**Principles of Managing Capability**



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**PRINCIPLES OF MANAGING CAPABILITY**

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| Principles of Managing Capability |

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| 1. Introduction: |

All employees are required to achieve a satisfactory level of performance in their roles. The Council will at all times endeavour to create an environment that will support its staff to achieve and maintain a high level of performance in their work.

The Principles of Managing Capability provides guidance on the effective management of employees who are not performing to the required standards expected. It is designed to ensure that cases of under-performance are dealt with promptly and fairly with the overall aim of improving an individual's performance.

These principles should be seen as a way of supporting and encouraging improvement amongst employees to achieve a satisfactory level of performance. However, where employees are unable to meet the required standards, despite provision of the appropriate time and support, more formal measures will be taken.

These principles do not cover the following situations:

* Unsatisfactory level of attendance – please refer to the [Principles of Managing Absence and Attendance](https://enfield365.sharepoint.com/:w:/s/intranethr/EWlE5Crtb2tCt9JTp35ImjIBsPUGPBSwG5sAGYU2F2-soQ?e=etlNH7)
* Unsatisfactory performance that is considered to be misconduct e.g. negligence, poor time keeping, failure to carry-out reasonable instructions and failure to follow the rules and procedures of the organisation – please refer to the [Principles of Managing Misconduct](https://enfield365.sharepoint.com/:w:/s/intranethr/EV9hBq5sCoBKqHER4A6NAYkBjb3h2IxHzuL3wtjTTv9JiQ?e=o0uUQB)
* For guidance on performance issues relating to staff subject to an induction and assessment period - please refer to the [Principles of Managing Induction and Assessment.](https://enfield365.sharepoint.com/:w:/s/intranethr/EVdC7lo23iFLhiwYQxu-Z5AB9PH5ZwBMyZGS-x0kCrHUDg?e=eg0V33)

These principles also apply to members of staff who are recognised trade union representatives. However, where the employee is failing to meet the required standards of performance and is a recognised trade union representative, the full-time official of that union and the local branch secretary shall be informed in writing that formal action is being taken as soon as reasonably practicable.

**Terms in the Principles**

* The term ‘you’ refers to the manager responsible for managing the performance issues
* The term ‘employee’ refers to the member of staff concerned

# 2. Responsibilities and Principles:

The table below outlines the responsibilities of the manager, employee and Human Resources where capability concerns are raised.

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| **Whom** | **Responsibilities** |
| **Manager** | To hold regular one to one supervision meetings and regular PDR meetings  To take early intervention to address performance issues  To ensure that regular feedback meetings take place with your direct reports  To give feedback that is constructive, objective, and timely  To ensure that employees are aware of the level of performance and standards required, and how these principles will be applied in order to support them to achieve this  Where performance concerns are attributable, in full or part, to the health of the employee, you should give full consideration to recommendations for reasonable adjustments where they are feasible and can be accommodated  To communicate openly, honestly and constructively with employees regarding their performance, and the mechanisms available to support them  To keep accurate records of all discussions and actions plans  Seek advice and consult with Human Resources where necessary  Ensure that all cases of under performance are treated confidentially and sensitively |
|  |  |
| **Employee** | To deliver the level of performance expected and meet the standards required for the job role  To work with and communicate openly and constructively with their manager in accordance with these principles  To recognise that managers are required to manage the performance of staff  To ensure they understand what is expected of them in relation to work performance and seek clarification where required  To raise any problems they encounter which has an impact on their performance with their manager in a timely manner  To take positive steps to improve performance where concerns are identified, and follow up on agreed actions  Fully cooperate during feedback meetings, the [Performance Assessment Review](https://enfield365.sharepoint.com/:w:/s/intranethr/EWerQDnPc-9GsWyn03ZthyYBAByD51t5HoOTQfzQsuNmRA?e=4AbEIi) process and these principles as appropriate |
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| **Human Resources** | Advise managers and employees about the application of these principles to ensure a fair and reasonable approach. |

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| 3. Definition of Capability: |

'Capability' refers to an employee's skills, ability, aptitude and knowledge in relation to the job that they are employed to do. Lack of capability may lead to unsatisfactory job performance, which is likely to impact on service delivery.

Identifying poor performance can be difficult, particularly when it is unclear as to whether the issue relates to capability or misconduct. Misconduct refers to issues/behaviours which an employee is wilfully displaying, i.e. persistent lateness, failure to follow reasonable management instruction. In such cases the [Principles of Managing Misconduct](https://enfield365.sharepoint.com/:w:/r/sites/intranethr/Shared%20Documents/HR%20Advisory/Misconduct/Principles%20of%20Managing%20Misconduct.docx?d=wae06615f0a6c4a80a87111e00e8d0189&csf=1&web=1&e=V1mLCV) should be referred to for further guidance. For clarification you may wish to contact your HR Business Representative for further advice.

In terms of capability, unsatisfactory performance can take many forms including:

* Persistent failure to meet agreed objectives including meeting deadlines;
* Persistent errors and/or omissions in completing necessary work;
* A demonstrable lack of skill or knowledge or ability to learn despite appropriate training and support
* not adapting when ways of working change despite appropriate support
* not working as fast as required or producing enough work
* producing unsatisfactory quality of work or making mistakes
* not understanding or following instructions
* not being able to work in line with agreed procedures
* not performing as well as colleagues in comparable jobs

# 4. Capability Management Flowchart

**Employee Performance & Supervision**

* Take early intervention to address concerns and monitor via normal supervision.
* Raise and address concerns prior to PDRs

**SUPERVISION**

**Improvement Made**

* No further action required – continue to monitor

**Insufficient Improvement Made**

* [Move to Informal Capability](#_6.__Informal) (see below)

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**Hold Informal Capability Meeting**

* Discuss concerns
* Identify targets and support measures
* Consider any reasonable adjustments
* Set monitoring period
* Confirm all in writing
* Continue to monitor via normal supervision
* At follow up meeting confirm progress

**INFORMAL**

**Improvement Made**

* No further action required – continue to monitor to ensure improvement is sustained

**Insufficient Improvement Made**

* Further time to improve
* Confirm extended monitoring period
* Set date for follow up

**No Discernible Improvement**

* Informal Capability ends
* [Move to Formal Capability](#_7._Formal_Action:) (see below)

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**Hold Formal Capability Meeting**

* Discuss concerns
* Identify targets and support measures
* Consider any reasonable adjustments
* Set monitoring period
* Confirm all in writing
* Continue to monitor
* At follow up meeting confirm progress

**FORMAL**

**No Discernible Improvement**

* Informal Capability ends
* [Move to Capability Hearing](#_8._Capability_Hearing:)  (see below)

**Insufficient Improvement Made**

* Further time to improve
* Confirm extended monitoring period
* Set date for follow up

**Improvement Made**

* No further action required – continue to monitor
* Inform employee further lapses may result in formal capability action

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**Hold Formal Capability Hearing**

Outcomes may include:

* Dismissal
* Further targets & monitoring period
* Demotion to lower grade

**HEARING**

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| 5. Identifying Capability Concerns: |

Levels of performance can be identified through a number of possible measurable standards, such as:

* Written, measurable standards set by the manager (i.e. targets set during normal supervision;
* Role profile/person specification;
* Comparison indicators (e.g. other job holders);
* Professional codes of practice guidelines (where appropriate, professional bodies may need to be informed of performance issues);
* Grading criteria/expectation of the grade;
* Observation of employee performing their duties (e.g. to monitor quality of service in customer facing roles);
* Feedback reports from supervisors/team leaders;
* PDRs.

It is important to understand why someone is not performing their duties at the standards required and whether there are any underlying reason(s) e.g. has the role changed or do they have health or other problems. Managers must ensure that they have made the employee aware of the required standards and that:

* the employee understands their role and has an up-to-date job description or agreed list of duties;
* the employee has been set clear, fair and realistic targets;
* the employee has had an annual PDR, six monthly reviews, and regular supervision / 1-1 meetings;
* any support and training agreed has been provided
* agreed reasonable adjustments are made in line with advice from a doctor, occupational health or Access To Work.
* the employee has been made aware of any concerns and given a reasonable opportunity to reach the required standard

**When To Raise Concerns**

You should proactively manage any performance issues by raising areas of concern during regular supervision, one to one or feedback meetings. Often a discussion with the employee will be sufficient to improve the situation.

Sometimes more active intervention may be necessary where the required improvements have not been met through regular supervision.

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| 6. Informal Action: |

Where you have concerns you should arrange an informal meeting with the employee to discuss the performance issues.

Further guidance on discussing poor performance with staff can be found by clicking:

[How to inform your staff of capability concerns](https://enfield365.sharepoint.com/:w:/s/intranethr/EZOsq_8ns1JBty2Qmz3gS9wBvSAGqDmS2b7ZiHr-EA1WfQ?e=PCKs1u)

The purpose of the informal meeting is to:

* discuss the shortfall in the employee’s current performance and clarify the standards required
* give the employee the opportunity to respond to the concerns
* ascertain if there are circumstances influencing the current shortfall
* ensure the employee has a clear understanding of their role
* identify appropriate measures of support where relevant to assist the employee in making the required improvement.

**Measures of Support may include:**

* Training in the relevant area;
* Mentoring or coaching;
* More frequent supervision and appropriate managerial support for a period;
* Revised workload where relevant and appropriate

All informal discussions and meetings should be on a one to one basis between you and the employee; there is no necessity to involve a trade union representative or a human resources representative at this stage.

Following the meeting you should provide the employee with a record of the main points of discussion, clearly highlighting:

* the areas identified for improvement including clear expectations
* the agreed outcomes
* timescale for monitoring period
* where relevant, measures to support achievement.

You can refer to the [Performance Improvement Plan (PIP)](https://enfield365.sharepoint.com/:w:/s/intranethr/EckAqHrID4JOqWdelk5YolwB6tOJgf1hr0kLna_HiqRfUg?e=Z3JfGH) as a measurement tool.

It may also be deemed as necessary to review any flexible arrangements currently in place if you consider that it may be having an impact on the individual’s performance, e.g. home working arrangements. The manager reserves the right to remove such arrangements where the individual is not performing to the required standard. If you believe this is a concern and would like further guidance, please discuss with your HR representative.

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| 6.1 Follow Up Meeting: |

Towards the end of the agreed monitoring period you should arrange to meet with the employee to review their performance to determine whether the necessary improvements have been achieved. The outcome of this meeting should be one of the following:

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| --- | --- |
| **Outcome** | **Action** |
| Required Improvement Achieved | The employee has achieved the necessary improvement and this will continue to be reviewed through the normal one to one supervisory sessions. |
| Regular Monitoring | The required improvement has been achieved but it is considered necessary to establish more regular monitoring to ensure the improvement is sustained. You should agree the frequency of monitoring with the employee and when it will next be reviewed. |
| Further time needed to improve | Some improvement has been achieved but the required level of performance has not yet been fully attained. You may consider whether to give the employee further time to meet the improvements or explore alternative solutions where appropriate.  Consideration may be given, for example, to further re-training in the relevant areas, or assisting the employee to look for another more suitable role elsewhere in the Council through the normal internal application process.  You should agree the frequency of monitoring with the employee and when it will next be reviewed.  You must confirm the outcome of the meeting in writing to the employee clearly explaining the expectations, targets set, measures of support where applicable, and confirmation of the date their performance will next be reviewed. |
| No discernable improvement | If there has been no discernable improvement despite attempts to support the employee through normal supervision and informal discussion, and no alternative solution has been agreed, you will explain to the employee that they have failed to improve to the required performance level and confirm that the formal procedure will now be instigated.  You must confirm the outcome of the meeting in writing to the employee clearly stating the reason(s) for moving to the formal stage in accordance with the principles. |
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| 7. Formal Action: |

Where informal action has been fully explored but has failed to bring about the required improvement, with the information gathered and discussed at the informal stage, you should arrange to have a formal capability meeting with the employee concerned.

The employee should be given written notice of the meeting and be informed of their right to representation. ([Model Letter – Requesting Attendance at Formal Capability Meeting](https://enfield365.sharepoint.com/:w:/s/intranethr/ETwEL_gGBVdNkZH3cP4PF2gB5vOvPkWO4Tm7dUGBzUYPmg?e=TSG9Lr)).

A copy of these Principles of Managing Capability must be attached to the letter.

The employee will normally be required to attend work prior to and after attending the meeting.

**Employee Absence:**

If the employee or their representative cannot attend a meeting for a reason that was not foreseeable when the meeting was arranged, it is the employee’s responsibility to notify you and to suggest an alternative time and date in a timely manner but no later than two weeks after the original meeting.

Where non-attendance is due to medical reasons, a Statement of Fitness for Work must be submitted stating why the employee is / was too ill to attend the meeting. Being unfit for normal work duties will not usually be sufficient by itself to have the meeting adjourned. You should seek Occupational Health guidance if necessary. Alongside progressing the formal capability process, the manager should take action in accordance with [the Principles of Managing Absence and Attendance](https://enfield365.sharepoint.com/:w:/r/sites/intranethr/Shared%20Documents/HR%20Advisory/Absence/Principles%20of%20Managing%20Absence%20and%20Attendance.docx?d=w2ae444696fed426bb7d253a77e489a32&csf=1&web=1&e=nlC4nN) where the employee hits trigger levels.

Where a second meeting is arranged, if the employee does not attend or provide an appropriate Statement of Fitness for Work, the meeting may proceed in their absence. **Advice should be obtained from your HR representative before proceeding**. Depending on the circumstances, the employee may request that their representative attend on their behalf.

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| 7.1 Formal Capability Meeting: |

The format of the formal meeting should reflect the discussions which took place at the informal stage. Further guidance can be found in:

[Conducting a Formal Capability Meeting](https://enfield365.sharepoint.com/:w:/s/intranethr/ESu20WyXZ1NHkjhi_LTJHIoBSrZjrnqswzqHqXeJ4Wa8qg?e=NFhNqc)

There should be a common understanding where possible between you and the employee regarding both the nature of the problem and the performance level required in the future. The period of time allowed for the improvement to take place should be made clear, as should the date the employee’s performance will be reviewed.

If you used a Performance Improvement Plan (PIP) during the informal stage, this should be revised and a copy provided to the employee. If the template was not previously used, you should use this to show the employee how their achievement will be measured and the support available to assist them to improve their performance.

You must confirm the outcome of the meeting in writing within **7 calendar days** of the meeting ([Model Letter - Formal Capability Meeting Outcome](https://enfield365.sharepoint.com/:w:/s/intranethr/EfEgqQ5fDWZJp4QT6lcreCsB-Lwwfp4jO6dQNIOhmJITyA?e=3qwZeg)). In addition to the PIP, the outcome letter should include a record of the main points of discussion, clearly highlighting:

* the areas identified for improvement including clear expectations of the required performance levels
* the agreed outcomes
* timescale for monitoring period
* where relevant, measures to support achievement

If it is not possible for you to reply within the specified timeframe, the employee should be given an explanation for the delay and told when the written confirmation can be expected. A copy of this letter should also be kept on the employee’s personal file. Please forward this to [HRBusinesssupport@enfield.gov.uk](mailto:HRBusinesssupport@enfield.gov.uk)

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| 7.2 Monitoring Period: |

The monitoring period and time of the next meeting will depend on factors such as, the nature of the job role and the complexity of work, and how long it will take to determine whether the employee has improved. The monitoring period should be for a period of at least one month, and **should not exceed 12 weeks**.

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| 7.3 Constructive Ongoing Feedback: |

It will be critical that the employee receives constructive on-going feedback from you **during the monitoring period**, both relating to their performance in general and the specific aspects that have been highlighted as needing improvement. It is important that the feedback is constructive and covers the positive aspects of the employee’s performance as well as the areas identified for improvement.

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| 7.4 Formal Capability Follow Up Meeting: |

Towards the end of the review period, you will need to arrange to meet with the employee to review and feedback on their performance and determine whether sufficient improvement has been achieved. (See [Model Letter – Confirming Improved Performance](https://enfield365.sharepoint.com/:w:/s/intranethr/EWVqwaxoEmZHg1I3tFBNHpsBRQ8PUYNFMNkTyrUBtL_T-g?e=2tmYYx), [Model Letter – Confirming Insufficient Improvement](https://enfield365.sharepoint.com/:w:/r/sites/intranethr/Shared%20Documents/HR%20Advisory/Capability/Model%20Confirming%20Insufficient%20Improvement%20Letter.doc?d=w8fb5bf930a3445f5b23a4a5e5dacd4fb&csf=1&e=uqJMYu).)

The outcome of this meeting should be one of the following:

|  |  |
| --- | --- |
| **Outcome** | **Action** |
| Required Improvement Achieved | *The employee has achieved the necessary improvement and this will continue to be reviewed through the normal one to one supervisory sessions.*  *You should inform the employee that any lapse in performance* ***within 12 months*** *of this review date would result in Capability action being reactivated at either the informal or formal stage of the procedure, depending on the circumstances.*  *You must confirm the outcome of the meeting in writing within* ***7 calendar days*** *and a copy of the letter should be sent to* [*HRBusinesssupport@enfield.gov.uk*](mailto:HRBusinesssupport@enfield.gov.uk) *to be retained on the employee’s personal file (See -* [*Model Letter Confirming Improved Performance at Formal Capability stage*](https://enfield365.sharepoint.com/:w:/r/sites/intranethr/Shared%20Documents/HR%20Advisory/Capability/Model%20Confirming%20Improved%20Performance%20Letter.docx?d=wacc16a6512684766835237b4504d1e9b&csf=1&web=1&e=Wh1d1A)*).* |
| Regular Monitoring | The required improvement has been achieved but it is considered necessary to establish more regular monitoring to ensure the improvement is sustained. You should agree the frequency of monitoring with the employee and when it will next be reviewed.  The employee should be informed that any lapse in performance within **12 months** of this review date would result in the Capability Procedure being reactivated from the formal stage of the procedure, depending on the circumstances.  You must confirm the outcome of this meeting in writing within **7 calendar days** and a copy of the letter should be sent to [*HRBusinesssupport@enfield.gov.uk*](mailto:HRBusinesssupport@enfield.gov.uk) to be retained on the employee’s personal file (See - [Model Letter Confirming Improved Performance at Formal Capability stage](https://enfield365.sharepoint.com/:w:/r/sites/intranethr/Shared%20Documents/HR%20Advisory/Capability/Model%20Confirming%20Improved%20Performance%20Letter.docx?d=wacc16a6512684766835237b4504d1e9b&csf=1&web=1&e=Wh1d1A)). |
| Further time needed to improve | Some improvement has been achieved but the required level of performance has not yet been fully attained. If, having considered the outcome of the monitoring period and the employee’s performance to date, you feel that the employee will benefit from additional time to make the required improvements, you should clarify this and confirm it in writing within **7 calendar days**.  At this stage you may also wish to explore alternative solutions with the employee, where appropriate, as referred to at the informal stage (page 6).  **Monitoring period**  Once you have clarified and determined the areas still requiring improvement and revised or set additional targets, you should outline the monitoring period which should be **at least one month and not exceed 12 weeks.**  You must confirm the outcome of this meeting in writing within **7 calendar days** and a copy of the letter should be sent to [*HRBusinesssupport@enfield.gov.uk*](mailto:HRBusinesssupport@enfield.gov.uk) to be retained on the employee’s personal file (See - [Model Letter Confirming Improved Performance at Formal Capability stage](https://enfield365.sharepoint.com/:w:/r/sites/intranethr/Shared%20Documents/HR%20Advisory/Capability/Model%20Confirming%20Improved%20Performance%20Letter.docx?d=wacc16a6512684766835237b4504d1e9b&csf=1&web=1&e=Wh1d1A)). |
| No Discernable Improvement | If the employee’s performance has notimproved to a satisfactory level despite support measures put in place and adequate time given to make the required improvement, and there is clear evidence to demonstrate this, then it will be necessary to convene a capability hearing ([Section 8 below](#_8._Capability_Hearing:)). |

If it is not possible for you to reply within the specified timeframe, the employee should be given an explanation for the delay and told when the written confirmation can be expected.

**Performance Development Reviews and Incremental Pay**

In line with the [PDR Principles](https://enfield365.sharepoint.com/:w:/r/sites/intranethr/Shared%20Documents/HR%20Advisory/Performance%20Development%20Review%20(PDR)/Performance%20%20Development%20Reviews%20-%20Principles.docx?d=w5b7afacfa28847f9938277cd1a4d9396&csf=1&web=1&e=VrMRQy), if there is clearly recorded evidence that the performance of the employee has been unsatisfactory during the course of the previous year the line manager has the discretion to withhold the payment of an increment that is due. If the manager exercises this discretion the employee must be informed in writing and given the right of appeal.

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| 8. Capability Hearing: |

The management case shall be heard by the Director or Head of Service who shall inform the employee in writing **at least 7 calendar days** in advance of the hearing of the following:

* the date, time and place of the hearing
* the reason for the hearing
* the employee’s right to be represented by a trade union representative or work colleague [Model Letter - Capability Hearing](https://enfield365.sharepoint.com/:w:/s/intranethr/ERiJKBTcwsRHikSs3lvNsAIBDeUYHfUtFfq1zz0QsnVtNQ?e=UhX6WQ).

Please refer to the [Capability Hearing Flowchart](https://enfield365.sharepoint.com/:w:/s/intranethr/ESIG8jt4tR5DjTafVYx1ugMBjCwDMqT3MYu7Affp45_g6A?e=lWNkpK)  for guidance on the hearing.

The outcome of a Capability Hearing may be:

* dismissal – provided this is warranted and there is clear evidence to substantiate this decision
* extending the monitoring period (minimum one month to a maximum of 3 months)
* Offer of a lower graded post as an alternative to dismissal providing both parties are in agreement and there is an alternative vacant position available

The outcome of the hearing should be confirmed in writing to the employee within **7 calendar days** of the hearing. [Model Letter – Confirming Outcome of Capability Hearing](https://enfield365.sharepoint.com/:w:/s/intranethr/EUmWVafZa-tPnlDgeZT0LcUBXISZtsaNme5SeBzAqZl_jw?e=X0ZIIN).

**Contractual Notice**

An employee who is dismissed from the Council’s service following a capability hearing, will normally be entitled to contractual notice. The employee would normally be required to work their notice period and they will continue to be bound by the terms of their employment contract during the notice period. As such they will be expected to attend work, other than in periods of authorised absence, and to carry out reasonable management instructions, as a condition of their continued payment during the notice period.

**Qualifications and Compliance Issues**

For certain occupations there is a requirement for an employee to hold a registration with a professional organisation. Formal action may have implications for such an employee’s membership of a professional organisation and/or their ability to continue to carry out their job, e.g. social workers registered with Social Work England. Your Associate HR Business Partner will advise if serious underperformance issues may need to be reported. This will not preclude matters from being dealt with internally as normal. However, if registration is withdrawn by external regulators, the case will need to be reviewed in order to assess the impact on the individual’s ability to continue to do their job.

**Offer of Lower Graded Post**

Where an employee has been unable to improve or sustain an improvement in their performance, consideration may be given to offering a lower graded post, by mutual agreement, as an alternative to dismissal. There must be an alternative vacant position available. This may include looking for jobs requiring different skills which are compatible with those possessed by the employee or for less responsible jobs.

If the employee does not wish to be considered for this option, dismissal may be the only

remaining outcome.

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| 9. Appeal: |

Employees have the right to appeal against the decision taken following a capability hearing. If an employee appeals they should have valid reasons for doing so and be able to provide evidence that substantiates the grounds for the appeal, which may include:

* the principles were not followed
* new evidence directly relating to the capability hearing has come to light

The appeal letter should be submitted to the Director of HR&OD within **7 calendar days** of receiving the written decision.

Where practicable, appeals will be heard by either an Executive Director or Director from another service or department; and a Senior Human Resources representative. The Chair of the appeal will confirm the decision in writing, ideally within **7 calendar days** of the conclusion of the Appeal Hearing. The decision following the appeal hearing is final.

Further details of the appeal process are set out in [Appeal Hearing](https://enfield365.sharepoint.com/:w:/s/intranethr/EeKuFqVfETFJqzXXxTel5E0BuCpncHEEAX49nlRDdeR96A?e=pCw8aI)

# 10. Grievances Lodged During Capability Action:

If you receive a formal grievance during the capability action you should assess whether the complaint will impact on the action you are taking. Where you consider that the grievance will not have an impact or change the outcome, you should proceed with the capability action and the grievance should be managed concurrently in accordance with the [Principles of Managing Grievances.](https://enfield365.sharepoint.com/:w:/s/intranethr/EUwRpcXr4ltMiI_kNghV_goBwar5wzepw9-mETQsOzcNSg?e=heOOtj) You should clearly document the reasons for your decision and confirm this in writing to the employee.

If you consider that the grievance has highlighted valid points which need to be considered before further capability action is taken, you should manage the grievance in accordance with the principles before proceeding.

The decision regarding whether the grievance does or does not impact on the action being taken rests solely with the line manager, unless the grievance is against them. If the grievance relates to the line manager, the next level of management will decide whether the grievance does or does not have an impact on the course of action being taken. You should seek advice from your HR representative if necessary.