

CAPABILITY POLICY AND PROCEDURE

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CITY HOSPITALS SUNDERLAND NHS FOUNDATION TRUST

DOCUMENT APPROVAL PROFORMA

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Name of Author: Jan Armstrong, Deputy Director of Human Resources

Name of Sponsor: Kath Griffin, Director of Human Resources

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If this Policy has an impact on City Hospitals Sunderland, please list below, the person who has informed and involved the sponsor:

Name:

Title:

Date:

NB: It is the sponsor's responsibility to submit the policy through the CHS approval route.

Checklist for the review and approval of the policy

	Is the policy compliant with:	Yes/No	Comments
	Corporate style	Yes	
	Format including duties,	Yes	
	Content; intended outcomes clearly described	Yes	
	Evidence base; key references	Yes	

	included and cited in full		
	Associated documentation recorded	Yes	
	Review/consultation process: List of groups/committees included with the policy	Yes	
	Appropriate stakeholders consulted	Yes	
	Approval: Staff side committee (if appropriate)		
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Committee Approval

Committee which forms the approval process: Policy Committee

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Chair of Committee: Mike Davison, Non-Executive Director

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1. INTRODUCTION

- 1.1 The extent to which City Hospitals Sunderland NHS Foundation Trust ('the Trust') is able to deliver safe, effective and high quality healthcare largely depends on staff achieving and maintaining the required standards of performance at work.
- 1.2 In order to achieve these standards, staff must be aware of what is expected of them and managers must ensure that this is communicated as open and regular communication is essential to everyone understanding what is expected of them. During employment, proper training, supervision and encouragement are essential as is the need for the manager and employee to regularly discuss job performance, including at the annual appraisal, which is an essential part of this process.
- 1.3 Employees have a personal responsibility to ensure that they understand what standards are expected of them and that they engage fully with the procedure set out below to achieve and maintain them.
- 1.4 There will be times when staff do not perform at the standards required by the Trust. In dealing with concerns about staff capability, managers must distinguish between those where the reason is within the individual's control (e.g. carelessness, lack of effort, negligence or attitude problems) and those where there are external factors (e.g. skills training, aptitude, health or the changing nature of the job). In the former case, the Trust's Disciplinary Procedure must be applied. In the latter, the capability procedure outlined below must be followed.

2. PURPOSE AND SCOPE

- 2.1 This purpose of this policy is:-
 - To ensure that capability concerns are dealt with in a timely, fair and consistent manner.
 - To improve an individual's performance to the necessary standards.
 - To ensure that managers support staff to carry out their job to the necessary standards.
 - To encourage a joint approach between the individual and the manager.
- 2.2 This policy applies to all non-medical staff.
- 2.3 Concerns about the competence of medical and dental staff must be addressed in accordance with the Department of Health's "*Maintaining High Professional Standards in the Modern NHS*", (February 2005 edition) and guidance published by the National Clinical Assessment Service, www.ncas.nhs.uk.
- 2.4 Concerns about medical and dental trainees must be managed in accordance with the Norther Deanery's "*Doctors and Dentists in Difficulty Policy*", http://madeinheene.hee.nhs.uk/Portals/0/Policies/LET%20POLICIES/Employment%20Policies%20and%20Procedures/Employee%20Wellbeing/Doctors_Dentists_in_Difficulty_V5_Rev_01112011-1.pdf?ver=2016-05-27-110246-287
- 2.5 Concerns about pharmacists must be addressed in accordance with this policy and guidance published by the National Clinical Assessment Service, www.ncas.nhs.uk.

- 2.6 Where there are concerns about an employee's performance, their manager must ensure that the employee is given a clear indication of the gaps between their current and the required standards of performance. Under normal circumstances, this will be via an informal meeting of which a written record will be kept by the manager and a copy provided to the employee to document the discussion. This will provide proof that the employee was notified of the issue in the event they fail to achieve the required standards of performance and the matter is progressed to the formal stages described in this policy.
- 2.7 Pay protection will not apply in circumstances where an employee is redeployed following a formal capability hearing and / or appeal hearing.

3. DUTIES

3.1 Board of Directors

The Board of Directors is responsible for approving and monitoring a framework for managing poor performance that is compliant with all relevant employment legislation.

3.2 Chief Executive

The Chief Executive has ultimate responsibility for ensuring that capability processes are in place and are compliant with all relevant legislation, guidelines and NHS best practice standards.

3.3 Director of Human Resources

The Director of Human Resources is the executive lead for the development, consultation, implementation and review of this policy.

The operational Human Resources team is responsible for advising and supporting managers on the effective and appropriate use of this policy at all stages and attending / acting as Human Resources representatives / advisors at all formal stages of the procedure.

3.4 Managers

Managers are responsible for:-

- Ensuring that all new employees and those transferring to them from elsewhere in the Trust, complete a department induction for their work area.
- Ensuring that all employees have up-to-date job descriptions, realistic objectives and a personal development plan.
- Setting and monitoring the required standards of performance and helping employees to achieve and maintain these.
- Ensuring that each year all employees have an appraisal / performance review meeting.
- Bringing to an individual's attention, any performance concerns, as soon as they become aware of these and discussing the reasons for them with the individual.
- Ensuring that relevant training and development is provided for all staff and that the necessary time to attend / complete this is arranged.
- Complying with this policy.

3.5 Employees

Employees are responsible for:

- Complying with the policy.
- Working effectively and performing to the highest standard achievable.
- Speaking to their manager and asking for assistance if they need help/support to carry out their job, (admitting the need for help is not seen as a weakness).
- Working with their manager and agreeing an appropriate way to address any performance problems.
- Engaging fully with the capability procedure, including identifying actions to improve their performance.
- Attending any training activities that are arranged to support and enhance their performance.
- Attending their appraisal / performance meeting each year.
- Contacting and making arrangements with their chosen companion (trade union representative or work colleague) to accompany them at any formal meeting they are required to attend.

3.6 Occupational Health Department

The Occupational Health Department is responsible for advising managers about any health issues that may be affecting or are likely to affect, an individual's performance at work including whether there are any reasonable adjustments that might support and/or improve their performance.

4. DEFINITIONS

4.1 **Capability** is defined as "*capability assessed by reference to skill, aptitude, health or any other physical or mental quality*". (Employment Rights Act 1996).

4.2 **Lack of capability** is where an individual is unable to meet the required standards of performance in terms of the knowledge, skills or aptitude required by the current job description, which affects their ability to perform at the required standard.

4.3 **Independent** shall have the meaning of not having had prior involvement in the case. In circumstances where the independent person is external to the Trust, independent shall have the meaning of having no involvement with the Trust, which might be prejudicial to impartial judgement (and for the avoidance of doubt, any payment by the Trust to such external person in relation to their time incurred in respect of the appeal, shall not be deemed to prejudice their impartial judgement).

5. SCHEME OF MANAGERIAL AUTHORITY

5.1 The scheme of managerial authority at each stage of the capability procedure is set out in the table below.

Position	Stage 1 Informal Meeting	Stage 2 Formal Capability Meeting	Stage 3 Formal Capability Hearing	Appeal against deferral of pay increment	Appeal against downgrading
Line Manager	√	√ Band 6 or above		√ Band 6 or above	
Head of Department / Directorate Manager	√	√	√	√	
Divisional General Manager / Executive Committee Member	√	√	√	√	
Trust Board Appeal Panel				√	√

6. STAGE 1 - INFORMAL MEETING

6.1 When it becomes clear to the line manager that an individual's performance is not meeting the required standards, the manager should hold an informal discussion with that individual to try to establish the reason for this. Any explanation given by the individual will be considered and where required, investigated by the manager, after which any of the following outcomes and actions are possible:

- a) The required standards are not reasonably attainable and will be reviewed.
- b) The problems are due to a change in the standards required of the role. These new standards will be explained to the individual and support and/or retraining provided.
- c) The individual's problems are related to personal issues. Counselling and support will be provided where appropriate or the situation may be addressed via another procedure / policy, depending on the circumstances and nature of the problems, e.g :-
 - Special Leave Policy;
 - Parental Policy;
 - Career Break Policy
 - Flexible Working Policy;
 - Staff Mental Wellbeing (Resilience) Policy;
 - Attendance Management Policy;
 - Alcohol and Drug Policy.
- d) The poor performance is related to issues with training or supervision, in which case additional support in the form of training or coaching will be provided.
- e) The individual is suffering from a medical condition that affects their performance, but the condition has not yet affected their attendance record. Medical advice from Occupational Health will be sought before determining an appropriate course of action in accordance with the Attendance Management Policy.

- f) The performance problems are related to a working relationship issue, which should be dealt with under the Dignity at Work Policy.
- g) The poor performance is due to misconduct, which should be dealt with under the Disciplinary Procedure.
- 6.2 If any of reasons b – e on the above list apply and it is established that there is a capability issue, consideration should be given to instigating the capability procedure set out below.
- 6.3 An individual Performance Improvement Plan should be drawn up following the discussion (see template at **Appendix 2**), which will include:
- Clear guidance on the required standard to be achieved;
 - Any training or support necessary to help the individual achieve the required standards;
 - How improvement will be assessed;
 - A realistic timescale for improvement;
 - Dates for regular reviews.
- 6.4 The manager will meet with the individual on a regular basis to establish progress, provide feedback and identify any further support required. Should the individual be approaching their next pay increment during the informal stages of this procedure, pay progression may be deferred in line with the Staff Appraisal and Development Policy. Any decision taken to defer the employee's pay progression must be confirmed by the manager in writing and a right of appeal given.
- 6.5 There should be a final review meeting at the end of the agreed timescale for improvement, the nature of which will depend on the issues identified as causing the poor performance and the targets to be achieved. Notes of all meetings under this stage of the procedure will be kept by the manager on the employee's personal file and a copy given to the individual.
- 6.6 At the end of the review period, if it is established that performance has improved to the required standard, the individual should be informed that there will be no further action taken under this policy and that their performance will continue to be monitored in the normal way using the Trust's Staff Appraisal and Development Policy.
- 6.7 When there has been some improvement in performance, but the required standards have not been maintained, then a further review period may need to be agreed, or it may be determined at this stage that the individual is incapable of achieving the required improvements, in which case the formal stage of this procedure should be implemented. Likewise, if the individual's performance has consistently not met the required standards of improvement then the formal stage of this procedure will need to be followed.
- 6.8 The stages of the procedure will usually be implemented sequentially, however where the standard of performance is considerably below that which is required, or the consequences of the poor performance have had a significantly adverse effect, it may be decided to take action under the formal stage immediately.

7 REDEPLOYMENT, RESTRICTION OF PRACTICE AND EXCLUSION FROM WORK

- 7.1 At any stage of the formal procedure set out below, temporary redeployment, restriction of practice or exclusion from work may be considered as an interim measure, whilst action to resolve a performance problem is being considered.
- 7.2 Where an employee is excluded from work, it should be for the minimum period of time necessary and kept under regular review until the exclusion has been lifted or the problem is resolved.
- 7.3 Exclusion from the workplace is a temporary precautionary measure and not a disciplinary sanction. Exclusion should be reserved for only the most exceptional circumstances.
- 7.4 The purpose of exclusion is to protect the interests of patients and/or other staff and/or to assist the investigative process where there is evidence that the employee's presence poses a risk and/or would impede the gathering of evidence. That said it is important that exclusion from work is not misused or seen as the only course of action that could be taken. The degree of action must depend on the nature and seriousness of the concerns and on the need to protect patients, the employee concerned and/or their colleagues.

8 FORMAL STAGES

- 8.1 Where, following the informal stage, the individual's performance does not improve to the required standard and an Occupational Health report has been obtained, which states there is no medical cause, the formal stages of the procedure will be followed.
- 8.2 At all formal stages, the individual has the right to be accompanied by a work colleague or trade union representative. The outcome of all formal stages under this policy will be recorded on the Electronic Staff Record system.
- 8.3 An invitation to a formal meeting under the Capability Policy and Procedure will be made in writing, giving not less than 10 working days' notice. The letter should clearly state:
 - That the meeting will be formal in nature;
 - The reason for the meeting;
 - Details of where the individual has not met the required standards;
 - That the individual has the right of accompaniment at the meeting.
- 8.4 There are two formal stages under this procedure:
 - Stage 2 - Formal Capability Meeting.
 - Stage 3 - Capability Hearing, the outcome of which may be dismissal on the grounds of capability, redeployment or some other action short of dismissal.
- 8.5 The formal stages of the procedure will usually be implemented sequentially, however where the standard of performance is considerably below that which is

required, or the consequences of the performance have had a significantly adverse effect, and the informal stage has been followed, it may be decided to take action under Stage 3 of the procedure (Capability Hearing), in the first instance.

9. STAGE 2 - FORMAL CAPABILITY MEETING

9.1 The individual will be requested to attend a formal meeting with the manager with the necessary managerial authority and a Human Resources representative.

9.2 At the meeting, the manager will:

- Provide a summary of action taken under the Informal Stage of the procedure and outline where the individual has not met the required standard.
- Explore the reasons provided by the individual for the level of performance and identify any further benefit to be gained through training or retraining.
- Consider any further mitigating factors that may have hindered the individual's progress in achieving the required standards.
- Review the Individual Performance Improvement Plan to ensure the actions required are still relevant.
- Agree with the individual a reasonable timescale for improvement and review periods. (Interim review meetings should be held between the line manager and the individual on a regular and frequent basis (e.g. fortnightly) and documented).
- Ensure the individual is aware of the consequences of failing to meet the required standards, which will be to move on to the next stage of the procedure and could ultimately result in their dismissal.

9.3 The details of the meeting, including a copy of the Individual Performance Improvement Plan and dates for training, monitoring and review will be confirmed to the individual, by the manager, in writing, with advice from the HR representative as appropriate. A date for a review meeting should also be agreed and confirmed, which should normally be within 3 months of the first formal meeting. However, this may be extended to four months depending on the nature of the problem. Exceptionally, the manager may decide to progress the matter to a Stage 3 Capability Hearing, if the performance has dramatically deteriorated during the review period.

9.4 Where the individual's performance improves to meet the required standard during the review period, this will be discussed at the review meeting and confirmed in writing. The individual should also be notified that if they do not maintain the required standard, consideration may be given to proceed to a Stage 3 Capability Hearing, at which time their continuing employment with the Trust will be considered. Performance will continue to be monitored under the Trust's Staff Appraisal and Development Policy.

9.5 Where there has been some improvement but the performance does not entirely meet the required standards, there will be an option to consider extending the review period and holding a further review meeting, which should normally be within 1 month.

9.6 Where the individual's performance has not improved to meet the required standards, they will be informed at the review meeting that Stage 3 of the procedure will be implemented and as such they will be required to attend a Formal Capability Hearing.

10. PAY PROGRESSION

10.1 Following the Formal Capability Meeting, the manager may decide it is appropriate to defer the individual's annual pay progression, until such time as the performance issues are resolved. Where such action is taken, the individual's annual pay increment date will be amended on ESR to the date at which pay progression is re-instated. Any loss of income associated with the decision to defer an individual's pay progression will not be re-awarded.

10.2 Should pay progression be deferred, the employee will be notified of this in writing along with their right to appeal against this decision, in accordance with the appeals procedure set out below.

11. STAGE 3 – FINAL CAPABILITY HEARING

11.1 Following the Formal Capability Meeting, if the employee has been unsuccessful in resolving their performance issue, it will be necessary to convene a Final Capability Hearing.

11.2 The Panel for the Final Capability Hearing will be chaired by an independent manager with the necessary managerial authority. The chairperson will be advised by a Human Resources representative. If there are concerns with the individual's professional capability, then the Panel will also consist of an independent specialist who will advise the Panel during the decision making process.

11.3 The purpose of the Final Capability Hearing is to decide if the individual is, or will be capable within a reasonable time period, of achieving the required standards of performance and to determine a course of action that will take into account both the needs of the Trust and the best interests of the individual.

11.4 The individual will be given no less than 10 working days' notice of the Final Capability Hearing as well as the opportunity to be accompanied by a trade union representative or work colleague. The individual will also receive copies of all the relevant documentation that will be referred to during the course of the hearing. The manager who has previously been dealing with the case will also attend the hearing and outline the issues and provide a summary of actions taken during the previous stages of the procedure.

11.5 The Panel will:

- Take evidence from the manager and the employee concerning the deficiencies in performance and the steps that have been taken to secure improvements;
- Review the outcomes of any training that has been undertaken or support provided to try to secure an improvement in performance;

- Review the written documentation from previous monitoring / review meetings;
- Call for any other evidence, which they feel is necessary to establish whether the employee is failing to meet the reasonable expectations of performance for the post;
- If the failure to meet the required standards has or may have been influenced by illness or disability the Panel will consider whether appropriate adjustments have been made and review any reports from Occupational Health or other medical practitioners related to their performance;
- The response of the individual, including any mitigating factors and why they have been unable to achieve the required standards.

11.6 The employee and the manager may call witnesses and the Panel, the manager and the employee may all ask questions of these witnesses.

11.7 The Panel may take one or more of the following decisions, according to the circumstances of the case:

- a) Give the employee a further chance to improve within a set timescale, with further training or support the Panel deems necessary. At the end of this period, the Capability Hearing will be reconvened to allow the Panel to reconsider the case and reach a final decision.
- b) Recommend redeployment to a post elsewhere in the Trust that would be appropriate to the skills and capabilities of the employee. This redeployment will be governed by the Trust's Redeployment Procedure, except that the redeployment could be to a post at a lower grade or salary and/or on different terms and conditions of service. Where a recommendation for redeployment is made, the period during which the case should be considered will be set by the Panel and the employee informed that a refusal will result in termination of employment.
- c) Dismissal of the employee in cases where redeployment is not a realistic option or has been refused by the employee.

11.8 The Panel's decision, including their right to appeal, will be confirmed by the chairperson to the employee and their representative normally within 5 working days of the hearing.

12. STAGE 4 - APPEALS

12.1 This policy provides employees with a right of appeal against the following decisions / action under the formal stages of its procedure:-

1. Deferral of pay increment;
2. Redeployment at the same or lower level (downgrading);
3. Dismissal.

12.2 Appeals must be made in writing, to the person identified in the letter, within 10 working days of receipt of the letter confirming details of the decision.

12.3 Appeals will be heard by a Trust Board Appeals Panel, consisting of at least two members of the Board of Directors. The chairperson will be advised by a Human Resources representative. If there are concerns about the individual's professional capability, then the Panel will also consist of an independent specialist who will advise the Panel during the decision making process.

12.3 The decision of the Appeals Panel will be final.

13. CODES OF CONDUCT AND STANDARDS SET BY REGULATORY / PROFESSIONAL BODIES

13.1 Professionally registered healthcare staff (referred to as practitioners) are responsible for complying with the standards and codes of conduct set by their regulatory / professional bodies, e.g. the Nursing and Midwifery Council.

13.2 In addition to any action taken by such bodies with regard to a breach of their codes of conduct / standards, the Trust reserves the right to investigate and take appropriate action in line with this policy to prevent a recurrence or failure to adhere to professional codes of conduct / standards.

13.3 If the contract of employment of a practitioner is terminated, the Trust professional lead, e.g. the Director of Nursing, will notify the appropriate regulatory body.

13.4 If a practitioner leaves the Trust's employment and there are unresolved performance concerns, the Trust professional lead will:-

- Ensure that investigations are completed as far as possible, so that any issues of patient and / or staff safety are addressed / followed through.
- Consider requesting the issue of a professional alert notice.
- Inform the regulatory body.
- Keep a file note of the issues so that any potential employer asking for a reference is informed that there is an unresolved investigation into the practitioner's performance.
- Provide an accurate and fair reference stating that procedures have not been completed, reflecting the current position.
- Inform the practitioner concerned, in writing, of action taken.

14. RIGHT TO BE ACCOMPANIED

14.1 At the formal stages of the procedure, including appeal, the employee has the right to be accompanied by a trade union representative or work colleague. Requests by the employee for additional support at any meetings under the formal stages of the procedure should be considered e.g. where disability is involved and familiarity with the impairment / the individual or specialist input would be beneficial.

14.2 Employees are responsible for arranging their own representation.

14.3 Where the representative or companion cannot attend on the proposed date, the employee can offer an alternative date so long as it is reasonable, convenient for the manager and is within 5 working days of the proposed meeting date.

15 SICKNESS ABSENCE

- 15.1 If sickness absence appears to have been triggered by commencement of the capability procedure, the employee must be referred immediately to Occupational Health for assessment and advice on whether they are fit to participate in meetings as well as the expected length of absence.
- 15.2 The manager will normally meet with the employee before the Occupational Health appointment to complete a stress risk assessment as outlined in the Staff Mental Wellbeing and Resilience Policy and the outcome and any action plan will be provided to Occupational Health for consideration.
- 15.3 The Attendance Management Policy will be followed and return to work plans will reasonably incorporate actions and support to address the identified capability issues. This will be discussed and planned with the employee with support and advice from the Human Resources team.
- 15.4 The employee may be offered (or referred by Occupational Health for), counselling via the Employee Assistance Programme at any stage of the capability procedure.
- 15.5 On return to work, the capability procedure will continue.
- 15.6 Where an employee is off sick during a formal review period, the manager should seek advice from Human Resources will decide whether, based on the circumstances of the sickness absence and Occupational Health advice, to proceed to the next stage of the capability procedure whilst the employee is absent. If the manager decides to proceed, the employee will be invited to attend the meeting in the usual way and have the right to be accompanied. Reasonable adjustments to the procedure will also be considered to support the employee.

16 INCAPABILITY DUE TO UNDERLYING MEDICAL CONDITION COVERED BY THE EQUALITY ACT 2010

- 16.1 An employee whose performance falls below required standards due to an underlying medical condition covered by the Equality Act 2010 may require additional support. Referral to Occupational Health must be made to establish the extent to which the condition may affect their ability to perform their role, likely duration and recommendations of support and adjustments.
- 16.2 A formal capability meeting may be arranged to assess reasonable adjustments including flexible working, additional resources or temporary light duties in line with Occupational Health recommendations.
- 16.3 Support from Access to Work may be explored if appropriate and the employee will need to lead on these enquiries. The review period may then be extended to allow sufficient time for the employee to meet required standards once adjustments are in place.
- 16.4 If the employee is not medically fit to undertake their role with adjustments consideration of redeployment will be explored in partnership with Occupational

Health. Should redeployment prove unsuccessful or not be appropriate a Formal Stage 3 Capability Hearing will be arranged.

17 RECORD KEEPING

17.1 Managers and Panels must keep records of meetings and discussions relating to the capability process. These must be made during or as soon as possible after the event, to ensure the accuracy of the record. Written records should be signed and dated by the relevant persons.

17.2 Copies of meeting records should be given to employees and their representatives. Written confirmation of the outcome of any meetings will be sent to the employee and their representative for their information and a copy kept on the employee's personal file in accordance with the Trust's Records Management Policy and Data Protection Act 1998.

17.3 Records should include:

- The nature of the inadequate performance;
- What was decided and actions taken;
- The reason for the actions;
- Whether an appeal was lodged;
- The outcome of the appeal;
- Any subsequent developments.

18 GRIEVANCES RAISED DURING THE CAPABILITY PROCEDURE

18.1 Sometimes an employee may raise a grievance during the course of the capability procedure. Where this happens and depending on the circumstances, it may be appropriate to suspend the capability procedure for a short period until the grievance can be considered. The employee, will however, have to raise the grievance in accordance with the Trust's Grievance Procedure.

18.2 Depending on the nature of the grievance, the Trust may need to consider appointing another manager to continue to hear the capability case.

19 MONITORING COMPLIANCE AND EFFECTIVENESS OF THE POLICY

Area for monitoring	Method	Frequency	Responsibility	Monitoring Assurance Group	Lead for developing action plan	Group responsible for monitoring action plan
Number and outcome of formal capability cases	Workforce Report	Quarterly	Deputy Director of HR	Executive Committee	Director of HR	Board of Directors

20. DISSEMINATION, IMPLEMENTATION AND TRAINING

- 20.1 This policy will be disseminated via Team Brief and must be implemented immediately thereafter.
- 20.2 Training related to this policy will be delivered in accordance with the Trust's Training Needs Policy and monitored via the Electronic Staff Record system.
- 20.3 The Trust will provide relevant training and development activities for managers to help them deal effectively with performance problems.
- 20.4 Information and resources relating to this policy will also be disseminated via:
- Emails to Senior Manager Forum ;
 - The Trust Intranet;
 - HR briefings and workshops.

21 CONSULTATION/REVIEW, APPROVAL AND RATIFICATION

- 21.1 Consultation/Review
- Human Resources Strategy Group
 - Joint Consultative Group
 - Senior Managers
 - HR Operational Team
 - Matrons
 - Corporate Management Team
- 21.2 Approval
- Executive Committee
- 21.3 Ratification
- Policy Committee
- 21.4 Review
- Every 3 years

22. EXTERNAL REFERENCES

- The Equality Act 2010.
- Data Protection Act 1998
- ACAS – How To Manage Performance,
<http://www.acas.org.uk/media/pdf/m/0/How-to-manage-performance-advisory-booklet.pdf>

23. ASSOCIATED TRUST DOCUMENTS

- Disciplinary Procedure
- Alcohol and Drug Policy
- Special Leave Policy
- Attendance Management Policy
- Grievance Policy and Procedure
- Redeployment Guide

- Flexible Working Policy
- Staff Appraisal and Development Policy
- Induction and Training Policy
- Dignity at Work Policy
- Records Management Policy

CAPABILITY PROCEDURE PROCESS STAGES

CONCERN RAISED



CAPABILITY ISSUE? → NO, ADDRESS ISSUE VIA OTHER POLICY



YES - STAGE 1 INFORMAL MEETING



PERFORMANCE IMPROVEMENT PLAN ESTABLISHED WITH DEFINED TIMESCALES



IMPROVEMENT? → YES - NO FURTHER ACTION



NO - STAGE 2 FORMAL CAPABILITY MEETING



PERFORMANCE IMPROVEMENT PLAN ESTABLISHED WITH DEFINED TIMESCALE
(CONSIDER WITHHOLDING PAY INCREMENT)



IMPROVEMENT? → YES - NO FURTHER ACTION

→ SOME – EXTEND REVIEW PERIOD



NO - STAGE 3 FINAL CAPABILITY HEARING CONVENED



REDEPLOYMENT



DISMISSAL



FURTHER CHANCE
TO IMPROVE WITHIN
SET TIMESCALE



STAGE 4 – APPEAL HEARING CONVENED

INDIVIDUAL PERFORMANCE IMPROVEMENT PLAN TEMPLATE

Name: Effective Dates - From: To:

Informal / Formal Capability Meeting date:

Area of performance requiring improvement	Expected standard/level of performance	Support/training required	How improvement will be assessed	Timescales and date of review

Any comments or restrictions while on Performance Improvement Plan: