

# Performance Capability Procedure & Manager Guidance



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<b>Version</b>	<b>Date</b>	<b>Detail</b>	<b>Author</b>
4.00	25 January 2024	Review of Procedure	Tracey Wall
Links and Dependencies			

- Performance Management Policy and Framework
- Performance Development Review Process
- Probation Policy
- Induction Procedure
- Attendance Management & Ill Health Capability Procedure

## 1. Purpose

This procedure sets out the approach to managing performance when it fails to meet or falls below the expected standard.

The overriding aim of performance management is to achieve continuous improvement within a supportive framework. However, there will be occasions when performance does not meet the required standard. Individual performance is monitored and reviewed through the Council's Personal Development Process, regular one to one meetings, and Supervision.

Following the Performance Capability procedure ensures that it is implemented in a fair and consistent way and fulfils its aim of providing a constructive framework to improve performance to the expected standard.

This policy outlines Derbyshire County Council's approach to

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## 2. Scope

This procedure applies to all employees except those employed in schools where the Governing Body performs the function of the employer.

### 3. Key Principles

This procedure is in accordance with legislative requirements and ACAS guidance.

- The aim of the procedure is to improve performance to a satisfactory level through support, training and review.
- The expected standard of performance should be agreed, and progress reviewed on a regular basis.
- Where the employee can perform to the required standard but chooses not to, the disciplinary procedure is more appropriate.
- Capability issues need to be dealt with fairly and confidentially.
- The manager must be able to provide evidence of underperformance and raise this with the employee promptly.
- The manager should maintain full documentation throughout in applying this procedure.
- The manager must consider whether there are any underlying problems or impacting personal circumstances and provide support as appropriate.
- Reasonable adjustments should be considered for employees where relevant, in accordance with the Equality Act.
- The employee will be given the opportunity to input to action plans aimed at improving their performance. Sufficient time should be given for the employee to demonstrate improvement.
- The employee should be given the opportunity to improve in their current job.
- The employee has a right to be accompanied from Stage 1 of the procedure and throughout this process, normally by a colleague or trade union representative, or an



official employed by the trade union.

Neither party is allowed to electronically record meetings held as part of this procedure. The use of recording equipment by either party without consent may constitute a disciplinary matter.

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## 4. Roles and responsibilities

Line managers are responsible for managing the performance of their employees. The HR Advice & Support Team will provide support and guidance to managers on the operation of the procedure and on how and when it is appropriate to commence the process. Manager guidance supplements this procedure.

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## 5. Managing Under Performance

Managers should review performance against agreed objectives through regular one to one meetings, and through the PDR process and any issues should be dealt at the earliest opportunity. Ideally most should be resolved on an informal basis. It is important that any concerns observed are noted on the records of the meeting. The employee should be given time to improve within this process prior to implanting the Performance Capability Procedure. Normally, a period of up to three months would be sufficient time for an employee to demonstrate whether there had been any improvement or not.

If there is no improvement, after an appropriate period, the employee should be informed that the concerns about their performance will now be considered under the informal stage of the Performance Capability Procedure. This meeting should be documented, and the employee should be invited to a stage 1 meeting.

### Stage 1: Informal meeting

The employee should be invited to attend a meeting to discuss the shortfall in performance. This should be in writing and give 7 days' notice. The discussion should include:

- details of the underperformance.
- The required standard and the improvement required.
- the timescale for achieving this improvement.
- a date for review (up to a maximum of three months review).
- any support or training that will be provided to assist the employee.

### Review period

The period of review will be 1 to 3 months, dependent on circumstances, during which time performance will be monitored and regular feedback provided through one-to-one meetings as a minimum. Other interim meetings may also be required. In some instances (for example where a solution has been identified but has not been implemented to date, the review period may need to be extended whilst alternatives are explored. All meetings should be

documented. Managers should provide support and training as appropriate during this period. At the end of the review period, the manager should confirm the outcome in writing. This may be:

- the employee has reached the expected standard and there is no longer cause for concern.
- there has been some improvement but not to the required standard overall, and the review period will be extended.

If there has been no improvement, the employee should be invited to a Stage 2 meeting. Stage 2: Formal meeting

The employee should be invited to attend a formal meeting to discuss the shortfall in performance. This should be in writing and give seven days' notice. The discussion should include:

- Evidence of the lack of progress during the review period and support offered.
- Any extenuating circumstances that may be affecting performance.
- Advising the employee that failure to improve performance could lead to a stage 3 Performance Capability hearing, one outcome of which may be dismissal.
- Further targets for improvement.
- Further support/training that may assist.
- Any reasonable adjustments, if appropriate, that may be required.
- What will happen during the forthcoming review period.

Following the meeting, write to the employee outlining the content of the meeting. This should include any agreed actions and note that the employee has been informed that failure to improve performance may result in a Stage 3 Performance Capability hearing being arranged, the outcome of which may be dismissal.

Review period

The period of review will be from 1 to 3 months, dependent on circumstances, during which time performance should be closely monitored and regular feedback provided as a minimum on a monthly basis which should be documented. Other interim meetings may also be required. At the end of the review period, the manager should confirm the outcome in writing:

- If the employee has reached the expected standard and there is no longer cause for concern.
- There has been some improvement, but the employee is not yet fully at the required standard and the review period will be extended. This may result in a stage 3 Performance Capability hearing being arranged, one outcome of which may be dismissal
- If there has been no improvement, or consistent inadequate improvement, the employee should be invited to a Performance Capability Hearing.

Stage 3: Performance Capability Hearing

This should be arranged if performance has not improved to the required standard overall and stages 1 and 2 have been followed. The employee should be asked in writing to attend a formal

hearing, and 14 calendar days' notice should be given. The letter should explain that dismissal is a potential outcome and provide or refer to the evidence that will be considered during the hearing.

The Hearing will be chaired by a manager from the Leadership Job Family and HR will advise. The decision of the Chair will usually be notified verbally at the hearing and followed up in writing within 7 calendar days. Outcomes may include:

- No sanction appropriate.
- Redeployment to another role at the same level that better meets the skills and experience of the employee. (Where a suitable alternative can be identified)
- Redeployment into a suitable alternative role at a lower grade will not attract pay protection.
- Final written warning with a further review period.
- Dismissal with notice (redeployment may be sought in appropriate circumstances).

A letter confirming the outcome of the hearing will be sent to the employee within 7 calendar days.

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## 6. Appeal

The employee has a right of appeal:

- Appeals against dismissal must be registered in a letter to the Director of Organisation Resilience, People and Communications within 7 calendar days of receipt of the written notification of the hearing decision. The appeal will be heard by an Executive Director or a member of their Senior Management team, normally from a different Department to that in which the original hearing was heard.
- Appeals against any other outcome must be registered in a letter to the Director of Organisation Resilience, People and Communications within 7 days of receipt of the written notification of the hearing decision. The appeal will be heard by a member of the Leadership Job Family (grade 15 and above).

The employee will receive a reply to the appeal letter within 7 calendar days, acknowledging the registering of the appeal which will take place as soon as practicable. There will be a minimum of 14 calendar days' notice of the appeal date.

Any statements of case or evidence on which either management or the employee wishes to rely, will be provided to the Appeal Hearing Officer and other party at least 7 calendar days prior to the hearing.

A legal adviser may be present at any appeal against dismissal. The employee will be informed of such attendance in the notice of appeal.

The employee has a right to be accompanied at the appeal by a colleague or trade union representative.

The employee will be informed of the outcome of the appeal in writing within 7 calendar days. That outcome is the final stage within the Council's procedures.

# MANAGERS' GUIDANCE

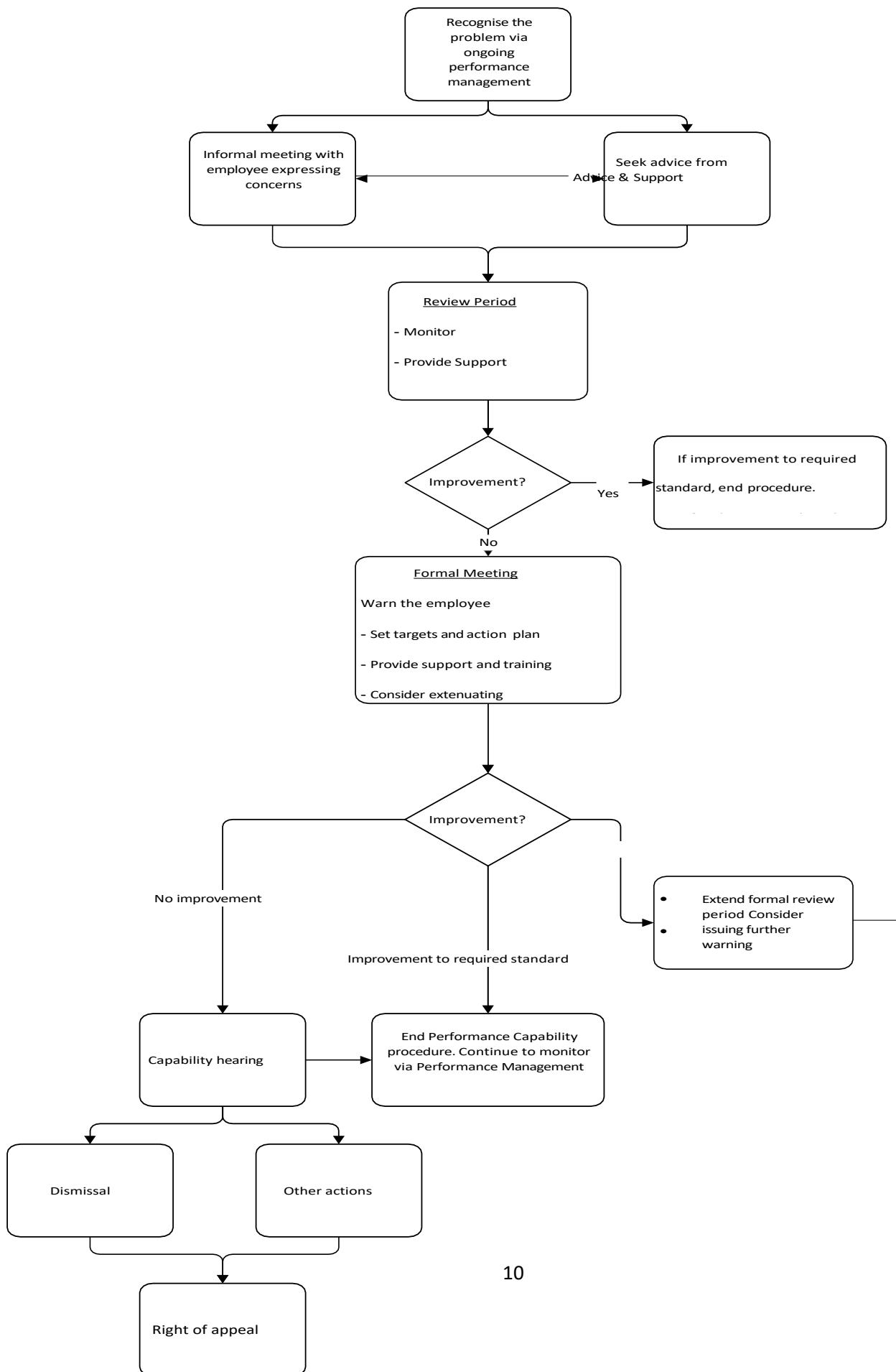
## PERFORMANCE CAPABILITY PROCEDURE

Version	Date	Detail	Author
4.00	25 January 2024	Review of Procedure	Tracey Wall
Links and Dependencies			
<ul style="list-style-type: none"><li>• Performance Management Policy and Framework</li><li>• Performance Development Review Process</li><li>• Probation Policy</li><li>• Induction Procedure</li></ul>			



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# 1. Introduction

This guidance and the Performance Capability Procedure should be used to deal with performance issues and, should be read in conjunction with the Probation Policy and Induction Framework if appropriate.

You will be expected to play a key role in ensuring that capability issues are dealt with promptly, fairly, and consistently and with the aim of supporting the employee in a constructive way to improve their performance to a satisfactory standard.

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## 2. Review

The Council's Performance Capability Procedure and guidance documents have been reviewed in the light of and are consistent with the ACAS guidance, current legal precedents and local operational experience. The documents will be updated in line with changing advice and guidance and Our Derbyshire should be referred to for the most up to date version.

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## 3. What is Performance Capability?

'Capability' refers to an employee's skills, ability, and knowledge in relation to the job that they are employed to do. In the event that an employee is underperforming, you should be prepared to consider the circumstances and give the appropriate support to enable them to improve to the required standard of competence.

This procedure enables you to manage under-performance where an employee fails to achieve agreed performance standards or objectives.

It should not be used to deal with misconduct, where the Disciplinary Procedure should be used. However, there may be occasions when poor behaviour may need to be considered under the performance capability procedure (see section 5 below) and you should seek advice from the HR Advice & Support Team.

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## 4. Possible causes of unsatisfactory performance

In the event that there are problems with an employee's performance, it is important to try and identify the cause of this. Possible reasons may include:

- Inadequate or insufficient training
- Poor systems of work or inadequate procedures
- Inadequate tools or equipment
- Lack of understanding about the role, duties and priorities
- Unclear or misunderstood instructions
- Unrealistic targets or deadlines
- Poor working relationships
- Physical or mental ill-health
- Personal problems
- Inadequate support

Identifying a specific cause of the problem can allow a solution to be implemented and for performance to improve.

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## 5 Behaviour / Conduct

Whilst misconduct should be dealt with under the Disciplinary Procedure, there may be occasions when poor behaviour contributes to the overall performance of the employee.

Examples could be when an employee:

- behaves in an uncooperative manner
- uses antagonistic / inappropriate language
- fails to communicate with colleagues

In such cases it is important to focus on facts and specific examples of unacceptable behaviour, and demonstrate why the behaviour is unacceptable, and how it may affect others.

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## 6 Your Role

As a manager you should take positive measures to ensure that, as far as possible, employees' capability issues are minimised through:

- Effective recruitment and selection.
- Induction of new employees, providing support and development.
- Following the Probation procedure / policy
- The monitoring of an employees' performance as part of the performance management (PDR) process or existing Supervision processes.

- Providing support to your employees.

If you become concerned about an employee's performance, consider:

- Are there indications that the employee is unable to meet the requirements of the job?
- Have there been complaints or criticisms about the employee's standard of work from colleagues or service users?
- Are there factual grounds to indicate inadequate performance such as poor results?
- Have you identified issues during the management of the employee's performance that lead you to believe that their work performance is unsatisfactory?

The following general factors should be considered in all cases:

- Under-performance at work may be linked to factors outside the working environment.
- It is important to retain an employee in their current role to give them an opportunity to improve. You and the employee may wish to consider if there are other suitable vacancies that the employee may be more suited to and may be interested in applying for. There is no priority redeployment at this stage. You should seek support from HR Advice & Support Team before this is discussed with the employee.
- Further training and/or support that may be required.

In addition:

- Establish regular review periods, in accordance with the Performance Management Policy and Performance Capability Procedure.
- Record and keep details of all discussions with the employee and any evidence of monitoring work or setting targets. See the template Performance Matrix (attached at Appendix 3) which can be used for this purpose.
- Issue a copy of the notes/matrix to the employee following any discussions/meetings.
- When setting standards of performance, ensure these are consistent with the responsibilities of the job, as set out in the relevant job family role profile.
- Provide the employee with a copy of the procedure.

Although the aim of the procedure is to improve performance to an acceptable standard, dismissal is a possible outcome. To be a fair dismissal, the Council must be able to demonstrate that it has:

- Been reasonable.
- Followed fair procedures.
- Considered all relevant facts in each individual case.
- Followed good employment practice.

It is also important that you are able to demonstrate that the poor performance is

causing operational difficulties or is affecting service delivery or has some other significant implications for the department or the Council.

You should seek advice from the HR Advice & Support Team:

- Where an alternative role more suited to the employee's skills would be appropriate (this is dependent on there being suitable vacancies available which the individual may be interested in applying for)
- On reasonable adjustments to be considered for employees with disabilities or where an employee develops a disability as defined by the Equality Act 2010. These may include:
  - Making adjustments to premises.
  - Reallocating some of the employee's work.
  - Altering the employee's working hours.
  - Acquiring or modifying equipment.
  - Enabling the employee to be absent for treatment or rehabilitation.

## 7. Performance Capability Procedure - Stages

### 7.1 Timescales

As a general guide, review periods should be at least four weeks but not longer than three months.

### 7.2 Meeting and Record-Keeping Protocols

Prior to the meetings at stages 1, 2 and the stage 3 Hearing you should write to the employee inviting them to the meeting giving:

- A minimum of 7 days' notice. (14 for stage 3)
- The opportunity to be accompanied by a trade union representative or colleague.

It is important, and in both the employer and employee's interest, to keep written records during the capability process. Capability records should be maintained in the strictest confidence and kept in accordance with the Human Resources Retention Schedule.

Copies of meeting records should be given to the employee and a copy retained on the employee's EDRM personal file.

A copy of letters relating to the capability process should be sent to the HR Advice & Support Team who will maintain the register of all formal capability warnings, dismissals and actions taken detailing:

- the substance of the case.

- the outcomes of meetings and hearings.
- actions taken, the date and reasons for that action.
- whether an appeal was lodged.
- the outcome of the appeal.
- any subsequent developments.

Please ensure that the correct documentation is issued at all stages of the process as this will evidence your actions should the outcome lead to a Performance Capability Hearing and possible dismissal. Copies should be retained on the employee's EDRM personal file.

Template letters and statement of case are available on SharePoint accessed via Our Derbyshire.

### 7.3 Stage 1 – Informal Meeting

If following discussions in performance management (one-to-one meetings / PDR Process) you still have concerns about under-performance, you should speak to the employee, informally and confidentially, to express your concerns about their capability and advise that this will now be dealt with under the Performance Capability Procedure and invite the employee to a stage 1 meeting (as detailed above 5.2)

At the meeting:

- The first step will be to investigate the underlying cause of the employee's unsatisfactory performance through discussion with the employee.
- Clearly state the nature of the problem/s and explain why it is a problem i.e. the consequences of their poor performance
- Provide examples of instances where performance has been below the expected standard
- Identify a course of action to achieve improvement
- The employee should be given the opportunity to be accompanied by a trade union representative or a work colleague. The discussion should be constructive, and the emphasis should be on finding ways to remedy the shortcomings.
- You should ensure the employee has the opportunity to inform you of any underlying causes contributing to the underperformance which you may be unaware of.
- Outline the issues that cause concern, undertake to provide support, training and work re-scheduling where appropriate and consider any extenuating circumstances that may be affecting the employee's performance.
- Agree a course of action and advise the employee that performance will be monitored over a set period of time. You should mention that if there is no improvement, then further action may be taken.
- Ensure the employee has the opportunity to contribute to the discussion e.g. do they recognise that there is a problem? What do they think they can do to improve their performance?

Document the discussion – using the Performance Matrix – and provide the employee with a copy of the paperwork and retain a copy on the employee’s EDRM personal file.

This should include:

- details of the under-performance including evidence of support given.
- The improvement required.
- Timescale for achieving the improvement.
- A date for review between 1 and 3 months.
- Support or training agreed to help the employee improve.

The discussion may lead you to consider that there has been misconduct (discuss this with the HR Advice & Support Team who may advise that the Disciplinary Procedure should be used) or that referral is required to Occupational Health.

#### 7.4 Review Period

During the agreed period of review, continue to:

- Monitor performance and hold performance management meetings to discuss and provide feedback.
- Take notes of the discussions and share with the employee.
- Provide assistance/support as discussed at Stage 1.

At the end of the review period a discussion should take place with the employee.

- If issues are resolved – confirm that performance has reached an acceptable standard and the procedure is ended.
- If there has been reasonable improvement but still not to the required standard, or there are concerns as the sustainability of the improvement extend the monitoring period.
- If there has been no improvement - advise the employee that there are still performance issues and that they will be invited to a Stage 2 review.

After the discussion confirm the outcomes with the employee in writing and retain a copy on the employee’s EDRM personal file.

#### 7.5 Stage 2 – Formal Meeting

The employee should be invited to a formal meeting to discuss the shortfall in performance.

At the discussion, you should:

- Review the monitoring period and discuss the shortfall in performance. It is essential that evidence is provided of the lack of progress.
- Provide evidence of the support offered to date.
- Agree targets for achieving improvement.
- Discuss what further training and support can be provided.



- Consider any extenuating circumstances that may be affecting the employee's performance.
- Ensure that reasonable adjustments have been made for an employee with a disability.
- Inform the employee that the level of performance is not of an acceptable standard and that failure to improve could lead to a stage 3 hearing, one possible outcome of which may be dismissal.
- Explain the timing of and what will happen during the next review period.
- You should confirm the possible repercussions of a failure to improve (i.e. progression to a stage 3 performance capability hearing and possible dismissal) and the action plan in writing to the employee after the meeting and retain a copy on the employee's EDRM personal file.

## 7.6 Review Period

During the agreed review period, you should:

- Continue to closely monitor the employee's progress towards achieving expected standards.
- Give regular feedback to the employee, through a minimum of monthly performance management meetings during the review period. Additional interim meetings may also be required
- Provide support and encouragement.
- Take notes of the performance management meetings, share with the employee and retain a copy on the employee's EDRM personal file.

At the end of the review period a discussion should take place with the Employee:

- If there is no improvement, then a Performance Capability Hearing should be arranged.
- Some progress made by the employee may lead you to consider extending the formal review period. Consideration should be given to reminding the employee that a failure to improve may lead to a stage 3 performance capability hearing, one outcome of which may be dismissal.
- Where problems are resolved, advise the employee that the procedure is now ended.

After the discussion confirm the outcomes with the employee in writing and retain a copy on the employee's EDRM personal file.

Should the employee's work performance improve and no further action is taken but subsequently the employee's work performance again causes concern, then it is possible to continue with the procedure at the stage at which action ceased as long as this is within a reasonable time period, usually months of being removed from the procedure.

## 7.7 Stage 3 – Performance Capability Hearing

When all the stages of the procedure have been followed and it is clear that there has not been improvement to the required standard, then a Performance

Capability Hearing should be arranged.

The Performance Capability Hearing will be chaired by a manager from the employing department and from the Leadership Job Family (grade 15 and above), who has had no previous involvement in the case. They will be supported by HR.

The Hearing Officer must make arrangements for notes of the hearing to be taken.

The employee should be notified in writing of the following, giving a minimum of 7 calendar days' notice (template letter on Our Derbyshire):

- A formal hearing is being held and the requirement to attend.
- Purpose of the hearing and details of the capability issue.
- Location, date, time of hearing.
- Name of officer conducting the hearing.
- That an outcome could be dismissal on the grounds of performance capability.
- The right of accompaniment by his/her nominated representative.
- The right of appeal against any action taken.

A statement of case should be prepared, and two copies must be provided to the employee prior to the hearing date, allowing enough time for the employee to discuss matters with their nominated representative.

Delivery of letter

- Handed to the employee.
- Sent to home address by special delivery.
- Email if agreed with employee

Copies of all relevant documents should be enclosed.

At the hearing the Presenting Officer will need to detail the actions taken to improve the employee's work performance, including support and assistance given and targets set and not met. Witnesses may be called as appropriate. The employee will also have opportunity to submit a statement or make a verbal presentation in support of his/her case. The hearing procedure is set out in Appendix 1.

The outcomes of the hearing may be:

- Dismissal with notice (redeployment may be sought in appropriate circumstances).
- Redeployment to another role at the same level that better meets the skills and experience of the employee.
- Redeployment into a job which incurs a reduction in grade. This will not attract pay protection or guaranteed priority interview status.
- Final written warning with a further review period of up to a maximum of 12 months.

The decision may also be taken that none of the above actions are appropriate, and the employee should have a further review period.

Where there is a further review period, a further hearing will need to be convened to

consider appropriate actions.

The outcome should be confirmed in writing to the employee and a copy retained on the employee's EDRM personal file.

The employee will have the right of appeal against the outcome.

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## 8. Appeal

An employee may appeal within 7 calendar days of receiving written notification of the Performance Capability Hearing decision.

- All appeals must be registered in a letter to the Director of Organisation Resilience, People and Communications within 7 calendar days of receipt of the written notification of the hearing decision.
- Appeals against dismissal will be heard by an Executive Director or a member of their Senior Management Team, normally from a different Department to that in which the original hearing was heard.
- Appeals against other outcomes will be heard by a member of the Leadership Job Family (Grade 15 or above)

The employee will receive a reply to the appeal letter within 7 calendar days, acknowledging the registering of the appeal. The appeal will take place as soon as practicable. There will be a minimum of 14 calendar days' notice of the appeal date.

Any statements of case or evidence on which either management or the employee wishes to rely, will be provided to the Appeal Hearing Officer and other party at least 7 calendar days prior to the hearing.

The Presenting Officer will call witnesses where appropriate. Legal and HR advisers may attend the appeal. The employee will be entitled to be accompanied at the appeal by a colleague or trade union representative and will also be able to call witnesses.

The appeal may be upheld in the employee's favour, the original decision confirmed, or different sanctions applied. The employee, their nominated representative and the Presenting Officer should be informed in writing of the decision within 7 calendar days. The decision will be final.

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## 9. Sickness Absence & Performance Capability

In cases of short-term absence, you may need to extend any review period by an amount equivalent to the duration of the absence or make appropriate adjustments to any targets that have been agreed.

Rearrange any review meetings that have been missed through the employee's absence.

If the employee is on long term sickness absence, you will need to suspend the performance capability performance procedure as clearly, they will be unable to demonstrate any improvement if they are not at work. The process should recommence at the same stage on the employee's return to work.

Where it appears the performance capability procedure may be a contributory factor in the employee's absence, consider obtaining an Occupational Health Report and consider a review of how the procedure has been applied or if any adjustments are required.

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## Appendix 2 – The Performance Capability Hearing - Procedure

The Performance Capability Hearing is chaired by the Hearing Officer and proceeds as follows: -

- i) The Presenting Officer puts the case in the presence of the employee and may call witnesses.
- ii) The employee (or representative) has the opportunity to ask questions of the Presenting Officer regarding the evidence given by them and any witnesses whom they may call.
- iii) The Hearing Officer has the opportunity to ask questions of the Presenting Officer and witnesses.
- iv) The employee (or representative) puts his/her case in the presence of the Presenting Officer and calls such witnesses as they wish.
- v) The Presenting Officer has the opportunity to ask questions of the employee and his/her witnesses.
- vi) The Hearing Officer has the opportunity to ask questions of the employee and his/her witnesses.
- vii) The Presenting Officer and the employee have the opportunity to sum up their case if they so wish, with the Presenting Officer's submission being received first.
- viii) The Presenting Officer and the employee withdraw.
- ix) Any advisors to the Hearing Officer should remain in the room while a decision is made.
- x) The Hearing Officer deliberates, only recalling the Presenting Officer and the employee to clear points of uncertainty on evidence already given. If recall is necessary, both parties are to return even if only one may be concerned with the point giving rise to doubt.
- xi) After careful consideration of all the information, the Hearing Officer recalls both parties and states the action deemed appropriate. If this is not possible due to the need to review the details of the case, the Hearing Officer may defer the decision.

# Appendix 3 – Example Performance Capability Matrix

Issue	Current Standard	Expected Standard	Measured by	Planned Action	Responsibility	Time Scale
Issue 1 e.g., moving and handling techniques.	Not assessing the situation correctly before commencing with moving and handling. Not communicating properly with clients whilst assisting with moving and handling.	Assess the situation using the correct moving & handling techniques, following the risk assessments and information on the client's file. Communicate with the client whilst completing any moving and handling. Any changes to be documented in the personal log. Complies with DCC procedures.	Clients, staff and managers. Observation from mentor and management. Quality / detail of input into logs.	Refresher moving and handling training to be completed. Observation by manager with constructive feedback. Mentoring will be available for employee to allow them the opportunity to discuss and put into practice good work practice with colleagues.	XX has arranged refresher moving and handling training. Employee has responsibility for taking an active part in all aspects of this training and putting it into practice in the workplace. Employee has responsibility to ensure logs are updated.	In-house refresher moving & handling training on (date). All other issues must be demonstrated on an ongoing basis and must be satisfied by the review date of x.
Issue 2 e.g. Poor time keeping	Employee is frequently late for shifts and provides no explanation.	Employee to be on time for each shift. If lateness is unavoidable, time must be made up at the end of shifts or at other times.	Signing in book, manager observation.	Employee to note shift requirements and comply. If changes are required these are to be negotiated in advance.	Employee to ensure their other commitments can be accommodated outside shift times.	By next review period.
<b>Issue 3</b> e.g. case recording on IT system	Missing entries / no case notes	Accurate recording required and up to date (48-hour max delay)	Supervision / weekly check by manager	Case notes to be completed following meetings	Employee	All to be up to date by next review (1 month)

Manager name. .... Employee name.....

Signature.....Date..... Signature.....Date.....

# Performance Matrix Guidelines

The performance matrix is to be used to help employees who are not performing satisfactorily to improve.

It should list clearly:

1. What they are doing wrong.
2. What you expect from them.
3. How the gap between these two standards is going to be met.

A completed matrix should allow you to show that you have followed correct procedures if the case proceeds to a performance capability hearing.

You should:

1. Clearly detail issues and expectations.
2. Monitor and record performance and keep employee informed of the situation. Keep a separate log detailing all your findings. This document is primarily for the employee.
3. Ensure timescales don't drift – if they do, it implies that poor performance doesn't matter.

## Completion of Matrix

- From stage 1 on the matrix, you may need several different versions which show the progress the employee makes, alternatively, some managers find it easier to retain one copy with each update clearly indicated and dated enabling progress to be readily identified.
- Keep a record of each version for evidence purposes. This will show how you have kept track of the situation, taking off items where performance has improved and perhaps adding new issues as they arise.
- Use as many rows as there are problematical areas of the employee's performance.

## Meeting with Employee

- Before the first meeting, fill in the first three columns.
- Work on filling in the other columns at the meeting with the employee. This helps them to make contributions and feel some ownership of the process, making it more likely to succeed.
- The employee can then leave the meeting with a helpful document reminding them of what is required, so they shouldn't forget what is needed. Alternatively, you can take

time to write up the matrix and give it to the employee shortly afterwards.

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