Managing Capability Policy

1. Policy Statement
The University is committed to a culture of high performance and to supporting employees to do their jobs well and to meet the standards expected of them. This policy aims to support you if you are not managing to meet these standards. It ensures you are treated fairly and consistently and given timely and appropriate support to help you achieve these standards.

2. Scope
This policy and procedure applies to all employees who have completed their probationary period. It will be used when an employee’s performance is falling short of the standards expected of them and the underperformance is related to capability, i.e. to the skills, knowledge, physical or mental abilities they need to do their job.

Issues relating to underperformance during an employee’s probationary period will be managed in line with the Guidance for Managing Probation. The disciplinary procedure should be used when an employee’s underperformance is related to their conduct i.e. to their behaviour or to breaches of University policy, e.g. health and safety. The absence management policy should be used to address concerns which relate to an employee’s ability to attend work.

In some cases, it may be more appropriate for issues to be dealt with using a combination of policies. Managers should seek early advice from HR to determine which policy should be used.

3. Principles
The University recognises that the management of underperformance can be a stressful process for all concerned so the attached procedure is based on the following principles:

3.1 Everyone involved will be treated with dignity and respect
3.2 Managers will be offered guidance and support to enable them to manage capability issues fairly and effectively
3.3 There will be due respect for the privacy of everyone involved and all information will be shared on a confidential, need to know basis

3.4 You will be made aware of acceptable standards of performance and will be given regular feedback

3.5 You will be given support and guidance to help you achieve and maintain the standards of performance expected of you

3.6 You will be made aware of any concerns about your performance as and when issues arise and will be given time to address these before any formal action is taken

3.7 You will be given appropriate, additional support should underlying personal or work-related factors be contributing to your underperformance

4. Procedure – high level summary

4.1 Informal action

Your manager must deal with performance issues as and when they arise. In most cases, informal discussion between you and your manager should be all that is required to resolve matters.

**Note:** Your manager may, after seeking advice from HR, initiate the formal procedure if they consider that you are performing significantly below the standards expected of you, or if your actions could have, or have damaged the University’s operations and/or reputation.

4.2 Formal action

Your manager must contact HR for advice before taking any formal action. The formal procedure has three stages:

- **Stage 1 Meeting** between you and your manager; this could result in you being placed on a formal Performance Improvement Plan (PIP) and issued with a formal written warning. If performance does not improve to the standard(s) required, this will lead to:

- **Stage 2 Meeting** between you and your manager; this could result in the PIP being extended and a final written warning. If your performance does not improve to the standard(s) required, this will lead to:

- **Stage 3 Performance Hearing**, chaired by a more senior manager, in most cases your manager’s line manager; this could result in your dismissal.
4.3  Timescales for improvement
The duration of each PIP will be case specific and will be determined by your manager. The timescales set for you to improve your performance will take into account the nature, impact and extent of your underperformance. They will also reflect the type and complexity of your role.

Note: The above is a simple, high level summary and managers must familiarise themselves with the full procedure as detailed below and in the accompanying process flow at Appendix I.

5.  Pay Progression and Promotion
If you have an active formal Performance Improvement Plan in place you will not be eligible for an incremental increase in pay or considered for promotion.

6.  Policy History and Review
Approval Date: 19 June 2017
Approved By: CJCNC
Year of Next Review: 2023
Managing Capability Procedure

1. Informal Action to Manage Underperformance

1.1 Raising awareness of issues and providing the opportunity to improve

Before taking formal action, your manager must normally ensure that they have met with you and made you aware that your performance is falling short of the standards expected.

**Note:** Your manager may, after seeking advice from HR, initiate Stage 1 of the formal procedure if they consider you are performing significantly below the standards expected of your role, or if your actions could have, or have damaged the University’s operations and/or reputation. HR will inform the trade unions of any case which is escalated to Stage 1 of the formal procedure.

During informal discussion(s), your manager must:
- provide clear examples of your underperformance
- sensitively explore any possible underlying reasons for your poor performance
- explore what, if any, additional training and/or other support could be put in place to help you improve your performance
- clearly establish what you need to do to improve your performance.

Your manager must also:
- allow you a reasonable, specified amount of time to improve and to benefit from any training and/or support which may be put in place
- review the action(s) you have taken, and the impact of any training/support put in place
- provide you with feedback on your progress.

If progress is slow or limited, your manager must make it clear to you that they may take formal action if your performance does not improve to the standard(s) required.

1.2 Keeping and sharing notes

Your manager must note the outcomes of these discussions and share these with you in good time so you are clear what you need to do, by when, to improve your performance. Where appropriate, the notes should also make clear the consequences if your performance does not improve.
1.3 Disclosure of underlying, contributory factors
Other factors can contribute to underperformance. These may be personal in nature, e.g. disability, health or personal circumstances/difficulties. Or, they may be work-related, e.g. working relationships, nature and/or volume of work.

Your manager must seek early advice from HR should you disclose a disability, or raise a health issue which could be affecting your performance.

2. Formal Procedure: Stage 1
Your manager must contact HR for advice before taking any formal action. Your manager should also seek advice from HR on what, if any, alternative action could be taken, for example the potential to redeploy/demote you to a role more suitable to your knowledge, skills and abilities.

2.1 Written Notice of Stage 1 Meeting
Your manager will write to you asking you to attend a meeting with them to formally discuss concerns about your performance. Any documents to be discussed at the meeting, e.g. evidence of your continuing underperformance, notes of informal discussions, must be included with the letter. To allow you to prepare for the meeting, at least one calendar week’s notice of the meeting will normally be provided.

The letter will also make it clear that:
- you have the right to be accompanied to the meeting by a trade union representative or workplace colleague
- any documents you wish to use to support your case must be provided to your manager at least two working days in advance of the meeting; and
- the meeting could result in formal action being taken.

The letter will also make it clear who else will be in attendance. This will normally be a note-taker but a representative from HR may also be present to provide procedural advice.

2.2 Stage 1 Meeting between Manager and Employee
During the meeting, your manager will:
- reconfirm the standards of performance expected of you
- explain, using examples, where and how you continue to underperform
- allow you to respond to their concerns and the issues raised
- seek to establish if there are any other factors which are contributing to your performance, e.g. an underlying health/personal or work related factor; and
- explore what can be done by both you and them to help you improve your performance.

The meeting will be adjourned to allow your manager time to consider your responses and decide on appropriate action.

The meeting will then resume, where possible on the same or following working day, and your manager will inform you of the outcome of the Stage 1 Meeting.

Should you have disclosed an underlying factor, e.g. a health or personal matter, or work-related issue, your manager will inform you of the actions to be taken to explore these issues further. (See Section 8, Support for Employees: Underlying Issues)

2.3 Outcome from Stage 1 Meeting
The Stage 1 Meeting will result in one of the following outcomes:

a) **No formal action**: your manager will continue to review your performance on an informal basis
b) **Formal Action**: your manager will formally manage your performance through putting in place a Performance Improvement Plan (PIP) (see Section 2.3.1) and will issue a formal written warning (see Section 2.3.2).

2.3.1 Performance Improvement Plan
The Performance Improvement Plan (PIP) must clearly set out:

- the actions you need to take to improve to the required standard, including milestones which must be reached if you are to achieve the overall PIP objective(s)
- timescales for improvement (see Note, below)
- what success looks like
- what training, support or development will be put in place, by whom, and when
- the duration of the PIP, and progress review dates.
**Note:** Timescales for improving performance will reflect the nature, impact and extent of your underperformance, and the type and complexity of your role.

A [template PIP form](#) (see Appendix II) is available. Where the PIP requires the support of other people (e.g. a more senior manager) to help you succeed, your manager must ensure that these people are appropriately briefed and engaged.

### 2.3.2 Formal Written Warning

When putting in place a formal PIP, your manager will also issue you with a formal written warning. Your manager may decide to issue a final written warning if they consider you are performing significantly below the standards expected, or if your actions have had, or could have had, serious consequences, e.g. damaged the University’s operations and/or reputation. HR will inform the trade unions of any final written warning issued at Stage 1.

### 2.4 Communication

Your manager will write to you within one calendar week of the Stage 1 meeting to confirm the outcome of the meeting. If formal action is taken, the letter will confirm the process for developing the PIP, the issue of the formal warning, and your right to appeal the formal warning. It will also make clear the potential consequences should you fail to meet the PIP objectives and timescales.

### 3. Review of Progress

The PIP will detail the actions you need to take to improve your performance. These will include the milestones which must be reached if you are to meet the overall PIP objectives.

The PIP must include review meeting dates, which will help you and your manager discuss and assess your progress. It must also include a PIP end date.

#### 3.1 PIP objective(s) met by PIP end date

If you achieve the PIP objective(s) before or by the PIP end date, this will be confirmed to you in person, normally during a PIP progress review meeting, and in writing. Your manager must:

- acknowledge the improvement in performance and the efforts you have made you
confirm the component parts of the PIP and overall objective(s) have been met and that the PIP is no longer in place
- discuss what you should do to sustain the improvement you have made
- remind you of the duration of your formal warning (See Section 11), and
- make it clear to you what will happen if your performance starts to fall below the standard(s) required (see Section 7).

3.2 Failure to achieve a component part of the PIP or to reach key milestones
If you fail to achieve a component part of the PIP/to reach a key milestone, and so will be unable to achieve the overall PIP objective(s), your manager will normally proceed to Stage 2 of the formal process before the PIP end date. You will be forewarned of this, normally during a PIP progress review meeting.

If you were issued with a final warning at Stage 1, your manager will proceed to Stage 3 of the procedure – a Performance Hearing (See Section 6) - before the PIP end date.

3.3 Unforeseen circumstances
If you have been unable to achieve a component part of the PIP/reach a key milestone due to unforeseen circumstances when the PIP was put in place, your manager will extend the PIP and set a new end date. This will normally take place during a PIP progress review meeting and must be confirmed in writing.

Unforeseen circumstances could include long-term absence from work; the absence/turnover in key staff involved in providing you with support; delayed/cancelled training.

3.4 Deterioration in performance once PIP in place
If your performance deteriorates further, your manager will proceed to Stage 2 of the formal process before the PIP end date. You will be forewarned of this, normally during a PIP progress review meeting.

If you were issued with a final warning at Stage 1, your manager will proceed to Stage 3 of the procedure – a Performance Hearing (See Section 6) - before the PIP end date.
3.5 PIP objectives not met by PIP end date

If you fail to meet the PIP objective(s) by the PIP end date, your manager will progress to the next stage of the formal process. You will be forewarned of this at your final PIP progress review meeting.

If you were issued with a final warning at Stage 1, you will proceed to Stage 3 of the procedure – a Performance Hearing (See Section 6).

4 Formal Procedure: Stage 2

4.1 Written Notice of Stage 2 Meeting

Following PIP Review Meeting(s), if underperformance continues, your manager will write to you asking you to attend a meeting with them to formally review how you have performed against the PIP. To allow you to prepare, at least one calendar week’s notice of the meeting will normally be provided. Any documents to be discussed at the Stage 2 meeting will be sent with the letter.

The letter will also make it clear that:
- there will be a note taker at the meeting and there may also be a representative from HR
- you have the right to be accompanied to the meeting by a trade union representative or workplace colleague
- any documents which you wish to use to support your case must be provided to your manager at least two working days in advance of the meeting.

The letter will make it clear that the meeting could result in further formal action being taken.

4.2 Stage 2 Meeting

During the meeting, your manager will review your progress against each part of the PIP, and you will be given the opportunity to respond.

The meeting will be adjourned to allow your manager to consider your response and decide on appropriate action. The meeting will then resume, where possible on the same or following working day, and your manager will inform you of the outcome of the Stage 2 meeting.
4.3 **Outcome from Stage 2 Meeting**

The Stage 2 Meeting will result in the one of the following outcomes:

a) **No further formal action**: your performance has sufficiently improved and you are consistently performing to the expected standards; your manager will continue to review your performance on an informal basis.

b) **Revision of PIP and issue of final written warning**: there has been insufficient, or no improvement in your performance. The PIP will be updated, with new progress review dates and PIP end date. Your manager will also issue a final written warning, which will last for two years.

4.4 **Communication**

Your manager will write to you within one calendar week of the Stage 2 Meeting to confirm the outcome of the meeting and next steps.

**No further formal action** - the letter will confirm the PIP is no longer in place, remind you of the remaining duration of the formal warning (see Section 11) and make clear what will happen if your performance starts to fall below the standard(s) required (see Section 7).

**Revision of PIP and issue of final written warning** - the letter will confirm the revisions to the PIP, its revised duration and make clear the potential consequences should you fail to meet the objectives and timescales of the updated PIP. The letter will also advise you of your right to appeal the final written warning.

5 **Review of Progress – Revised PIP**

The revised PIP will detail the actions you need to take to improve your performance. These will include the revised milestones which must be reached if you are to meet the overall PIP objectives.

The revised PIP must include review meeting dates, which will help you and your manager discuss and assess your progress. It must also include a new PIP end date.

5.1 **PIP objective(s) met by revised PIP end date**

If you achieve all of the PIP objective(s) before or by the revised PIP end date, this should be confirmed to you in person, normally during a PIP progress review meeting, and in writing. Your manager must:
- acknowledge the improvement in performance and the efforts you have made
- confirm the component parts of the PIP and overall PIP objectives have been met and that the PIP is no longer in place
- discuss what you should do to sustain the improvement you have made
- remind you of the duration of your final written warning (see Section 11), and
- make it clear to you what will happen if your performance starts to fall below the standard(s) required (see Section 7).

5.2 Failure to achieve a component part of the revised PIP or to reach key milestones
If you fail to achieve a component part of the PIP, or reach a key milestone, and so will be unable to achieve the overall PIP objective(s), your manager will normally proceed to Stage 3 – Performance Hearing before the PIP end date. You will be forewarned of this, normally during a PIP progress review meeting.

5.3 Unforeseen circumstances
If you have been unable to achieve a component part of the PIP/reach a key milestone due to new, unforeseen circumstances when the PIP was revised, your manager will extend the PIP and set a new end date. This will normally take place during a PIP progress review meeting and will be confirmed in writing.

Unforeseen circumstances could include long-term absence from work; the absence/turnover in key staff involved in providing you with support; delayed/cancelled training.

5.4 Deterioration in performance once revised PIP updated
If your performance deteriorates further, your manager will proceed to Stage 3 – Performance Hearing before the PIP end date. You will be forewarned of this, normally during a PIP progress review meeting.

5.5 PIP objectives not met by revised PIP end date
If you fail to meet the PIP objective(s) by the new PIP end date, your manager will progress to Stage 3 – Performance Hearing. You will be forewarned of this at your final PIP progress review meeting.
6 **Formal Procedure – Stage 3 - Performance Hearing**

6.1 **Hearing Chair**

The Head of HR will appoint a Chair to hear your case. The Chair will be at a grade equal to, or more senior than the manager who recommended progressing to a Hearing. In most cases, your manager’s line manager will chair the Hearing.

6.2 **Panel membership and Preparation**

The Chair will appoint one or two other members of staff who will form the panel to hear and decide on your case. These staff members will have had no prior involvement in your case and will ideally have relevant knowledge of the work you are employed to do.

At least one Panel member will be from the same job category as you. For example, if you are an Academic¹: at least one Panel member (who may be the Chair) will be an Academic; if you hold a non-academic role², at least one Panel member (who may be the Chair) will be a non-academic.

Your manager will prepare a short report for the Panel. The report will describe the performance issues and the actions taken to help you improve.

6.3 **Written Notice of Performance Hearing**

The Chair will write to you asking you to attend a Hearing. To help you to prepare, at least one calendar week’s notice of the meeting will normally be provided. Your manager’s report will be sent with the letter.

The letter will explain the make-up of the Panel and also make it clear that:
- a representative of HR will be present at the meeting to provide advice and guidance on the process and there will be a note taker
- you have the right to be accompanied to the Hearing by a trade union representative or workplace colleague

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¹ An ‘Academic’ for the purposes of this policy, is defined as a Professor, Reader, Senior Lecturer, Senior Teaching Fellow or Lecturer and any other person engaged in teaching, the provision of learning or research

² E.g. from professional services, technical or administrative support within the Colleges or Professional Services Groups
- any documents which you wish to use to support your case must be provided to the Chair at least two working days in advance of the Hearing
- the Hearing could result in your dismissal.

6.4 Performance Hearing

Your manager will attend the Hearing to present their report and explain their concerns about your performance. You will have the opportunity to respond to these concerns, to generally state your case and will be asked questions by Panel members.

The Hearing will be adjourned to allow the Panel to consider what they have heard and decide on appropriate action.

6.5 Outcome of Performance Hearing

The possible outcomes of the Hearing are:

a) continued period of review: the Panel may ask your manager to return to Stage 2 of the formal procedure, with a further period of review, and to take on board any recommendations made by the Panel, or

b) dismissal: which will take immediate effect with pay in lieu of notice. You will be advised of your right of appeal.

The Panel’s decision will be verbally communicated to you, wherever possible on the same or following day, and will be confirmed in writing within one calendar week of the Hearing.

7 Recurring underperformance

Following successful completion of a PIP, your performance will be managed in the normal way.

Formal action will resume should your performance once again fall short of the standard(s) expected of you.

Should this happen while a warning is current (see Section 11), your manager will progress to the next stage of the procedure. For example, if you received a written warning and then successfully completed
your PIP at Stage 1, your manager will alert you to the deterioration in your performance and restart formal action at Stage 2.

If your warning has not expired, your manager will normally restart formal action at Stage 1.

Your manager must seek early advice from HR before re-instigating the formal procedure.

8 Support for Employees: Underlying Issues

8.1 Disability
If you have, or disclose a disability which is contributing to your underperformance, the development of the PIP, its duration and the timing of PIP progress review meetings will allow:
- your manager time to seek and consider relevant, specialist advice
- your manager and you an opportunity to discuss any reasonable adjustments; and
- reasonable time for any such adjustments to be put in place and to take effect before your performance is formally reviewed.

8.2 Underlying health condition(s)
If your health is considered to be affecting your performance, the development of the PIP, its duration and the timing of PIP progress review meetings will allow:
- your manager time to refer you to Occupational Health (OH), and to consider the report from OH
- your manager and you an opportunity to discuss the OH report and consider any additional support recommended by OH which might help you to improve your performance; and
- reasonable time for appropriate additional support to be put in place and take effect before your performance is formally reviewed.

8.3 Personal difficulties
Managers will be supportive if you disclose that you are coping with significant difficulties in your personal life, for example, a close family illness, bereavement or a relationship breakdown. The duration of the PIP and timing of PIP progress review meetings will take into account these difficulties.
8.4 Workplace factors
If workplace factors are considered to be affecting your performance, for example working relationships, the nature and volume of your work, the development of the PIP will allow your manager time to investigate the issues raised and, if appropriate, to take alternative action.

9 Right to be accompanied
You have the right to be accompanied to formal meetings by a companion, who can be a trade union representative or workplace colleague. You may also ask for someone to be with you if you have particular needs, e.g. if you have a disability you may ask to have someone with you who is familiar with your condition. Your companion is also someone you can talk to about your case outside of formal meetings.

You are responsible for informing your chosen companion of the arrangements for the meeting and for providing them with any documentation they may require to prepare for the meeting. You must also notify the manager (or Performance Hearing Chair for a Performance Hearing or Appeal Convenor for an Appeal Hearing) in advance of the meeting if you will be accompanied and by whom.

10 Rearranging Formal Meetings
You are expected to attend formal meetings/hearings on the scheduled date. If you or your companion cannot attend you must let the Chair (or Appeal Convenor for an Appeal Hearing) know as soon as possible. You may request a postponement and suggest alternative times and dates within one week of the original date. Where a suggested alternative is feasible, the meeting/hearing will be postponed.

While every attempt will be made to accommodate the availability of your companion a postponement can only be agreed provided it does not cause unreasonable delay or disruption. Where no suitable alternative time can be identified you should choose a different companion who is able to attend at the original time.

If you fail to attend the original or rearranged formal meeting/hearing, the panel may review and decide the outcome in your absence.
11  Warning periods
A formal written warning will remain current for 12 months. A final written warning will remain current for 24 months.

After the warning period has expired, a note of the warning’s existence will remain on your record. However, this will not be used towards the escalation of warnings but may be used to provide context where relevant.

12  Appeals
12.1  Letter of Appeal
You have the right to appeal the issue of any formal warning and the termination of your employment. To appeal, you must write to your Head of HR within two calendar weeks of being notified of the warning or the termination of your employment. You must explain the reasons for your appeal which must be based on one or more of the following:
- the process wasn’t followed properly
- you have some new evidence that wasn’t available at the time of being informed of the warning or of your dismissal
- the sanction imposed was too severe.

If you have new evidence you should ideally submit this with your appeal letter, but additional evidence will be accepted up to one calendar week after you submit the appeal letter. If you do not provide any relevant grounds your appeal will not be taken further.

12.2  Written Notice of Appeal Hearing
Should you appeal, another manager will be appointed as the Appeal Convenor to hold an Appeal Hearing with you. They will be at least the same grade as the Chair of the Performance Hearing. They will write to you:
- asking you to attend a formal appeal hearing and giving details of the arrangements
- advising you of your right to be accompanied at the meeting by a companion
- advising you of the names of one or two other managers who will form the panel to consider your appeal.
You will be given at least one calendar week’s notice of the hearing which will normally take place within four calendar weeks of your letter being received by the Head of HR.

You must let the Appeal Convenor know if you are bringing a companion to the hearing. It is your responsibility to notify your chosen companion of the arrangements and to provide them with any documentation they may require to prepare for the hearing. If you need any adjustments or special arrangements to attend the hearing you must let the Appeal Convenor know in advance, as they may not be aware of your circumstances.

12.3 Appeal Hearing

12.3.1 Appeal Hearing – Sanctions below dismissal

The Appeal Hearing will be chaired by the Appeal Convenor. There will be up to two other panel members and no one will have been involved with your case previously. At least one panel member will be from the same job category as you. This means that if you are an academic at least one panel member will be an academic or if you hold a professional services role at least one panel member will have a professional services role. A representative from HR may be there to advise the panel on process and there will be a note taker. The Chair of the Performance Hearing will normally attend and may have a representative from HR with them.

The Appeal Panel will not rehear your case. It will review and decide whether the action taken at the Performance Hearing was fair and reasonable based on the reasons you provided in your letter of appeal and during the Appeal Hearing.

The hearing will usually take place as follows:

- the Chair of the Performance Hearing will summarise the reasons for the original outcome and sanction
- the Panel will ask the Chair questions
- you will respond to the Chair of the Performance Hearing’s summary, put forward your point of view and you may ask questions of the Chair of the Performance Hearing
- the Panel will ask you questions
After the discussion the Appeal Convenor will adjourn the hearing so that the Panel can consider all they have heard. You will normally be called back to the hearing later in the day to be told the outcome. If the Panel need more time to consider your appeal you will be told when you will hear the outcome.

12.3.2 Appeal Hearing – Dismissal

The Appeal Hearing will be chaired by the Appeal Convenor who will normally be from a different School or Professional Services Department to you. There will be up to two other panel members and no one will have been involved with your case previously. At least one panel member will be from the same job category as you. This means that if you are an academic at least one panel member will be an academic or if you hold a professional services role at least one panel member will have a professional services role. If you are an academic at grade 8 or above an external panel member will also be appointed. A representative from HR may be there to advise the panel on process and there will be a note taker.

The Chair of the Performance Hearing will normally attend the Appeal Hearing and may have a representative from HR with them.

The Appeal Panel will not rehear your case. It will review and decide whether the action taken at the Performance Hearing was fair and reasonable based on the reasons you provided in your letter of appeal and during the Appeal Hearing.

The Hearing will normally take place as follows:
- the Chair of the Performance Hearing will summarise the reasons for the original outcome and sanction of dismissal
- the Panel will ask the Performance Hearing Chair questions
- you will respond to the summary given by the Performance Hearing Chair, put forward your point of view and you may ask the Chair questions
- the Panel will ask you questions.

After the discussion the Appeal Convenor will adjourn the hearing so that the Panel can consider all they have heard. You will normally be called back to the hearing after the adjournment to be told the outcome. If the Panel needs more time to consider your appeal you will be told when you will hear the outcome.
12.4 Outcome of Appeal

The possible outcomes of your Appeal Hearing are:

- your appeal is turned down and the original decision is confirmed
- your appeal is supported and your sanction is removed or replaced with a lower one.

If your appeal against dismissal is supported the panel may additionally reinstate you to your role or recommend your appointment to a different position.

The Appeal Convenor will confirm the outcome of the hearing in writing to you within one calendar week. The decision of the Appeal Panel is final.

13 Conflict of Interest

You can ask for a different Chair of the Performance Hearing or Appeal Convenor to be appointed if they have a genuine conflict of interest in relation to your case. You must write to your Head of HR if you believe there is a conflict and specify what it is. The Head of HR will make an assessment about the person’s objectivity and confirm their decision to you. If it is concluded that there is a conflict of interest a different manager will be appointed to carry out the role. You must refer to the Policy on Conflict of Interest before deciding to make an objection.

14 Records

HR will record the number of cases being managed through the formal Capability procedure, including the stage reached in the process. The number of cases by stage will be made available to the University’s Joint Unions Liaison Committee (JULC). All records will be held in accordance with the University’s records management policy framework.

Attachments:

Appendix I – Managing Capability Flow Chart
Appendix II – Template Formal Performance Improvement Plan
### Appendix 1 – Managing Capability: Formal Procedure

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<tbody>
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<td>Manager contacts HR</td>
<td>Manager writes to invite you to the Stage 1 meeting</td>
<td>Manager writes to invite you to the Stage 2 meeting</td>
<td>Hearing Chair writes to invite you to the Performance Hearing</td>
</tr>
<tr>
<td>Manager writes to invite you to the Stage 1 meeting</td>
<td>Stage 2 Meeting</td>
<td>Stage 2 Meeting</td>
<td>Performance Hearing</td>
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<tr>
<td>Stage 1 meeting</td>
<td>Decide action to be taken</td>
<td>No further formal action</td>
<td>Decide action to be taken</td>
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<tr>
<td>Decide action to be taken</td>
<td>No formal action</td>
<td>No further formal action</td>
<td>Dismissal</td>
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<tr>
<td>Formal action: - Written warning issued - PIP created</td>
<td>Further Formal action: - Final written warning issued - PIP updated</td>
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<td>PIP Review Meeting(s)</td>
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<tr>
<td>PIP Review Meeting(s)</td>
<td>PIP objectives met?</td>
<td>PIP objectives met?</td>
<td>Appeal Convenor confirms outcome</td>
</tr>
<tr>
<td>Manager confirms PIP no longer in place &amp; remaining duration of warning</td>
<td>Progress to stage 2 if there is a written warning on record</td>
<td>Progress to Performance Hearing if a final written warning is on record</td>
<td>Consider if you will appeal formal action</td>
</tr>
<tr>
<td></td>
<td>Manager confirms PIP no longer in place &amp; remaining duration of warning</td>
<td>Progress to Performance Hearing</td>
<td>Submit appeal to Head of HR</td>
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<tr>
<td></td>
<td>Progress to Performance Hearing if a final written warning is on record</td>
<td></td>
<td>Appointed Appeal Convenor invites you to Appeal Hearing</td>
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<td>Appeal Hearing</td>
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<td></td>
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<td></td>
<td>Appeal Convenor confirms outcome</td>
</tr>
</tbody>
</table>
## Section 1 Employee’s Details:

<table>
<thead>
<tr>
<th>Employee Name:</th>
<th>Employee Number:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Job Title:</td>
<td>School/Support Group:</td>
</tr>
<tr>
<td>Grade:</td>
<td></td>
</tr>
<tr>
<td>Manager’s Name:</td>
<td>Manager’s Job Title:</td>
</tr>
</tbody>
</table>

## Section 2: Stage of Managing Capability Procedure:

<table>
<thead>
<tr>
<th>PIP Start Date (dd/mm/yyyy):</th>
</tr>
</thead>
<tbody>
<tr>
<td>PIP Review Meeting Date(s) (dd/mm/yyyy):</td>
</tr>
<tr>
<td>PIP End Date (dd/mm/yyyy):</td>
</tr>
</tbody>
</table>
**Performance Objective(s):** Detail the overall improvement required by the PIP Formal Review Date:

<table>
<thead>
<tr>
<th>Expected Standard</th>
<th>Improvement Actions</th>
<th>Training and Support</th>
</tr>
</thead>
<tbody>
<tr>
<td>Describe what ‘satisfactory’ performance looks like / how manager and employee will recognise the objective has been met</td>
<td>Detail the step-by-step actions (the milestones) the employee needs to take to meet the performance objective(s), and timescales for improvement</td>
<td>Detail the training and support required to meet the objective(s) – what, by whom and when</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name</th>
<th>Signature</th>
<th>Date (dd/mm/yyyy)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manager:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employee:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>