on the PMR form, but it is still the intention to continue their use so that there should be no surprises to both job holder and line managers.

At mid and end year, the job holder no longer needs to complete a mandatory written self-assessment. However, they do need to think

about their own performance and assessment and come to the review meeting prepared to discuss it.

2.2 Development Conversations

The Department has continually stated that it wants to move to a PMR system based on developing and training staff. Over the last few months it has rolled out workshops for line managers on having development conversations, but this training is not mandatory and take up has been slow. It is also not clear how it will convince large numbers of staff who have had years of being beaten down by a divisive, subjective and retrospective ranking system to now have open and frank conversations on their development needs, when they are still being categorised and labelled.

2.3 Collaborative Approach

The Department states that the overall approach to the reporting officer's assessment should be a collaboration between the reporting officer and the job holder, taking into account the job holder's own assessment. It suggests on the form that perhaps the job holder can write a first draft with the line manager finalising it. This is just a suggested approach and each job holder will need to make a decision whether this works for them.

A JH cannot be marked down on the 'What' or the 'How' for not drafting the narrative (and PCS can think of many reasons why this approach may not suit everyone). The Department has confirmed that so long as the job holder engages with the process (see 4.1 & 4.2) this is enough and ultimately line managers have the responsibility to complete this section taking into account the views of job holders.

3. REVIEW OF PERFORMANCE

3.1 The Reporting Officer (RO) determines your box marking

On 19th June 2015, in a dialogue initiated by PCS, HR confirmed in writing to the Trade Union Side "...that the LM is responsible for deciding the job holders rating" (our emphasis). PC&C reaffirmed this statement in a meeting with the Trade Union Side on 9th February 2017. With the introduction of the new reporting arrangements this remains the same. If your reporting officer claims that s/he wanted to give you a higher box marking but was over-ruled at the moderating meeting you should point out that s/he, and not the moderating meeting, is responsible for *deciding* the box marking and remains accountable for the marking and cannot place or derogate responsibility and accountability to the moderating meeting.

This does not mean that you cannot have grounds for complaint against a moderating meeting or particular participants.

3.2 Assessments must be fair and based on objective evidence

Assessment of performance markings should not be based on some notion of how you compare to your colleagues – poorly designed as it is, the DCLG PMR system is not a relative appraisal system and Job Holders (JH) are supposed to be assessed against their delivery of objectives and their display of competencies for the grade (not against each other).

RO's must remain objective and fairly assess performance with relevant and appropriately weighed objective evidence, which should be readily available to job holders.

PCS has seen examples of reporting against the "How" which underline our long held concern that it is not a rigorous and transparent measurement. If you are concerned as to your rating against this criterion, you are advised to press for a clear statement of the evidence that your RO is relying upon.

3.3 No Surprises

The Department's guidance on 'Carry out a performance review' states that *'the end of year assessment should build on all elements of the performance cycle during the year: objective setting, performance and development discussion, quarterly reviews'* and for this reason your mid-year rating should not come as a surprise.

If your mid-year assessment has come as a surprise, you should obtain all the evidence from your line manager underpinning the marking and get a very clear account of what you need to do to move out of that marking by year end. You should also seek early advice from a PCS representative.

3.4 Development Needed marking may lead to poor performance dismissal procedures

In the summer of 2015 management placed guidance relating to Development Needed assessment (including those at Mid-Year Review) (<https://intranet.communities.gov.uk/documents/2015/06/performance-improvement-plan-guidance.pdf>).

You are strongly advised to read this guidance if you receive a Development Needed mark.

You will see that the guidance draws a clear process link between the Development Needed box mark, the Performance Improvement Plan (PIP) which in our experience is really no such thing, and the inefficiency dismissal procedures for poor performance. Wrongly management is conflating a Development Needed assessment, whether fair or not in any specific instance, with inefficiency.

All members who receive a Development Needed Assessment at mid or end year are at risk of being placed on PIP and thereafter on the inefficiency procedures which may lead to dismissal. It is potentially a very quick process, from DN assessment to poor performance dismissal via a PIP. If you have received 2 consecutive Development Needed markings, or if you are already on or about to be placed on a PIP, contact PCS urgently.

3.5 Treat your proposed marking seriously

We welcome the abandonment of the nine box grid. However, you should still take your proposed marking seriously, as this might also affect how you are dealt with for career development purposes, including where you are placed on the so-called Talent Grid and therefore your opportunities to access future talent and development schemes ([see the latest draft D&I action plan](#)).

4. MID YEAR PROCESS

4.1 Mid-Year Review

The JH is advised to gather their own evidence on their performance and think about their mid-year self-assessment. A written self-assessment is no longer mandatory, so your assessment can be given verbally through discussion at the review meeting. It may however be good practice to continue to do a written self-assessment so that achievements and evidence are transparent and readily available and so that key points are not missed.

The JH and RO should formally meet to discuss the evidence and performance.

4.2 Line Manager's Assessment

As there is now a collaborative approach to writing the reporting officer's assessment. The JH or the RO should draft the narrative taking a balanced view of evidence and what was discussed at the review meeting. The JH and RO should come to an agreement on who is best placed to draft the narrative after the meeting and collectively agree a final draft to

go to moderation. However, ultimate responsibility for ensuring this is completed on time rests with the RO.

4.3 Review of Objectives (Annex A)

In addition to the RO assessment, it is now mandatory for the RO to complete an assessment against each individual objective, set out in Annex A of the new form. The Department's own updated guidance does not mention this section, but HR officials have confirmed this is mandatory. Therefore we would suggest that in the same spirit of collaboration as for the overall assessment, the RO and JH should jointly discuss and complete this section before the moderation meeting.

4.4 Job Holder's comments

After the RO final narrative is completed, the JH has the opportunity to add their own commentary on the assessment or to make any further comments. This section is not mandatory and can be left blank. However, it does give the JH a voice to make further points or highlight any disagreements. It can also be used to record a self-assessment and we recommend JH's make use of this section if required.

4.5 Moderation Process

The RO MUST send the agreed assessment to the JH before any moderation. The RO (or other nominated officer) should attend any moderation meeting with all the agreed evidence as seen by the job holder with a provisional box marking.

Any moderation meeting should discuss the evidence and advise the RO of its view of the proposed marking but the final say on the box marking remains with the RO, who determines and takes responsibility for the marking and advises the JH.

4.6 The moderating meeting

Moderation meetings should only discuss objective evidence supplied by line managers and seen by employees. This should include the RO's and/or task manager's collaborative assessment, JH comments and any other additional evidence either side have provided, such as a self-assessment.

All evidence MUST have been seen by the JH who should have had an opportunity to comment on it. Any discussion on 'evidence' not seen, or discussion on hearsay or personal traits is not allowed and will be a breach of the moderation rules.

4.7 Record of the moderating meeting

A note should be taken of any meeting, including details of the performance of any employee who was discussed and sufficient details to support all decisions. Job holders are entitled to see a copy of the note relating to themselves only. We recommend that you ask to see this note as it should set out what was discussed in relation to your performance.

5. TAKING PART IN THE MID YEAR REVIEW PROCESS AS A JOB HOLDER

5.1 Gather evidence for Mid-Year Review

Gather together all evidence of your achievements during the previous 6 months, including notes of your quarterly review discussions, informal job chats and any contemporaneous feedback of performance from your reporting officer and other colleagues. Seek feedback from colleagues you have worked well with and consider in advance of the review what criticism might be made of your performance and whether you would accept or if not, have evidence that would contradict it. You should also ensure that you gather evidence to support your contribution towards your 'corporate' objectives – this may include any contribution you have made to cross-departmental activities.

5.2 Obtaining/keeping a record of discussions

You are advised to keep a record of your performance discussions with your reporting officer throughout the year. Check whether your reporting officer will write up the discussion after each review and if not, produce a written account yourself and send it to your manager for agreement. The notes do not need to be long, but should cover the main points including how well you are performing.

If your RO writes a note that you do not believe properly reflects a discussion or if issues are raised in a discussion and/or notes that are not evidenced or you believe to be unfair you should challenge these comments in writing, presenting relevant information where applicable. NEVER LEAVE ANY UNEVIDENCED OR UNFAIR STATEMENT UNCHALLENGED.

5.3 Challenging the marking

Should you receive a PMR marking which you believe to be unfair or which you were not expecting, it is important that you engage with your manager as early as possible to understand the justification and collect as much information to enable you to challenge your box marking.

The following questions are intended to be a helpful guide on lines of enquiries in order to better understand how your PMR process has been followed. The answers to all the questions are a basic entitlement for all job holders to ensure fair play and transparency and should be readily available from line managers.

- a) Please provide a copy of all the evidence that supports my box marking
- b) How has the evidence been weighted to produce my box marking?
(for example positive evidence against criticism)
- c) Please advise if I have been marked down on the 'What' or the 'How' or both and provide the evidence.
- d) As this box marking is a surprise to me, please advise when my performance deteriorated and provide the evidence during this period and why I was not notified in good time?
- e) What do I need to do now to improve my box marking at year end?
- f) When did the moderation take place and who presented my evidence?
- g) Please provide a list of all the evidence that was presented at my moderation?
- h) Were there any critical comments of me made at moderation? If so, what comments were made and by whom?
- i) Please provide the section of the minutes of the meeting that relates to my review and marking?

It is imperative that any challenges to box markings are timely. Reporting officers might delay providing the requested information, so job holders need to ensure that requests are sent promptly and followed up where necessary. Follow this guide to negotiate with your line manager and contact your local PCS representative for advice, support and representation, if required.

5.4 Raising a Grievance

The Department states that it prefers to resolve disputes informally, but if after negotiating with managers, the dispute is not resolved, each employee has the option to raise a grievance. There is a deadline for registering your grievance which is within 3 months of being notified of your marking. If at any point during this time, it becomes clear that a grievance may be required do not wait before getting advice, as any delay might mean that the submission of your grievance may not be accepted by management and even if it is, PCS representatives may not be able to guide job holders through the grievance process at short notice.

6. DIVERSITY INITIATIVES

6.1 Overview and changes

For 2017-18 the Department has decided against renewing the option to allow BAME staff to 'Opt In' to moderation, thereby definitely guaranteeing to have their assessment discussed. There was no evidence to suggest this approach made any significant difference to markings of BAME staff and it had a very low take up. However, disabled staff are still able to 'Opt Out' of moderation and the diversity panel will continue to review box markings of equality groups.

6.2 Opt Out for Disabled Staff

Disabled employees have the opportunity to opt out of moderation and to have their mid year assessment agreed in the line without any other form of moderation. This means your line manager in agreement with your countersigning officer will decide your box marking, without your assessment being discussed at moderation.

The stated management rationale behind this approach is that disability, including any reasonable adjustments, may be better understood and managed in the line when assessing performance. Conversely, a moderation board may be judging an individual without being in full knowledge of the facts, which could exacerbate the disadvantage already faced by disabled employees.

6.3 Diversity Panel

In addition to the opt out initiative above, the Department has a Diversity Panel that in theory can look at assessments across all protected groups, as set out in the Equality Act. However, since its inception over a year ago, it has only reviewed markings for Disabled and BAME employees, and that review consisted of checking whether a reporting officer's narrative was consistent with the overall box marking. It chose not to review the job holder's self-assessment or any other additional evidence which would have produced a more rounded picture of assessment and/or disagreements. The Department has so far not advised PCS on what or how it will conduct its review this year.

The Departmental guidance is very clear that this is not an appeals panel and individual staff who are not happy with their marking cannot simply appeal to the diversity panel or even provide evidence. It is therefore imperative that staff who are unhappy with their line manager's assessment, challenge at the time before the moderation meeting and seek early advice from PCS. Do not rely on the moderation meeting or the diversity panel.

6.4 Way Forward

Although PCS supports moving to a PMR system based on development conversations, the new approach adopted by the Department has done little to move away from a backward ranking assessment which will always be subjective and riddled with mistrust. The stated collaborative approach is a puzzling concept in a process that has more disagreements and conflicts than all the other Departmental processes put together and we will monitor and look to put out more guidance as the situation becomes clearer.