



Taking the bull by the horns

CPCME Conference

2013

Session timetable

08:15-0845	Proactive HR management to gain best possible outcomes
0845-0905	What to look for when undertaking pre-employment checks
0905-0925	Giving timely feedback - nurturing the ideal culture for your practice
0925-0950	Drawing up a performance improvement plan
0950-1010	Holding a disciplinary meeting
1010-1030	Discussion

Proactive HR management to gain best possible outcomes

Staff need to know your expectations – some key documents to guide them:

- position descriptions
- policies and procedures
- staff code of conduct.

HR Policy Guidelines

Introduction with chart of organisational structure. Who to go to.

Recruitment information, PD, vacancies, selection process.

Equal employment opportunities.

Employment agreement, wage and salary information.

Flexible working hours, breaks, overtime.

Professional indemnity insurance.

Leave provisions, how to apply for it, cashing up leave.

Learning and development, course/conference attendance.

Public relations, disciplinary policy, code of conduct.

Telephones, mobile phones, internet and email usage.

Building security, visitors, powers of entry and inquiry.

Privacy, confidentiality and the Privacy Act.

Fraud, theft, credit card policy.

Resolution of employment relationship problems.

Health and Safety.

Harassment & bullying in the workplace.

Management styles

Out with the old	In with the new
Micro-management	Empowerment
Management by being 'visible'	Watching and listening, engagement.
Management knows everything	Choose great people with the right skills, let them get on with it.
No mistakes tolerance policy	Admit and learn from mistakes
Balance sheet drives the business	People driven business and quality of service delivery
Job competency is sufficient	Expect and enable star performance
Technology to increase productivity	Invest in people
Demand change; be specific and time driven	Nurture change; let people participate, give them credit for it.
Junk food in staff room	Promote workplace wellness
Incentives to get better performance	Being valued matters more than money

Be alert to environmental changes

Environmental

- adequate working space
- equipment
- training needs
- realistic timeframes.

Bullying in the workplace

- your own or other people's behaviours or attitudes
- stress – work or personal
- unclear boundaries.

90-day trial period requirements

- Agreed to between the parties, then included in the letter of offer and the employment agreement, which must be signed **prior to start date**.
- One off agreement – cannot be rolled over or extended.
- Termination notice must be given within the 90-day period – the notice period can extend outside the 90 days.
- Obligation remains to act fairly and reasonably.
- Minimum rights of pay and ability to claim for unlawful discrimination or serious breaches of good faith remain.



Managing staff performance

– consists of two very separate processes:

Appraisal

Employee's overall ability to do their job.

Analysis of training required.

Discussion about employee's aspirations and set of objectives.

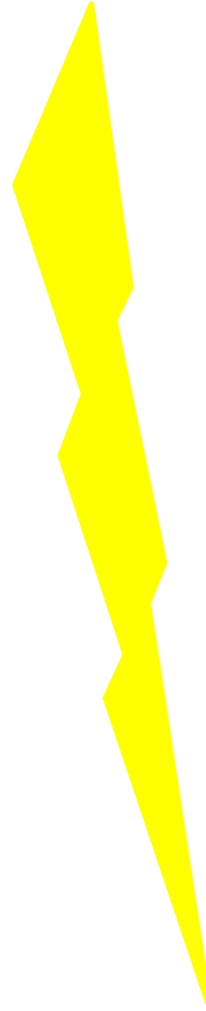
Coach for improvement and development.

Do not affix blame.

Performance management

Where problems with the employee's work or behaviours are addressed:

- in a timely manner
- following procedural fairness guidelines.



Pre-employment checks

*Quiz
time*



Employment application form

- Personal details: name, address, contact numbers
- Are you legally entitled to work in New Zealand?
- Conflict of interest
- Criminal and bankruptcy history
- Disabilities or medical conditions
- Credit check
- Referee's details and authority
- Signed declaration and acknowledgement.

Confidential Reference Check

Verbal Reference Check Form

Referees Name: _____ Company: _____
 Position: _____ Telephone No: _____
 Candidate: _____ Position Applied for: _____
 Completed by: _____ Date Obtained: _____

We have obtained the authority of the candidate to seek a reference from you. This information is given in confidence and is evaluative material under section 29 (b) of the Privacy Act 1993.

Employment Dates:

What is your professional relationship to the candidate?

How long have you known him/her?

How would you describe his/her technical skills/knowledge as they relate to the requirements of this position? (describe requirements and ask for specific examples etc)

Utilise publically available information

New Zealand Health Practitioners Disciplinary Tribunal

www.hpdt.org.nz

Social networking sites such

<http://nz.linkedin.com/>

www.facebook.com/

<https://twitter.com/>

<https://www.tumblr.com/>

<http://instagram.com/#>

Giving timely feedback



Good feedback focuses on:

Behaviours – rather than the qualities of the person

Observations – not interpretations or judgements

- *specific and tangible **evidence and examples** of performance*

Solutions – aim for improvement

- *be genuine, honest and fair.*

Building confidence

- *concentrate on things within the individual's control*
- *sensitively convey your comments*

Be timely and.....**no surprises**



What feedback would you give when...

- Your receptionist is constantly texting at the front desk?
- Three of the nursing team are having a raucous conversation in the corridor, out of sight of the waiting room but not out of hearing distance.
- Your locum GP asks if he can have a friendly nurse to deal with.
- The telephone isn't being answered as one of the receptionists is on a personal call.

Train and develop

- for star performance and staff retention

Gets new recruits up to speed sooner.

Builds confidence, motivation and enthusiasm across all staff to increase productivity and job satisfaction.

Reduces down time, error rates, complaints, loss of staff.

Share the knowledge across the team, this encourages good habits to be replicated.

Aids staff retention.

Drawing up a PIP

(performance improvement
plan)

Performance Improvement Plan Example

Employee: Reviewer: Start Date: .../.../...

Activity or Behaviour	Level of Required Performance	How is this going to be achieved and measured	Review Period	Reviews dates, notes and initials of those present

* We are happy to discuss areas where further training may be required to ensure you have all the necessary knowledge to assist you to reach the agreed standards.

Performance Management

- take a solution-finding approach

Behavioural/attitudinal

- *what the individual might need to start doing differently*

Knowledge/skill-based

- *knowledge or skills the individual may need to acquire*

Job-based

- *development or modification of guidelines, workloads, systems, procedures, etc.*

Other external factors

- *may need to involve third party to effect change*

Process – process – process !

Employers must:

- follow the correct process
- be fair and reasonable at all times
- be honest and frank in dealing with employees
- have a transparent process with no predetermined outcome.

It is recommended that you develop a disciplinary policy that all staff are conversant with.

Time for a formal meeting

– requires written notification:

1. Record the employee's explanation
2. Develop a performance improvement plan
3. Provide any additional support that is warranted in the circumstances
4. Advise required outcomes and time period in which improvement must be seen
5. Advise implications if issues recur, such as a formal warning or dismissal.

Inviting employee to a meeting

The purpose of this letter is to outline the areas of concern around your [performance/ behaviour] that we would like to discuss with you. We wish to clarify the expected level of [performance/behaviour] that is required for your role. I have enclosed a copy of your position description [and practice policy and/or code of conduct].

The areas of concern that we have observed are:

- 1. [insert brief description of issue]*
- 2. [insert brief description of issue]*

We would like to meet with you [date, time, venue] to discuss our concerns and hear your response. I will be holding the meeting and [name] will also be present. You may bring a support person or personal representative with you.

Depending on your responses, we may implement a performance improvement plan, [or it may have a more serious effect on our employment relationship including the issuing of a formal warning]. If a performance improvement plan is implemented, you will be given the opportunity to provide feedback or suggestions. Such a plan would include meeting with you on a regular basis to discuss your performance and behaviour against the agreed plan. This may include addressing any training requirements or other needs that may be identified in order for you to meet our expected standards.

Please confirm you are able to attend this meeting together with details of your support person or representative.

Performance Improvement Plan Example

Start Date: ... / ... / ...

Employee: Reviewer:

Activity or Behaviour	Level of required performance	How to be achieved / measured	Review Period	Reviews dates/notes, initials of parties
Patient triage	Comply with triage guidelines, timely raise concerns to nurse team leader or GP	Review training needs. Observation/patient feedback, no patient complaints.	Weekly meetings	01/01/2013: DHB triage course. One patient complaint – discussed alternatives to handle situation. Next mtg 8 Jan. [Initials/Initials]
Interaction with reception and admin staff	Comply with agreed Code of Conduct, treating all staff in a professional, respectful and collegial manner at all times.	Observation / staff feedback and no staff complaints.	Weekly meetings	01/01/2013: No new staff complaints. Abrupt interaction observed twice – discussed and agreed to concentrate on improving communication style. Next mtg 8 Jan. [Initials/Initials]

* We are happy to discuss areas where further training may be required to ensure you have all the necessary knowledge to assist you to reach the agreed standards.

Holding a disciplinary meeting

The test for justification

What could
a fair and
reasonable
employer do?



Quiz time



Summary of disciplinary principles

- follow and comply with internal policies
- follow up on issues that arise during investigations
- make sure all evidence is passed on to the employee
- take into account what has been done historically in similar circumstances
- ensure that employees know your behavioural expectations.



Key points

1. Provide a position description - benchmark expected performance
 2. Document all occasions where staff have failed to perform
 - Include dates and relevant discussions
 - Give explanations.
 3. Not sure what's 'fair and reasonable'? **Get legal advice**
 4. Never accept spontaneous resignations
 - tell the employee to think about it overnight and seek advice
 - if the employee still wants to resign the next day, ask for it in writing, acknowledging they have considered their decision.
- cont...

...continued

5. Where possible have a witness present
 - take minutes for all disciplinary meetings
6. Get an accurate picture of the issue
7. Never pre-prepare warning or dismissal letters
 - even when summarily dismissing someone
8. Take time to consider before making your decision
9. Keep confidentiality

The Authority or Court will consider

1. Considering the employer's resources, there has been sufficient investigation of the allegations against the employee.
2. The employer raised all concerns with the employee before taking action.
3. The employer gave the employee reasonable opportunity to respond to the concerns.
4. The employer genuinely considered the employee's explanation before taking action.

Questions?

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